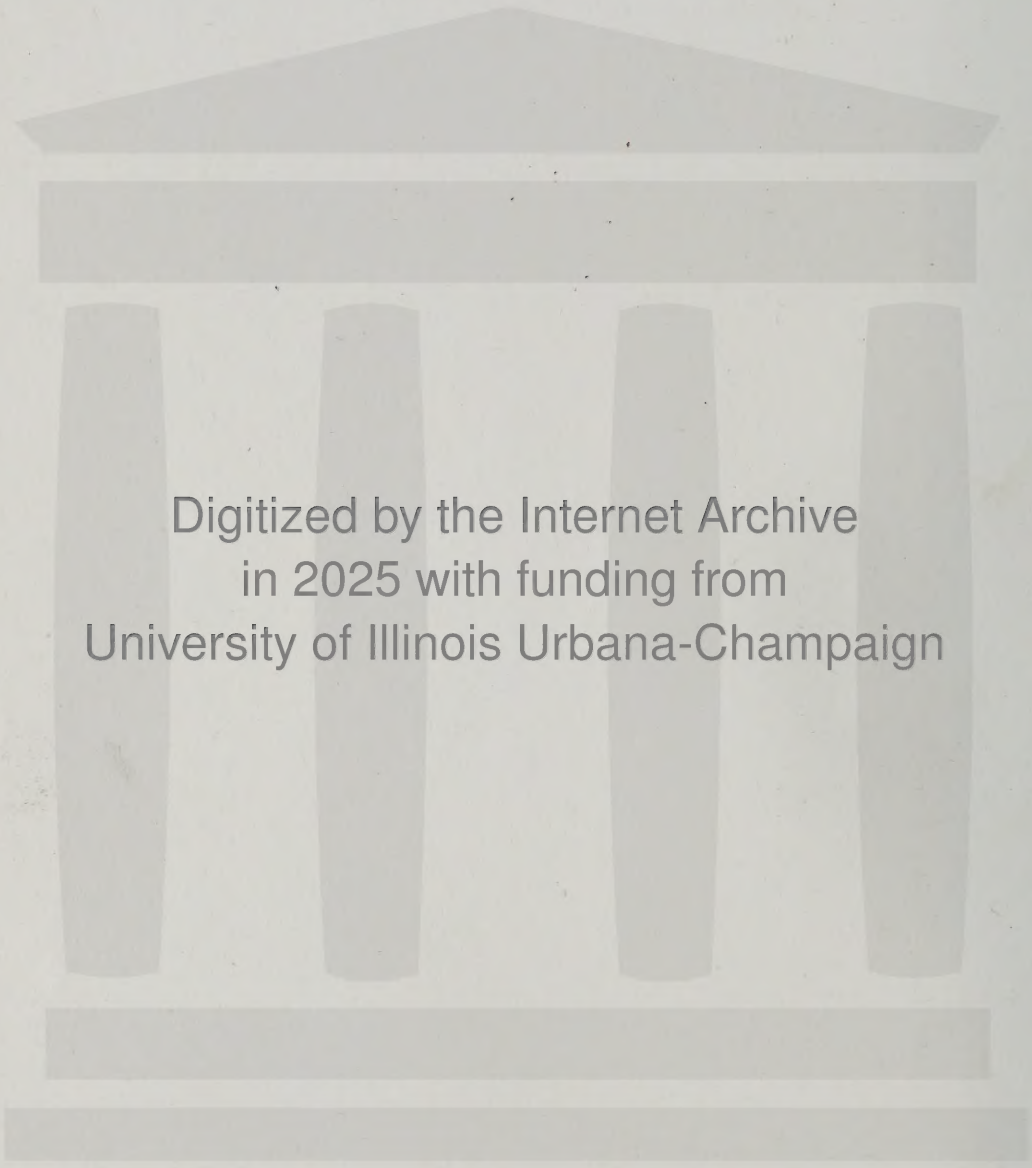


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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., MONDAY, NOVEMBER 13, 1933 No. 1.

SENATE

MONDAY, NOVEMBER 13, 1933, 12 O'CLOCK NOON

This being the day and hour fixed by the Governor of the Commonwealth in his Proclamation, convening the General Assembly in Extraordinary Session, the members of the Senate assembled in the Senate Chamber.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon), called the Senate to order at 12 o'clock noon.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Thou Infinite and Eternal God, our help in ages past, our hope for years to come, Thou Author and Source of all wisdom, we beseech Thee that Thou wouldst bless this Senate as it meets today. Grant that all of its members may have wisdom from on high in these crucial times to do the things that are for the best interest of this Commonwealth and this Nation. Bless us all and guide us. We ask in Thy name. Amen.

ROLL CALL

The PRESIDENT. The Chief Clerk will call the roll.

The Chief Clerk called the roll and the following Senators were present:

Jos. G. Armstrong, Jr.
Max Aron.
Alonzo S. Batchelor.
Herman E. Baumer.
Harry J. Bell.
Edward B. Bennett.
James S. Boyd.
Herman P. Brandt.
Clarence J. Buckman.
Leroy E. Chapman.
William H. Clark.
James J. Coyne.
Charles H. Ealy.
Morris Einstein.
Frank L. Fay.
Bertram G. Frazer.
Frederick T. Gelder.
Peter Graff.
Frank J. Harris.
Laning Harvey.
John G. Homsher.
John W. Howell.
William C. Hunsicker.
Thaddeus S. Krause.
Henry E. Lanius.
William D. Mansfield.
Charles E. Miller.
James E. Norton.
G. Mason Owlett.
Chauncey W. Parkinson.
William D. Pethick.
Henry J. Pierson.
Leon C. Prince.
Richard S. Quigley.
George L. Reed.
John S. Rice.
Warren R. Roberts.
Samuel W. Salus.
Harry B. Scott.
Harry Shapiro.
Henry L. Synder.
Charles W. Sones.
Andrew J. Sordoni.
Charles W. Staudenmeier.
Benjamin H. Thompson.
Joseph C. Trainer.
Richard W. Williamson.
Joseph R. Ziesenheim.

ABSENT

John J. McClure.
George W. Woodward.

LEAVES OF ABSENCE

Mr. BUCKMAN asked and obtained leave of absence for Mr. McClure for the balance of the week.

Mr. SALUS asked and obtained leave of absence for Mr. Woodward.

The PRESIDENT. A quorum of the Senate being present, the Clerk will proceed to read the Proclamation of the Governor convening the General Assembly in Extraordinary Session.

Whereupon,

The Chief Clerk of the Senate read the Proclamation of the Governor, as follows:

PROCLAMATION OF THE GOVERNOR

In the Name and by Authority of the Commonwealth of Pennsylvania, Governor's Office, Harrisburg, Pa.

By virtue of the authority vested in me by Article IV, Section 12, of the Constitution, I, Gifford Pinchot, Governor of Pennsylvania, do hereby convene the General Assembly of the Commonwealth in Extraordinary Session, to meet in the Capitol at Harrisburg, on Monday, November thirteenth, one thousand nine hundred thirty-three, at twelve o'clock noon (Eastern Standard Time) of that day, to consider legislation upon the following subjects:

1. Regulation of and taxation on the ownership, manufacture, sale, distribution, storage, transportation, and use of alcohol and alcoholic beverages, including the establishment of State stores for the sale, not for consumption on the premises, of such beverages, and appropriations necessary therefor.

2. Appropriations of the receipts of State liquor stores for the expenses thereof and of the profits for unemployment relief, old age assistance, and unemployment insurance or any of these purposes; and the use of revenue derived from new taxes on alcoholic beverages for any or all of the following purposes: Assistance for financially handicapped school

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districts; erection or improvement of State buildings or other public works or repayment of moneys to be received from the Federal government for this purpose; unemployment relief; restoration of the work formerly done by the Bureau of Industrial Relations, Department of Labor and Industry; payment of the salary of the judge of the juvenile court of Allegheny County; additional expenses of the Treasury Department and the Departments of Health, Labor and Industry, Property and Supplies, and Revenue, and the Pennsylvania State Police; mobilization of the entire Pennsylvania National Guard at Indiantown Gap in the summer of 1934; the payment of unpaid bills of joint legislative or Senate or House investigations heretofore held; and to compensate for the loss of revenue involved in the repeal of the four-mill State tax on interest-bearing bank deposits.

3. Recovery legislation, including co-operation with the National Recovery Administration and other Federal agencies; regulation of intra-state business to prevent unfair competition; authority to the Governor and other State officers to apply for and meet the conditions necessary to receive Federal grants, advances or loans to the State or for self-liquidating projects; legalization of home loan bonds as investments; authority to municipalities to construct public works, to apply for and accept Federal grants and loans and to issue revenue bonds; creation or supervision of housing corporations; establishment of "authorities" for the construction of public works; cancellation of public contracts at the request of contractors whose costs have been increased because of membership in NRA; and authorization of a tunnel under the Delaware River between Pennsylvania and New Jersey.

4. Old age assistance, unemployment insurance, workmen's compensation, rehabilitation of industrial areas in which industries have permanently closed down, prohibition of private employment of deputy sheriffs, and regulation of hours, wages, payment, and conditions of labor.

5. Regulation of the production, distribution, and sale of milk and other dairy products.

6. Prohibition of rate increases by public utilities without the prior approval of the Public Service Commission.

7. Modifications of the banking laws.

8. Local taxation, and investigation and reduction of the cost of local government including the taking over as State highways of all remaining second class township roads.

9. Permanent registration of voters in cities, imposition of penalties on candidates for public office who participate in or condone election frauds, and other election safeguards.

10. Relief for financially distressed mortgagors, taxpayers, and other debtors, including provisions concerning deficiency judgments.

11. Income tax for school purposes.

12. Restriction of the use of the highways by trucks on Saturday afternoons, Sundays and legal holidays.

13. Legislation necessary to give effect to any constitutional amendments adopted by the people on November 7, 1933, and appropriation for expenses of the Extraordinary Session of the General Assembly.

Given under my hand and the Great Seal of the State at the City of Harrisburg, this 9th day of November, in the year of our Lord one thousand nine hundred thirty-three, and of the Commonwealth the one hundred fifty-eighth.

(SEAL)

GIFFORD PINCHOT

By the Governor:

RICHARD J. BEAMISH,
Secretary of the Commonwealth

PRESIDENT PRO TEMPORE TO APPOINT STANDING AND SPECIAL COMMITTEES

Mr. HOMSHER offered the following resolution, which was twice read, considered and agreed to:

In the Senate, November 13, 1933

Resolved, That the President Pro Tempore of the Senate be authorized to appoint all special and standing committees of the Senate during the Extraordinary Session, and shall be ex-officio a member of all special and standing committees.

NOTIFICATION OF THE HOUSE

Mr. REED offered the following resolution, which was twice read, considered and agreed to:

In the Senate, November 13, 1933.

Resolved, That a committee of three be appointed to inform the House of Representatives that the Senate is now in session and ready to proceed to business.

The PRESIDENT. The Chair appoints as said Committee, the Senator from Dauphin, Mr. Reed, the Senator from Schuylkill, Mr. Staudenmeier, and the Senator from Northampton, Mr. Roberts.

NOTIFICATION TO THE GOVERNOR

Mr. CLARK offered the following resolution, which was twice read, considered and agreed to:

In the Senate, November 13, 1933.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House, if the House shall appoint such committee, to await upon His Excellency, the Governor of the Commonwealth, and inform him that the General Assembly is convened in Extraordinary Session in conformity with the proclamation of November 9, 1933, and is ready to receive any communications he may have to make.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

ADOPTION OF RULES

Mr. SALUS offered the following resolution, which was twice read, considered and agreed to:

In the Senate, November 13, 1933.

Resolved, That the standing rules of the Senate during the Regular Session of 1933 be adopted for the government of the Senate at the present Extraordinary Session.

POSTAGE ON LEGISLATIVE JOURNAL

Mr. NORTON offered the following resolution, which was twice read, considered and agreed to:

In the Senate, November 13, 1933.

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and the House of Representatives be directed to make arrangements for the necessary postage, so that the Legislative Journal may be mailed according to the requirments of the Post Office Department, and the Appropriations Committee provide for the cost of the same in the bill providing for the expenses of the Extraordinary Session.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

DISPOSITION OF PETITIONS, MEMORIALS AND REMONSTRANCES

Mr. ARMSTRONG offered the following resolution, which was twice read, considered and agreed to:

In the Senate, November 13, 1933.

Resolved, That all petitions, memorials and remonstrances be presented by handing the same to the Chief Clerk, properly endorsed with the name thereon, in accordance with the practice of the last Regular Session.

SALARIES OF SENATORS AND MEMBERS

Mr. KRAUSE offered the following resolution, which was twice read, considered and agreed to:

In the Senate, November 13, 1933.

Resolved (if the House of Representatives concur), That the State Treasurer be and is hereby authorized to pay on war-

rant of the Auditor General to each member of the General Assembly the sum of $250.00 on account of the salary of $500.00 to which each member is entitled for an Extraordinary Session of the General Assembly by virtue of the provisions of the Act of Assembly approved the tenth day of May, A. D. 1927, P. L. 880, and amended by Act No. 306, approved June 2, 1933; and the balance of said $500.00, namely, $250.00, on the day of final adjournment of the Extraordinary Session of the General Assembly, convened in session on call of the Governor, November 13, 1933.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SALARIES OF EMPLOYEES OF THE SENATE

Mr. HOWELL offered the following resolution, which was twice read, considered and agreed to:

In the Senate, November 13, 1933.

Resolved, That the Chief Clerk of the Senate approve orders for the payment of salaries and wages only to such officers and employes of the Senate who actually perform the duties of the positions to which they have been elected or appointed.

STANDING COMMITTEES

The PRESIDENT. The President Pro Tempore of the Senate has requested me to announce that as there have been no changes in membership of the Senate since the Regular Session of 1933, the Committees will stand as at the Regular Session, with the exception that vacancies shall be filled in accordance with the rules of the Senate.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE OF THE SENATE TO FILL VACANCIES ON SENATE COMMITTEES

Appropriations Committee: Chairman, the Senator from Fayette. Mr. Bell.

Mines Committee: Chairman, the Senator from Philadelphia, Mr. Krause.

Game and Fisheries Committee: the Senator from Allegheny, Mr. Armstrong.

Finance: the Senator from Fayette, Mr. Bell.

Insurance: the Senator from Montgomery, Mr. Boyd.

Judicial Apportionment: the Senator from Montgomery, Mr. Boyd.

Legislative Apportionment: the Senator from Montgomery, Mr. Boyd.

Railroads: the Senator from Montgomery, Mr. Boyd.

Forestry: the Senator from Allegheny, Mr. Armstrong.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. COYNE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT OF COMMITTEE OF NOTIFICATION TO THE HOUSE

Mr. REED. The Committee appointed by the Senate to notify the House of Representatives that the Senate is duly organized and ready to proceed to business desires to report that it has performed that duty.

The PRESIDENT. The Committee is discharged with the thanks of the Senate.

NOTIFICATION FROM THE HOUSE

Messrs. Peters, McElwee and Andrews, a Committee of the House of Representatives, being introduced, informed the Senate that it was duly organized and ready to proceed with business, and were extended the thanks of the Senate.

HOUSE MESSAGE

NOTIFICATION TO THE GOVERNOR

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, November 13, 1933.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House, if the House shall appoint such committee, to await upon His Excellency, the Governor of the Commonwealth, and inform him that the General Assembly is convened in Extraordinary Session in conformity with the proclamation of November 9, 1933, and is ready to receive any communications he may have to make.

And has appointed Messrs. Peters and Andrews as such committee on the part of the House of Representatives.

The PRESIDENT. The Chair appoints as said committee on the part of the Senate, the Senator from Chester, Mr. Clark; the Senator from Lancaster, Mr. Pierson, and the Senator from Adams, Mr. Rice.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a reces for ten minutes.

Mr. COYNE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT OF COMMITTEE TO WAIT UPON THE GOVERNOR

Mr. CLARK. Mr. President, the Committee appointed by the Senate to act in conjunction with a similar committee of the House of Representatives to inform the Governor that the General Assembly is organized and ready to receive any communications he may be pleased to make, has performed its duty.

The PRESIDENT. The Committee is discharged with the thanks of the Senate.

RESOLUTION, DISCOURAGING THE INTRODUCTION OF BILLS NOT WITHIN THE GOVERNOR'S PROCLAMATION

Mr. SCOTT offered the following resolution, which was twice read, considered and agreed to:

In the Senate, November 13, 1933.

Whereas, The Constitution, Article III, Section 25, provides that "When the General Assembly shall be convened in special session, there shall be no legislation upon subjects other than those designated in the proclamation of the Governor calling such session;" and

Whereas, This provision is not directory but mandatory because the Supreme Court of this Commonwealth has held that any law passed at a Special Session must be within the subjects set forth in the Governor's proclamation, otherwise it is unconstitutional; and

Whereas, The work of the General Assembly can be handled more efficiently and expeditiously if bills introduced relate only to the subjects of legislation specified in the Governor's proclamation; therefore be it

Resolved, That it is the sense of the members of the Senate of Pennsylvania that Senators should refrain from introducing legislative bills, clearly not within the subjects announced in the Governor's proclamation, in order to save the time of the Senate, and to avoid the expense of printing bills which cannot become valid laws.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennslyvania:

If it meets with the approval of the General Assembly, I should like to address the Members in Joint Session at three o'clock p. m. today.

GIFFORD PINCHOT.

JOINT SESSION TO HEAR GOVERNOR'S ADDRESS

Mr. GELDER offered the following resolution, which was twice read, considered and agreed to:

In the Senate, November 13, 1933.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session, November 13, 1933, at 3 o'clock in the Hall of the House for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

REASONS FOR PARDON

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to present herewith the reasons for pardons granted by me from January 18, 1933 to October 18, 1933.

GIFFORD PINCHOT.

(For reasons see Appendix.)

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

George C. Berg, 1005 Liberty Ave., Pittsburgh.
Mrs. Mabel A. Coulter, Union Trust Bldg., Pittsburgh.
J. Roy Degenhardt, 1928 Brownsville Road, Pittsburgh.
H. A. Grab, Farmers Bank Bldg., Pittsburgh.
Miss Anna C. Stack, 5800 Baum Blvd., Pittsburgh.

BERKS COUNTY

Miss Margaret E. Butz, Kutztown.
Mrs. Winifred A. Dollard, Reading.
Fred Morganstern, Reading.

BLAIR COUNTY

Miss Mary A. Janker, Altoona.

BUCKS COUNTY

Miss I. Esther Christine, Perkasie.

CAMBRIA COUNTY

Miss Jane Nicholas, Johnstown.

CARBON COUNTY

Miss Miriam I. Yost, Mauch Chunk.

CHESTER COUNTY

Chandler P. Roberts, Downingtown.

COLUMBIA COUNTY

Miss Lois C. Fleming, Catawissa.

LACKAWANNA COUNTY

David .W Phillips, Scranton.

LANCASTER COUNTY

S. P. Frey, Marietta.

LEHIGH COUNTY

Miss Irene M. Estock, Allentown.
Joseph A. Ludrof, Allentown.

LUZERNE COUNTY

Mrs. Mary E. Long, Pittston.

McKEAN COUNTY

Miss Marian R. Chase, Bradford.

MONTGOMERY COUNTY

Miss Mary E. Fling, Norristown.
Horace H. Smith, Pennsburg.

NORTHUMBERLAND COUNTY

Pasquale Mirarchi, Shamokin.

PHILADELPHIA COUNTY

Mrs. Kathryn B. Adams, 513 Schaff Building, Philadelphia.
R. David Anderson, Commercial Trust Building, Philadelphia.
A. Chester Brown, 34th St. & Grays Ferry Road, Philadelphia.
Miss Josephine DiEgidio, 2440 Phila. Saving Fund Building, Philadelphia.
John C. Russ, 1420 Walnut St., Philadelphia.

WASHINGTON COUNTY

Miss Victoria Kaufman, Charleroi.

WESTMORELAND COUNTY

E. E. Huffman, New Alexandria.

GIFFORD PINCHOT.

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NOMINATIONS BY THE GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY

Miss H. M. Schweikert, Pittsburgh.
Louis J. Ferragonio, Pittsburgh.
Miss Agnes J. Gould, Pittsburgh.
Miss Charlotte M. Neuhart, Pittsburgh.
Donald R. Hezlep, Oakdale.
Miss C. O'Donnell, Pittsburgh.
Charles Specht, Pittsburgh.
Miss Clara Anne Loughran, Pittsburgh.
George F. Ferrier, Pittsburgh.
Nicholas Milich, McKees Rocks.
Mrs. Mildred S. Greer, Pittsburgh.
Miss Bernadette M. Marlier, Pittsburgh.
Alvin E. Mason, Harrison Twp.
John A. Forster, Pittsburgh.
Mrs. Carolyn E. Stobart, Pittsburgh.
Miss Helen E. Boyd, Pittsburgh.
Mrs. Dora A. Bove, Pittsburgh.
John A. Lawler, Pittsburgh.
Miss Martha E. Jones, Pittsburgh.
Jas. A. Gribbin, Pittsburgh.
William H. Price, Pittsburgh.
Miss Margaret Sandler, Pittsburgh.
Chas. K. Brooks, Forest Hills.
Miss Lenora Ritter, Millvale.
E. B. Hadfield, Pittsburgh.
Miss Mary F. Mellett, Pittsburgh.
J. Russell Montgomery, West Deer Twp.
Mrs. Mattie E. Carpenter, Pittsburgh.
Miss Lavania M. Miller, Pittsburgh.
G. A. Streib, Pittsburgh.
James A. Rea, Bellevue.
Joseph F. Joyce, Pittsburgh.
Emerson E. Stoner, Wilkinsburg.
William J. White, Jr., Pittsburgh.
Leonard Defonso, Carnegie.
Frank J. Surman, Pittsburgh.
Joseph K. Weiss, Pittsburgh.
J. R. Stone, Dormont.
Jack Sussman, Pittsburgh.
Miss Agnes M. Kerchner, Pittsburgh.
William T. Dible, Verona.
Miss Augusta S. Gundlach, Pittsburgh.
David J. Morrow, Clairton.
Robert Palkovitz, McKeesport.
C. E. Seibert, Pittsburgh.

BEAVER COUNTY

Richard M. Townsend, Beaver Falls.
Edwin P. Parrott, Aliquippa.
Miss Ann M. Frew, Beaver.
Samuel B. Laughner, Aliquippa.

BEDFORD COUNTY

Miss H. Viola Kling, Bedford.

BERKS COUNTY

Miss Mary M. Wolf, Reading.
Miss Josephine M. Ranwats, Reading.
Mrs. Marie G. Catlin, Reading.
Charles S. Herbein, Boyertown.
Miss Eleanor C. Cupp, Reading.
Mrs. Katie R. Mosser, Cumru Twp.

BLAIR COUNTY

Miss Leila P. Fisher, Altoona.
Mrs. Goldie Boland, Altoona.
Miss E. Lillian Miller, Tyrone.
Charlie B. Moore, Altoona.

BRADFORD COUNTY

C. M. Bender, Towanda

BUCKS COUNTY

Miss Alice T. Cooley, Morrisville.

BUTLER COUNTY

G. R. Burdick, Jr., Butler.
Cloyd M. Smith, Butler.

CAMBRIA COUNTY

Mrs. Margaret B. Dumm, Spangler.
Vincent B. Saly, Johnstown.
Miss Florence Head, Johnstown.
Mrs. Mary J. Biss, Spangler.
Miss Kathryn L. Studt, Johnstown.
John T. Byrne, Galitzin.
Joseph Hilvitz, Susquehanna, Township.

CARBON COUNTY

Warren L. Ritter, Lehighton.

CENTRE COUNTY

Miss Mary M. Rankin, Bellefonte.

CHESTER COUNTY

John A. Sabol, Phoenixville.
Mrs. Elmira F. Sheeler, Coatesville.
Harry E. Radbill, West Chester.
Julius R. Szegedy, Phoenixville.
James R. McGowan, Downingtown.

CLEARFIELD COUNTY

R. M. Haney, Clearfield.
James A. Nelson, DuBois.
Merritt I. Edner, DuBois.

CLINTON COUNTY

Miss Dorothy M. Schadt, Lock Haven.

CRAWFORD COUNTY

N. Allen Love, Titusville.
E. S. Anderson, Titusville.

DAUPHIN COUNTY

Miss Kathryn E. Zeiter, Harrisburg.
Miss Berneace A. Hurst, Harrisburg.
Miss Ruth M. Smith, Harrisburg.
W. Donald Sweger, Harrisburg.
Miss Anne K. Sheely, Harrisburg.
F. David Clark, Harrisburg.
Donald E. Herman, Harrisburg.
J. A. Wickenhaver, Harrisburg.

DELAWARE COUNTY

Horace T. Cole, Upper Darby Township.
Isaac Kershaw, Jr., Upper Darby Township.
Albert Snyder, Radnor Township.
Miss M. Eugenia Adicks, Upper Darby Township.
Mrs. Mary T. Erwin Parker, Swarthmore.

ELK COUNTY

Eugene P. McCarthy, Johnsonburg.

ERIE COUNTY

Harry W. Hagmann, Erie.
Miss Eleanor M. Merkle, Erie.
J. M. Kellogg, Erie.
Miss Henriette F. Weber, Erie.
Maxwell B. Zwibel, Erie.
Fred L. Nash, Erie.
Miss Ruth E. Loesch, Erie.
Mrs. Alice C. Peerboom, Erie.
Miss Marjorie Schodt, Erie.

FAYETTE COUNTY

Wm. B. Parshall, Uniontown.
Mrs. Cornelia M. Goughnour, Uniontown.
M. W. Delehunt, Uniontown.
Miss Hilda Hirleman, Connellsville.

FRANKLIN COUNTY

Fred L. Gish, Peters Township.

FULTON COUNTY

James E. Johnson, Thompson Township.

GREENE COUNTY

Andrew Waychoff, III, Waynesburg.

INDIANA COUNTY

A. H. Seaman, Pine Township.
G. E. Fassett, Homer City.

LACKAWANNA COUNTY

Miss Beatrice Tighe, Scranton.
Mrs. Fae C. Allen, Scranton.
Miss Marion M. Coyne, Scranton.
Miss Anna Munchak, Scranton.
Harry M. Gordon, Scranton,
Mrs. Beulah C. Johnson, Carbondale.
Miss Elizabeth Roughton, Scranton.

LANCASTER COUNTY

Paul N. Sauder, New Holland.
Miss Alice R. Johnson, Lancaster.
Miss Lillian M. Hess, Lancaster.
Mrs. Catharine M. Price, Lancaster.
Earle D. Rhoades, Lancaster.

LAWRENCE COUNTY

Angelo J. Casacchia, New Castle.
Miss Mary E. McLafferty, New Castle.
Charles J. Carlson, Ellwood City.
Michael Hermann, New Castle.
Miss Ina M. Cooper, New Castle.
William M. Frew, Ellwood City.
Griff, Thomas, New Castle.

LEBANON COUNTY

Mrs. Gladys E. Sholly, Bethel Township.
Mrs. Mae I. Webber, Heidelberg Township.
Miss Ruth E. Lentz, Lebanon.

LEHIGH COUNTY

Raymond F. Hall, Allentown.

LUZERNE COUNTY

Miss Mary R. O'Donnell, Wilkes-Barre.
Miss Regina Gilroy, Pittston.
Miss Anna V. Henrich, Wilkes-Barre.
Harry Shupeck, Hazelton.
Mrs. Lydia T. Durkin, Wilkes-Barre.
J. William Schreiner, Nanticoke.
George W. Tripp, Wilkes-Barre.
Miss Mary C. Morrow, Pittston.
Earl West, Wilkes-Barre.
John A. Schiavo, Hazelton.
Miss H. R. McGlynn, Wilkes-Barre.

LYCOMING COUNTY

Mrs. Katherine E. Norrito, Williamsport.

MERCER COUNTY

Alfred M. Zimmer, Sharon.

MONROE COUNTY

Miss Helen L. Philips, Stroudsburg.
Miss Caroline P. Mueller, Barrett Township.

MONTGOMERY COUNTY

Wm. K. Donaldson, Abington Township.
Miss Rosanna M. Sullivan, Jenkintown.
Henry A. Frye, Narberth.
Miss Florence N. Blakely, Norristown.
Miss Elizabeth H. McGrady, Norristown.
Miss Mary J. Tancini, Conshohocken.
J. Franklin Bechtel, Pottstown.
Frederick B. Smillie, Norristown.
Mrs. Irene G. Green, Norristown.
Henry I. Fox, Jr., Norristown.
Miss Marian M. Reynolds, Norristown.
Mrs. Ida H. Warner, Lower Merion Township.
Miss Anna Sclafani, Norristown.
Stewart B. Boerner, Abington Township.
Henry T. Brown, Lower Merion Township.

NORTHAMPTON COUNTY

Harvey H. Harr, Palmer Township.
Mrs. Belle M. Miller, Easton.
Charles W. Stem, Portland.
Bartolo Picone, Easton.

NORTHUMBERLAND COUNTY

Miss Genevieve T. Strzyzewski, Mount Carmel.
Mrs. Mildred W. Walter, Milton.
Mrs. Blanche Shoemaker, Sunbury.
Arthur M. Elliott, Shamokin.
Dominic Silvano, Mount Carmel Township.

PHILADELPHIA COUNTY

Mrs. Helen D. Huder.
Miss Kathryn M. Littley.
Saul Peiper.
Miss Hannah Weinrach.
William D. Curley.
Miss Edith J. Galbraith.
Miss G. Ruth Hall.
John A. Palmer.
Emanuel Soloner.
George W. Deane.
Harry C. Meyers.
George H. Bonner.
Ernest W. Hopper.
Walter Gabell, Jr.
Paul O. Klaus.
John A. Tait.
Miss S. Agnes Kelly.
William C. Luders.
Manes Novello.
William Dorsey.
Charles Feinman.
William J. Gilmore, Jr.
Denis J. Horgan, Jr.
Mrs. Kathryn C. Ramsey.
Miss Melva C. Kuhn.
Miss Violet V. Maloy.
Joseph H. D'Amelio.
J. Frederick Burkart.
C. Webster Kinsley.
Miss Marion S. Kirk.
Harry A. Crisp.
Harry Goldfarb.
Mrs. Carol L. Weil.
Jacob Azeff.
Vincent S. Smolczynski.
Frank M. Crutchley.
Robert M. Waddington.
Mrs. Katherine M. Pentz.
Boleslaus F. Rudzinski.
Miss Elsie P. Wagner.
Morris Gross.
Miss Verna M. Detwiler.
Mrs. Estelle E. Strumpf.
Milton T. Young.
Harry Hoffmeister.
Albert M. Segel.
Miss Helen E. Enters.
Benjamin Barish.
John A. Krimm.
August P. Schulz.

Henry D. Childers.
Miss Alice N. Henderson.
Fred J. Wolf.
Nathan Kenin.
Joseph Boniface Hock.
Miss G. E. Bardenheuer.
Miss Margaret M. Bigley.
Miss Catherine Helmetag.
Harry J. Master.
Miss Elizabeth M. Martin.
Edward T. Tyson, III.
Miss H. Olga Archer.
Miss D. Levering Deighton.
Miss Rosemary Stinson.
Miss Elizabeth G. Barton.
Miss Alice T. Dashiell.
Miss Anna Klein.
Mrs. Kathryn M. Agnew.
Virgil B. Baldi.
Miss Marie R. Ragozzino.
Abraham Shotz.
Miss Helene Albertson.
Miss Teresa M. Daugherty.
William C. Greger.
Donald W. Baxter.
John J. Burke, Jr.
R. M. Moore.
Wallace S. Rile.

POTTER COUNTY

N. K. Harris, Coudersport.

SCHUYLKILL COUNTY

Marvin W. Williams, Mahanoy City.
Miss M. Rebecca Fernsler, Pottsville.
Mrs. Madeline D. Bobst, Tamaqua.
Herald H. Spaide, Ashland.
Kimer H. Hoy, Mount Carbon.
Albert R. Maberry, Pottsville.

SNYDER COUNTY

Palmer E. Dinius, Middleburg.

SUSQUEHANNA COUNTY

Ralph L. Smith, Montrose.

TIOGA COUNTY

J. M. Hawk, Wellsboro.
Kenneth R. Harrison, Lawrenceville.

UNION COUNTY

John C. Watson, Harleton.

VENANGO COUNTY

Therell H. McKean, Clintonville.
Miss Clara G. Beach, Franklin.
Miss Hazel A. Irvin, Oil City.
F. G. Mendenhall, Cooperstown.
William Edward Wurster, Oil City.
Miss Esther M. Baughman, Oil City.

WARREN COUNTY

Christian L. Rader, Sheffield Township.
Miss Verna A. Thompson, Warren.
Richard P. Lott, Warren.
Miss Grace E. Mitchell, Warren.
E. H. Beshlin, Warren.

WASHINGTON COUNTY

Miss Sara Louise Scott, Washington.
Miss M. Eloise Yorke, Washington.
Mrs. Lenore K. Gladden, Washngton.
Miss Stella M. Robinson, Charleroi.
R. H. Fife, Chartiers Township.
Howard W. Hill, North Bethlehem Township.
Bernard C. Knestrick, Washington.

WAYNE COUNTY

Ellis D. Keyes, Lake Township.

WESTMORELAND COUNTY

Alex Barker, Monessen.
Joseph Shire, Monessen.
Miss Elinore K. Bell, Greensburg.
Mrs. Carena A. McKinney, New Kensington.

YORK COUNTY

Miss Miriam E. Patterson, York.
Miss Thelma Ilgenfritz, York.
L. D. Keesey, York.
Miss Clara D. Dempwolf, York.
Burnell K. Trone, Hanover.
J. C. Johnson, Delta.

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

COMMISSIONERS OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following persons to be Commissioners of Deeds, for the term of five years, to compute from the dates set opposite their names:

Michael Marron, Cavan, Irish Free State, May 26, 1933.
Alfred Sharon, Cannes, France, July 5, 1933.
James A. L. Harris, Wildwood, New Jersey, July 20, 1933.
Lucas D. Gray, Ballybay, Irish Free State, August 7, 1933.
R. Curtis Robinson, Ocean City, New Jersey, August 9, 1933.
John J. Dwyer, New York, New York, September 19, 1933.
Wilbur Zimmerman, Atlantic City, New Jersey, October 1, 1933.
Charles E. Fell, Atlantic City, New Jersey, October 10, 1933.

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows and referred to the Committee on Judiciary General:

TRANSMITTING LETTER FROM THE SECRETARY OF WAR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to submit, for your consideration, the attached letter addressed to me from Honorable George H. Dern, Secretary of War, dated June 6, 1933, together with a draft of an act of cession of jurisdiction over the Carlisle Barracks Military Reservation, and New Cumberland General Depot, and maps of the Reservation and Depot.

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November, 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

BRIGADIER GENERAL, PENNSYLVANIA NATIONAL GUARD

Edward James Stackpole, Jr., Harrisburg, from May 23, 1933, until lawfully determined or annulled.

SECRETARY OF LABOR AND INDUSTRY

(Miss) Charlotte E. Carr, Harrisburg, from July 17, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

MEMBERS OF THE STATE BOARD FOR THE EXAMINATION OF PUBLIC ACCOUNTANTS

William F. Marsh, Pittsburgh, from May 6, 1933, for the term of four years.

Harold S. Irwin, Carlisle, from May 6, 1933, for the term of four years.

MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

Jere C. West, Bedford, from August 5, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBER OF THE STATE COUNCIL OF EDUCATION

Edwin P. Young, Towanda, from August 28, 1933, for the term of six years.

MEMBER OF THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS

E. E. Tower, Hallstead, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have beeen appointed and qualified.

WORKMEN'S COMPENSATION REFEREE

James P. Casey, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE COLLEGE

Robert W. Balderston, Media, from May 6, 1933, until July 1, 1935.

Ralph T. Zook, Bradford, from May 6, 1933, until July 1, 1935.

MEMBERS OF THE BOARD OF REGISTRATION COMMISSIONERS IN AND FOR THE CITY OF PITTSBURGH, IN THE COMMONWEALTH OF PENNSYLVANIA

John K. Morrow, Pittsburgh, from May 6, 1933, until June 15, 1936, or until his successor shall have been duly qualified.

(Mrs.) Sara C. Braun, Pittsburgh, from May 6, 1933, until June 15, 1936, or until her successor shall have been duly qualified.

MEMBERS OF THE STATE BOARD OF OSTEOPATHIC EXAMINERS

E. Clair Jones, Lancaster, from May 6, 1933, for the term of four years.

Harold J. Dorrance, Pittsburgh, from May 6, 1933, for the term of four years.

H. M. Vastine, Harrisburg, from May 6, 1933, for the term of four years.

L. S. Irwin, Washington, from May 6, 1933, for the term of four years.

Wesley P. Dunnington, Philadelphia, from May 6, 1933, for the term of four years.

MEMBERS OF THE STATE BOARDS OF EXAMINERS OF ARCHITECTS

Charles T. Ingham, Pittsburgh, from July 22, 1933, for the term of six years.

David H. Morgan, Philadelphia, from July 28, 1933, for the term of six years.

John Hall Rankin, Philadelphia, from July 28, 1933, for the term of six years.

MEMBERS OF THE STATE FOREST COMMISSION

George A. Retan, Mansfield, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

(Mrs.) Mary Flinn Lawrence, Sharpsburg, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

Edward Bailey, Harrisburg, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

Nelson P. Wheeler, Jr., Endeavor, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF FISH COMMISSIONERS

Edgar W. Nicholson, Philadelphia, from May 6, 1933, for the term of six years.

Kenneth A. Reid, Connellsville, from May 6, 1933, for the term of six years.

Roy Smull, Mackeyville, from August 2, 1933, for the term of six years.

MEMBERS OF THE PUBLIC SERVICE COMMISSION OF THE COMMONWEALTH OF PENNSYLVANIA

George W. Woodruff, Berwyn, from May 6, 1933, until July 1, 1941.

Frederick P. Gruenberg, Philadelphia, from May 6, 1933, until July 1, 1940.

P. Stephen Stahlnecker, Harrisburg, from May 6, 1933, until July 1, 1942.

C. Jay Goodnough, Emporium, from July 1, 1933, for the term of ten years.

Herman J. Goldberg, Wilkes-Barre, from July 11, 1933, until July 1, 1937.

MEMBER OF THE WATER AND POWER RESOURCES BOARD

Edwin K. Morse, Pittsburgh, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBERS OF THE WASHINGTON CROSSING PARK COMMISSION

C. K. Williams, Easton, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

Louis H. Hitchler, Oxford, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

(Mrs.) Jean Macbeth Huber, Macungie, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

(Mrs.) Norma Bright Carson, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

Thomas Scott, Bristol, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

Edwin B. Malone, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

Norman B. Wamsher, Norristown, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

C. Wilson Roberts, Southampton, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBERS OF THE VALLEY FORGE PARK COMMISSION

(Mrs.) Lillian H. Ketterer, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

Albert Cook Myers, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

(Mrs.) Lora H. Cook, Cooksburg, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

(Mrs.) Bessie Dobson Altemus, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

Howard Richards, Pottsville, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

Curtis Sooy, Willow Grove, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

James E. Fisher, Lebanon, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

Milton G. Baker, Chester County, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

D. H. Keller, Bangor, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

George C. Kime, Ridgway, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

Ellis Paxton Oberholtzer, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

SECRETARY OF WELFARE

(Mrs.) Alice F. Liveright, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

MEMBERS OF THE STATE WELFARE COMMISSION

(Mrs.) Mary Clarke Burnett, Pittsburgh, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

Paul N. Schaeffer, Reading, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

(Mrs.) Belle West Jennings, Harrisburg, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

Earl D. Eond, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

Thomas Kennedy, Hazleton, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

J. Prentice Murphy, Delaware County, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

Jacob Billikopf, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

(Mrs.) Margaret C. Madeira, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

MEMBERS OF THE STATE COUNCIL FOR THE BLIND

C. B. Auel, Pittsburgh, from May 6, 1933, for the term of four years.

(Mrs.) Estelle May Affelder, Pittsburgh, from May 6, 1933, for the term of four years.

(Mrs.) Helen C. Snyder, Philadelphia, from May 6, 1933, for the term of four years.

Samuel Horton Brown, Philadelphia, from May 6, 1933, for the term of four years.

MEMBERS OF THE STATE ATHLETIC COMMISSION

Robert J. Nelson, Reading, from May 6, 1933, for the term of two years.

Harry T. Farrell, Wilkes-Barre, from July 10, 1933, for the term of two years.

MEMBERS OF THE STATE MILITARY RESERVATION COMMISSION

C. V. Homer, Greenville, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

George W. Miller, Norristown, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF EASTERN STATE PENITENTIARY

Henry G. Brock, Muncy, from May 6, 1933, for the term of four years, and until his successor is qualified.

Henry D. Saylor, Pottstown, from May 6, 1933, for the term of four years, and until his successor is qualified.

Samuel R. Boggs, Philadelphia, from May 6, 1933, for the term of four years, and until his successor is qualified.

Oscar E. Gerney, Philadelphia, from May 6, 1933, for the term of four years, and until his successor is qualified.

G. Morton Walker, Bryn Mawr, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF WESTERN STATE PENITENTIARY

J. B. Montgomery, Pittsburgh, from May 6, 1933, for the term of four years, and until his successor is qualified.

J. Linn Harris, Lock Haven, from May 6, 1933, for the term of four years, and until his successor is qualified.

John H. Harris, Pittsburgh, from May 6, 1933, for the term of four years, and until his successor is qualified.

Frank L. Duggan, Pittsburgh, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBERS OF THE GREATER PENNSYLVANIA COUNCIL AND MEMBERS OF THE EXECUTIVE COMMITTEE THEREOF

William A. Hamor, Pittsburgh, from May 6, 1933, until annulled.

Edgar J. Kaufmann, Pittsburgh, from May 6, 1933, until annulled.

L. E. Young, Pittsburgh, from May 6, 1933, until annulled.

MEMBERS OF THE GREATER PENNSYLVANIA COUNCIL

John Ihlder, Pittsburgh, from May 6, 1933, until annulled.

(Mrs.) Maud Richards, Pottsville, from May 6, 1933, until annulled.

L. M. Marble, Canton, from May 6, 1933, until annulled.

(Miss) Edith L. McCalmont, Warren, from May 6, 1933, until annulled.

E. Arthur Sweeny, Greensbrug, from May 6, 1933, until annulled.

E. J. Poole, Reading, from May 6, 1933, until annulled.

Samuel P. Wetherill, Jr., Haverford, from May 6, 1933, until annulled.

(Miss) Gertrude Ely, Bryn Mawr, from May 6, 1933, until annulled.

John G. Bowman, Pittsburgh, from May 6, 1933, until annulled.

Vance C. McCormick, Harrisburg, from May 6, 1933, until annulled.

Jere C. West, Bedford, from May 6, 1933, until annulled.

Leon Falk, Jr., Pittsburgh, from May 6, 1933, until annulled.

P. H. Gadsden, Philadelphia, from May 6, 1933, until annulled.

C. F. Zimmerman, Huntingdon, from May 6, 1933, until annulled.

Thomas S. Gates, Philadelphia, from May 6, 1933, until annulled.

N. A. Frantz, Stroudsburg, from May 6, 1933, until annulled.

(Mrs.) Ella B. Black, Beaverdale, from May 6, 1933, until annulled.

Bernard J. Newman, Philadelphia, from May 6, 1933, until annulled.

H. G. Peterson, Mansfield, from May 6, 1933, until annulled.

Otto G. Hitchcock, Erie, from May 6, 1933, until annulled.

E. E. Brown, Bradford, from May 6, 1933, until annulled.

W. M. Lewis, Easton, from May 6, 1933, until annulled.

C. W. Bickford, Osceola Mills, from May 6, 1933, until annulled.

Alvin Ross Pennell, Honesdale, from May 6, 1933, until annulled.

Adolf Muller, Norristown, from May 6, 1933, until annulled.

(Mrs.) Mary Morris Hamilton, from May 6, 1933, until annulled.

H. J. Crawford, Emlenton, from May 6, 1933, until annulled.

R. W. Lohr, Boswell, from May 6, 1933, until annulled.

George W. Norris, Philadelphia, from May 6, 1933, until annulled.

J. B. Benedict, Waynesboro, from May 6, 1933, until annulled.

R. H. Fernald, Haverford, from May 6, 1933, until annulled.

(Mrs.) Ruth Bower, Shippensburg, from May 6, 1933, until annulled.

Tom Nokes, Johnstown, from May 6, 1933, until annulled.
J. Borton Weeks, Upper Darby, from May 6, 1933, until annulled.
E. R. Weidlein, Pittsburgh, from May 6, 1933, until annulled.
S. S. Lehman, Girard, from May 6, 1933, until annulled.
Harry Whyel, Uniontown, from May 6, 1933, until annulled.
(Mrs.) Anna Elliott, Ardmore, from May 6, 1933, until annulled.
Smedley D. Butler, Newtown Square, from May 6, 1933, until annulled.
John L. Stewart, Washington, from May 6, 1933, until annulled.
Fred L. Rentz, New Castle, from May 6, 1933, until annulled.
Edward Steidle, State College, from May 6, 1933, until annulled.
Walter A. Jones, Hollidaysburg, from May 6, 1933, until annulled.
Morris E. Leeds, Philadelphia, from May 6, 1933, until annulled.
Miles Horst, Schaefferstown, from May 6, 1933, until annulled.
(Mrs.) Maud B. Trescher, Jeannette, from May 6, 1933, until annulled.
Dietrick Lamade, Williamsport, from May 6, 1933, until annulled.
W. H. Manbeck, Mifflintown, from May 6, 1933, until annulled.
Anna C. Clarke, Scranton, from May 6, 1933, until annulled.
E. B. Harshaw, Grove City, from May 6, 1933, until annulled.
John M. Jamison, Greensburg, from May 6, 1933, until annulled.
(Mrs.) Rozella L. Ealy, Barnesboro, from May 6, 1933, until annulled.
R. L. Watts, State College, from May 6, 1933, until annulled.
Ross Pier Wright, Erie, from May 6, 1933, until annulled.
M. S. McDowell, State College, from May 6, 1933, until annulled.
R. G. Erskine, Emporium, from May 6, 1933, until annulled.
Howard McClenahan, Philadelphia, from May 6, 1933, until annulled.
E. S. Bayard, Pittsburgh, from May 6, 1933, until annulled.
H. D. Sheppard, Hanover, from May 6, 1933, until annulled.
Hugh J. Harley, Pottsville, from May 6, 1933, until annulled.
Margaret Hassler, Reading, from May 6, 1933, until annulled.
George L. Morrison, Philadelphia, from May 6, 1933, until annulled.
William W. Inglis, Scranton, from May 6, 1933, until annulled.
(Miss) Helen A. Bair, Wellsboro, from May 6, 1933, until an-
John W. Edelman, Flourtown, from May 6, 1933, until annulled.
Ellwood B. Chapman, Swarthmore, from May 6, 1933, until annulled.
Francis R. Cope, Jr., Dimock, from May 6, 1933, until annulled.
(Mrs.) Mary Flinn Lawrence, Glenshaw, from May 6, 1933, until annulled.
W. Lawrence Saunders, 2nd, Bryn Mawr, from May 6, 1933, until annulled.
George D. Macbeth, Pittsburgh, from May 6, 1933, until annulled.
S. Forry Laucks, York, from May 6, 1933, until annulled.
F. P. Willits, Ward, from May 6, 1933, until annulled.
(Mrs.) Lora H. Cook, Cooksburg, from May 6, 1933, until annulled.
J. Horace McFarland, Harrisburg, from May 6, 1933, until annulled.
W. S. Wise, Meadville, from May 6, 1933, until annulled.
Harry Stoddard, Pen Argyl, from May 6, 1933, until annulled.
Charles Z. Klauder, Philadelphia, from May 6, 1933, until annulled.
Robert W. Wolcott, Coatesville, from May 6, 1933, until annulled.
(Mrs.) Pearl T. Nolph, Punxsutawney, from May 6, 1933, until annulled.
W. A. Leech, Chambersburg, from May 6, 1933, until annulled.
C. Edwin Webb, Philadelphia, from May 6, 1933, until annulled.
William J. Serrill, Ardmore, from May 6, 1933, until annulled.
J. N. Hoffman, Bangor, from May 6, 1933, until annulled.
Emory R. Johnson, Philadelphia, from May 6, 1933, until annulled.
Harry Holiday, Butler, from May 6, 1933, until annulled.
R. T. Zook, Bradford, from May 6, 1933, until annulled.
George H. Deike, Pittsburgh, from May 6, 1933, until annulled.
Will Rose, Cambridge Springs, from May 6, 1933, until annulled.
F. R. Layng, Greenville, from May 6, 1933, until annulled.
Ehrman B. Mitchell, Harrisburg, from May 6, 1933, until annulled.
F. C. Hanker, East Pittsburgh, from May 6, 1933, until annulled.
Geo. Mahaney, Sharpsvile, from May 6, 1933, until annulled.

MEMBER OF THE BOARD OF TRUSTEES OF HARRISBURG STATE HOSPITAL

David H. Anderson, Ephrata, from May 6, 1933, for the term of four years and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

John R. Farr, Scranton, from May 6, 1933, for the term of four years, and until his successor is qualified.
Wallace J. Barnes, Beachlake, from May 6, 1933, for the term of four years and until his successor is qualified.
E. J. Stanton, Waymart, from May 6, 1933, for the term of four years, and until his successor is qualified.
H. R. Megargel, Sterling, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBER OF THE BOARD OF TRUSTEES OF NORRISTOWN STATE HOSPITAL

(Mrs.) Henrietta G. S. Jaquette, Swarthmore, from May 6, 1933, for the term of four years, and until her successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF CUMBERLAND VALLEY STATE INSTITUTION FOR MENTAL DEFECTIVES

Chas. K. Keath, Lititz, from May 6, 1933, for the term of four years, and until his successor is qualified.
Louis N. Robinson, Swarthmore, from May 6, 1933, for the term of four years, and until his successor is qualified.
James Harwood Closson, Philadelphia, from September 6, 1933, for the term of four years, and until his successor is qualified.

MEMBER OF THE BOARD OF TRUSTEES OF SELINSGROVE STATE COLONY FOR EPILEPTICS

H. M. Showalter, Lewisburg, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBERS OF THE STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS

Harry B. Joyce, Erie, from May 6, 1933, for the term of six years.
J. N. Chester, Pittsburgh, from Sept. 7, 1933, for the term of six years.
A. B. Clemens, Scranton, from Sept. 22, 1933, for the term of six years.

MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

(Mrs.) Dora A. Miller, Huntingdon, from May 6, 1933, for the term of four years, and until her successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

(Mrs.) Julia C. Yarnall, Swarthmore, from May 6, 1933, for the term of four years and until her successor is qualified.
J. Milton Lutz, Upper Darby, from May 6, 1933, for the term of four years, and until his successor is qualified.
(Mrs.) Mary B. Luckie, Chester, from May 6, 1933, for the term of four years, and until her successor is qualified.

MEMBER OF THE BOARD OF TRUSTEES OF PHILIPSBURG STATE HOSPITAL

(Mrs.) Viola Lewis Martin, Punxsutawney, from May 6, 1933, for the term of four years, and until her successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF COALDALE STATE HOSPITAL

D. G. Watkins, Lansford, from May 6, 1933, for the term of four years, and until his successor is qualified.

B. F. Davis, Nesquehoning, from May 6, 1933, for the term of four years, and until his successor is qualified.

Wm. J. Clements, Coaldale, from May 6, 1933, for the term of four years, and until his successor is quelified.

C. C. Boner, Tamaqua, from May 6, 1933, for the term of four years, and until his successor is qualified.

J. C. McCready, Lansford, from May 6, 1933, for the term of four years, and until his successor is qualified.

(Mrs.) Mary F. Jones, Tamaqua, from May 6, 1933, for the term of four years, and until her successor is qualified.

J. F. West, Tamaqua, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

(Miss) Josepha Kutzki, Nanticoke, from May 6, 1933, for the term of four years, and until her successor is qualified.

Charles Wright, Glen Lyon, from May 6, 1933, for the term of four years, and until his successor is qualified.

A. G. Lewandowski, Nanticoke, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

John C. Delbaugh, Shamokin, from May 6, 1933, for the term of four years, and until his successor is qualified.

Reese Jeremiah, Shamokin, from May 6, 1933, for the term of four years, and until his successor is qualified.

Eugene Zartman, Shamokin, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF HAZLETON STATE HOSPITAL

T. E. Snyder, Hazleton, from May 6, 1933, for the term of four years, and until his successor is qualified.

Chas. F. Johnson, Kis-Lyn, from May 6, 1933, for the term of four years, and until his successor is qualified.

Sefellen E. Stofflett, Hazleton, from May 6, 1933, for the term of four years, and until his successor is qualified.

Thomas Kennedy, Hazleton, from May 6, 1933, for the term of four years, and until his successor is qualified.

George B. Markle, Jr., Hazleton, from May 6, 1933, for the term of four years, and until his successor is qualified.

R. Emerson Buckley, Hazleton, from May 6, 1933, for the term of four years, and until his successor is qualified.

Joseph G. Saricks, Freeland, from May 6, 1933, for the term of four years, and until his successor is qualified.

H. M. Neale, Upper Lehigh, from May 6, 1933, for the term of four years, and until his successor is qualified.

Leo J. Kroner, Hazleton, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

(Mrs.) Hawthorne L. Ball, Mahanoy City, from August 10, 1933, for the term of four years, and until her successor is qualified.

A. R. Laubenstein, Ashland, from August 10, 1933, for the term of four years, and until his successor is qualified.

Frank W. Leib, Pottsville, from August 10, 1933, for the term of four years, and until his successor is qualified.

Charles B. Williams, Pottsville, from August 10, 1933, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

Theodore W. Bare, Mahanoy City, from May 6, 1933, for the term of four years, and until his successor is qualified.

(Mrs.) Edith L. Reed, Frackville, from May 6, 1933, for the term of four years, and until her successor is qualified.

Edward Cuderavage, Shenandoah, from May 6, 1933, for the term of four years, and until his successor is qualified.

(Mrs.) Maud Richards, Pottsville, from May 6, 1933, for the term of four years, and until her successor is qualified.

Harry McDonald, Shenandoah, from May 6, 1933, for the term of four years, and until his successor is qualified.

Harrison Powell, Shenandoah, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL

(Mrs.) Minnie S. Kaufmann, Pittsburgh, from May 6, 1933, for the term of four years, and until her successor is qualified.

John H. Lauer, Pittsburgh, from May 6, 1933, for the term of four years, and until his succsesor is qualified.

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA STATE ORAL SCHOOL FOR THE DEAF

(Mrs.) Jessie C. Kinner, Tunkhannock, from May 6, 1933, for the term of four years, and until her successor is qualified.

MEMBER OF THE BOARD OF TRUSTEES OF STATE INDUSTRIAL HOME FOR WOMEN

(Miss) Florence L. Sanville, Westtown, from May 6, 1933, for the term of four years, and until her successor is qualified.

MEMBER OF THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Harold J. Kennard, Easton, from May 6, 1933, until annulled.

MEMBER OF THE STATE BRIDGE COMMISSION

Wallace J. Barnes, Beachlake, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBER OF THE COMMISSION TO MAKE A SURVEY OF THE CONSTRUCTION AND MAINTENANCE OF PUBLIC ROADS, STREETS, HIGHWAYS AND BRIDGES WITHIN THE COMMONWEALTH

Chester H. Rhodes, Stroudsburg, from July 24, 1933, until annulled.

MEMBER OF THE STATE PARKS COMMISSION

P. M. Sharples, West Chester, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

Harold F. Mook, Erie, from May 6, 1933, for the term of four years, and until his successor is qualified.

Louis F. Arensberg, East Millsboro, from May 6, 1933, for the term of four years, and until his successor is qualified.

William E. Meiser, Lebanon, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBER OF THE FLAGSHIP NIAGARA COMMISSION

Merle C. Quay, Erie, from May 6, 1933, until annulled.

MEMBERS OF THE STATE AERONAUTICS COMMISSION

David J. Davis, Scranton, from May 6, 1933, for the term of six years.

Leon D. Metzger, Indiana, from May 6, 1933, for the term of six years.

MEMBER OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS COLLEGE

(Mrs.) Doorthy Y. Ogden, Swarthmore, from May 6, 1933, for the term of four years, and until her successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF CHEYNEY TRAINING SCHOOL FOR TEACHERS

Thomas M. Thomas, Chester, from May 6, 1933, for the term of four years, and until his successor is qualified.

David G. Yarnall, Wallingford, from May 6, 1933, for the term of four years, aud until his successor is qualified.

(Mrs.) Mary F. Comfort, Delaware County, from May 6, 1933, for the term of four years, and until her successor is qualified.

(Mrs.) Anne Walton Pennell, Moylan, from May 6, 1933, for the term of four years, and until her successor is qualified.

James G. Biddle, Wallingford, from May 6, 1933, for the term of four years, and until his successor is qualified.

Samuel L. Smedley, Newtown Square, from May 6, 1933, for the term of four years, and until his successor is qualified.

Joseph H. Willits, Swarthmore, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARDS OF TRUSTEES OF THE MOTHERS' ASSISTANCE FUND

ADAMS COUNTY

(Mrs.) Maude A. Neely, Fairfield, from August 2, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Elizabeth McPherson, Gettysburg, from August 9, 1933, until June 1, 1933, and until her successor is duly appointed and qualified.

ALLEGHENY COUNTY

(Miss) Eleanor Hanson, Pittsburgh, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Henrietta I. Spiro, Pittsburgh, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Miss) Rose Danahey, Pittsburgh, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Minnie Buckley Jackson, Pittsburgh, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Hilda Gundelfinger Henrici, Coraopolis, from August 10, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Leanah S. Thomas, Sharpsburg, from August 14, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

ARMSTRONG COUNTY

(Mrs.) Edythe Feicht, Parkers Landing, from August 4, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Martha B. Allen, Ford City, from August 11, 1933, until June 1. 1939, and until her successor is duly appointed and qualified.

BEAVER COUNTY

(Mrs.) Florence R. Pettler, Beaver Falls, from August 2, 1933, Until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Gladys Cook Cochran, Aliquippa, from September 13, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

BEDFORD COUNTY

(Mrs.) Mary Alice Sponsler, New Enterprise, from August 8, 1933, until June 1, 1939, and until her successor is duly appointey and qualified.

(Mrs.) Helen R. Samuel, Bedford, from August 14, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

BERKS COUNTY

(Mrs.) Matilda C. Greenawald, Boyertown, from August 3, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary B. Nelson, Reading, from August 4, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

BLAIR COUNTY

(Mrs.) Clara S. Bobb, Roaring Spring, from May 6, 1933, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Marguerite L. Giles, Tyrone, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Mary M. Sawtelle, Altoona, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Julia S. Scheeline, Hollidaysburg, from May 6, 1933, until June 1, 1933 and until her successor is duly appointed and qualified.

(Mrs.) Lydia F. Woodcock, Hollidaysburg, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Nellie Whittaker, Williamsburg, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Annie C. Wolf, Altoona, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

BRADFORD COUNTY

(Mrs.) Mary R. Mather Ulster, from July 31, 1933, until June 1, 1939, and until her successor is duly appointed and qualified

(Mrs.) Lena L. Bolich, Sayre, from August 2, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

BUCKS COUNTY

(Miss) Laura C. Haines, Doylestown, from August 10, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mabel R. Briggs, Yardley, from August 18, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

BUTLER COUNTY

(Mrs.) Zillah J. Shremp, Slippery Rock, from August 3, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary B. Foringer, Butler, from August 8, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

CAMBRIA COUNTY

(Mrs.) Catharine A. Montieth, Patton, from July 5, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Minnie Walker, Johnstown, from July 5, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Anna C. Seigh, Johnstown, from July 5, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

CARBON COUNTY

(Mrs.) Florence E. Bingaman, Palmerton, from August 14, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Elizabeth W. Hatrick, East Mauch Chunk, from August 16, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

CENTRE COUNTY

(Mrs.) Rose McGirk, Philipsburg, from August 2, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Sara S. Raines, Philipsburg, from August 2, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

CHESTER COUNTY

(Mrs.) Helen C. Pyle, West Grove, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Christine I. Passmore, Nottingham, from July 28, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Virginia T. Galt, Glen Moore, from August 11, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

CLARION COUNTY

(Mrs.) Jennie L. Thomas, East Brady, from August 7, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) America S. Panton, Foxburg, from August 14, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

CLINTON COUNTY

(Mrs.) Caroline P. Baird, Renovo, from August 18, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Marian A. Good, Lock Haven, from August 24, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

COLUMBIA COUNTY

(Mrs.) Wilhelmina W. Moyer, Bloomsburg, from October 4, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

CRAWFORD COUNTY

(Mrs.) Clara M. Allison, Cochranton, from August 28, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

CUMBERLAND COUNTY

(Miss) Margaret R. Stuart, Carlisle, from August 1, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs. Margaret L. Krall, Shippensburg, from August 3, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

DAUPHIN COUNTY

(Mrs.) Marion K. Deatrick, Middletown, from August 2, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Katharine Gilbert Rutherford, Steelton, from August 4, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

DELAWARE COUNTY

(Mrs.) Eleanor J. Wilson Geary, Wallingford, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) May Y. Howson, Wayne, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Jane V. Eaton, Lansdowne, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Harriet K. Turner, Swarthmore, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Emma B. Gray, Chester, from August 9, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Elizabeth Keating, Wawa, from August 16, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

ERIE COUNTY

(Mrs.) Maude H. Barnes, Corry, from August 9, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Ina M. Barringer, Erie, from November 3, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Flora Pardee Kitchen, Erie, from November 3, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

FAYETTE COUNTY

(Mrs.) Ada C. Crow, Uniontown, from August 16, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Clara L. McCormick, Uniontown, from August 16, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

FRANKLIN COUNTY

(Mrs.) Mary A. Corbett, Waynesboro, from August 2, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary E. Long, Chambersburg, from August 4, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

GREENE COUNTY

(Miss) Mary W. Denny, Waynesburg, from August 22, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Eva K. Bowlby, Waynesburg, from August 23, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

HUNTINGDON COUNTY

(Mrs.) Matilda C. Longacre, Mount Union, from August 3, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary A. Kyper, Mount Union, from August 7, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

INDIANA COUNTY

(Mrs.) Martha M. Coon, Indiana, from August 8, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Maude Boden Hart, Saltsburg, from August 9, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

JEFFERSON COUNTY

(Mrs.) Ida Enterline, Big Run, from August 10, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Rena S. Haley, Punxsutawney, from August 14, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

JUNIATA COUNTY

(Mrs.) Edith S. Hartman, Mifflintown, from August 9, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Pearl Basom, Richfield, from August 22, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

LACKAWANNA COUNTY

(Miss) Florence E. Robertson, Scranton, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Hager, Taylor, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Margaret T. O'Malley, Olyphant, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Edna M. Butler, Dunmore, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Gladys L. Raub, Scranton, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Clara P. Little, Scranton, from August 10, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Elizabeth Berry, Scranton, from August 10, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

LANCASTER COUNTY

(Mrs.) Agnes S. Hostetter, Lancaster, from August 29, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary Malone Zimmerman, Lancaster, from September 5, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

LAWRENCE COUNTY

(Mrs.) Laura Holliday Miller, New Castle, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Grace W. Crawford, New Caste, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Lenore A. Reynolds, Ellwood City, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Miss) Clare C. Duff, New Castle, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Maud E. Keyser Duff, New Castle, from May 6, 1933, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Blanche Sampson, Volant, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Lena F. Gilmore, Hillsville, from July 7, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

LEBANON COUNTY

(Mrs.) Adelaide T. Patterson, Myerstown, from August 7, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Josephine K. Henry, Lebanon, from August 8, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

LEHIGH COUNTY

(Mrs.) Lillie C. Steckel, Slatington, from August 18, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Carrie A. Miller, Allentown, from August 22, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

LUZERNE COUNTY

(Mrs.) Bessie W. Bryant, Nanticoke, from May 6, 1933, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Edna R. Girard, Hazleton, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Cora M. Davenport, West Pittston, from May 6, 1933, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Patterson, Wilkes-Barre, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Marya A. Porwit, Wilkes-Barre, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Laura H. Montz, Kingston, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Anna B. O'Malley, Wilkes-Barre, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

LYCOMING COUNTY

(Mrs.) Louise N. Brown, Williamsport, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Blanche S. Wood, Muncy, from July 24, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Burgwin Brock, Muncy, from July 26, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

McKEAN COUNTY

(Mrs.) Mame E. Butler, Kane, from July 7, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Maud G. Kebler, Kane, from July 20, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MERCER COUNTY

(Miss) Myrtle L. Allen, Sharon, from August 18, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Sylva Yeager Taylor, Stoneboro, from August 29, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MIFFLIN COUNTY

(Miss) Jennie G. Muthersbaugh, Lewistown, from August 1, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Pearl A. Bell, Lewistown, from August 2, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary Calhoun McNitt, Milroy, from August 2, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Janet B. Sweigart, Belleville, from August 4, 1933, until June 1, 1935, and until her successor is duly appointed and quaified.

(Mrs.) Mary B. Shaver, Newton Hamilton, from August 4, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Carolyn H. Brastow, Lewistown, from August 7, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Miss) Rhoda M. McNitt, Reedsville, from August 14, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

MONROE COUNTY

(Mrs.) Helen W. Hoffman, East Stroudsburg, from November 9, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Hazel S. Achterman, Stroudsburg, from November 9, 1933, untli June 1, 1939, and until her successor is duly appointed and qualified.

MONTGOMERY COUNTY

(Mrs.) Besse Ellen Longenecker, Norristown, from September 20, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Lillian L. Strauss, Elkins Park, from September 20, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MONTOUR COUNTY

(Mrs.) Charella Myers, Danville, from August 9, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary J. Murray, Danville, from August 10, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

NORTHAMPTON COUNTY

(Mrs.) Marie Beckler, Bethlehem, from August 28, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Anne B. Cox, Easton, from September 1, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

NORTHUMBERLAND COUNTY

(Mrs.) Mary Derr Rockefeller, Sunbury, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Rebe S. Miles, Milton, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Cora B. Simmons, Shamokin, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Mary B. Gable, Shamokin, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Anna Schneider, Mt. Carmel, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Gertrude T. Strous, Mt. Carmel, from August 18, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Anna M. Schabo, Shamokin, from August 22, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

PHILADELPHIA COUNTY

(Mrs.) Elsie Pfaelzer, Philadelphia, from August 14, 1933, until June 1, 1939, and until her successor is duly appointed and qualified

POTTER COUNTY

(Mrs.) Nellie Carpenter, Genesee, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Eloise S. Wells, Coudersport, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Emma K. Grover, Ulysses, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Blanche S. Huntington, Coudersport, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Anita L. Prince, Shinglehouse, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Dessie Hernquist, Austin, from September 9, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Grace M. Lush, Galeton, from September 9, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

SCHUYLKILL COUNTY

(Mrs.) Edith W. Hoy, Schuylkill Haven, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Anna H. Slattery, Saint Clair, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Miss) Florence V. Hamilton, Pottsville, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Catherine Bannan Zerbey, Pottsville, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Sallie J. Evans, Coaldale, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mima S. Humbert, Tower City, from October 2, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Bessie Seidell Bechtel, Pottsville, from October 4 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

SNYDER COUNTY

(Mrs.) Helen M. Gougler, Middleburg, from May 6, 1933, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Blanche J. Whiffen, McClure, from May 6, 1933, until June 1, 1933, and until her successor is duly appointed and qualified.

SOMERSET COUNTY

(Mrs.) Myrtle E. Beggs, Confluence, from August 28, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary O. Cook, Meyersdale, from September 1, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

SUSQUEHANNA COUNTY

(Mrs.) Edith Corse Tingley, Harford, from September 1, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Celia Halkyer, Uniondale, from October 26, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

TIOGA COUNTY

(Mrs.) Gertrude S. Strang, Westfield, from August 30, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Pearl L. Coles, Mansfield, from September 5, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

UNION COUNTY

(Miss) Annie B. Moore, Allenwood, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Evelyn S. Gundy, Lewisburg, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Annie K. Knauff, Mifflinburg, from July 11, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Martha R. Farley, New Columbia, from July 12, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Stella R. Lindemann, Lewisburg, from September 7, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

VENANGO COUNTY

(Mrs.) Jessie H. Wilson, Pleasantville, from August 3, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Exa Grove Lindsay, Utica, from August 7, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

WARREN COUNTY

(Mrs.) Lizzie E. Hawkey, Tidioute, from August 22, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Helen Pierce Hall, Warren, from August 22, 1932, until June 1, 1939, and until her successor is duly appointed and qualified.

WASHINGTON COUNTY

(Mrs.) Jane D. Dickson, McDonald, from July 31, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary D. Farquhar, California, from July 31, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

WAYNE COUNTY

(Mrs.) Rena Wood White, Ariel, from August 7, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Lena E. Kohlman, Hawley, from August 9, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Ada V. Snedeker, Aldenville, from August 14, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Cora Ault Polley, Hamlin, from August 16, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Miss) Mattie E. Gillen, Honesdale, from August 18, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Kate Brennan, Pleasant Mount, from August 18, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

WESTMORELAND COUNTY

(Mrs.) Lydia Irwin Altman, Irwin, from June 5, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Anna McAfee Stoner, Mt. Pleasant, from June 5, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

YORK COUNTY

(Mrs.) Gertrude D. Hogue, York, from August 3, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary S. Kurtz, York, from August 8, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Agnes R. Stair Smith, York, from August 23, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

GIFFORD PINCHOT.

ESCORT COMMITTEE

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, November 13, 1933.

Resolved (if the House of Representatives concur), that a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor, to the Hall of the House to address the Members of the General Assembly in Joint Session, Monday, November 13, 1933, at 3 o'clock, pursuant to a resolution already adopted by the Senate and House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. COYNE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

JOINT SESSION TO HEAR GOVERNOR'S ADDRESS

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing th Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, November 13, 1933.

Resolved (if the House of Representatives concur), That the Senate and the House of Representatives meet in a Joint Session, November 13, 1933, at 3 o'clock in the Hall of the House for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth.

HOUSE CONCURS IN RESOLUTION RELATIVE TO SALARIES OF SENATORS AND MEMBERS

He also informed the Senate that the House of Representatives has concurred in resolution from the Senate as follows:

In the Senate, November 13, 1933.

Resolved (if the House of Representatives concur), That the State Treasurer be and is hereby authorized to pay on warrant of the Auditor General to each member of the General Assembly the sum of $250.00 on account of the salary of $500.00 to which each member is entitled for an Extraordinary Session of the General Assembly by virtue of the provisions of the Act of Assembly approved the tenth day of May, A. D. 1927, P. L. 880, and amended by Act No. 306, approved June 2, 1933; and the balance of said $500.00, namely, $250.00, on the day of final adjournment of the Extraordinary Session of the General Assembly, convened in session on call of the Governor, November 13, 1933.

HOUSE CONCURS IN RESOLUTION RELATIVE TO POSTAGE ON LEGISLATIVE JOURNAL

He also informed the Senate that the House of Representatives has concurred in resolution from the Senate as follows:

In the Senate, November 13, 1933.

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be directed to make arrangements for the necessary postage, so that the Legislative Journal may be mailed according to the requirements of the Post Office Department, and that the Appropriations Committee provide for the cost of the same in the bill providing for the expenses of the Extraordinary Session.

ESCORT COMMITTEE

He also informed the Senate that the House of Representatives has concurred in resolution from the Senate as follows:

In the Senate, November 13, 1933.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House, if the House shall appoint such committee, to await upon His Excellency, the Governor of the Commonwealth, and inform him that the General Assembly is convened in Extraordinary Session in conformity with the proclamation of November 9, 1933, and is ready to receive any communications he may have to make.

And has appointed as such Committee on the part of the House Messrs. George W. Williams, Long and Schrock.

The PRESIDENT. The Chair appoints as said Committee on the part of the Senate, the Senator from Bucks, Mr. Buckman, the Senator from Allegheny, Mr. Mansfield, and the Senator from Lehigh, Mr. Snyder.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until two forty-five this afternoon.

Mr. COYNE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

SENATE PROCEEDS TO HOUSE TO HEAR MESSAGE

The hour of 3:00 P. M. having arrived, Messrs. Heffernan and Turner, a Committee from the House of Representatives, being introduced, informed the Senate that the House of Representatives was ready for the reception of the President and Members of the Senate for the purpose of listening to the reading of a message by His Excellency, the Governor.

Whereupon,

The President and Members of the Senate proceeded to the hall of the House of Representatives.

SENATE RETURNS FROM HOUSE

After some time, the President and Senators returned to the Senate Chamber.

BILLS INTRODUCED

Mr. SCOTT read in his place and presented to the Chair, Senate Bill No. 1, entitled:

An act authorizing the Governor to accept funds from agencies of the Federal Government; appropriating such funds for construction of public works for the Commonwealth, and providing for repayment to the Federal Government of part of such funds with interest under certain conditions; and making an appropriation for such repayment.

Which was committed to the Committee on Finance.

Mr. REED read in his place and presented to the Chair, Senate Bill No. 2, entitled:

An act to amend sections one and two of the act approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (P. L. 34), entitled "An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws;" by providing that said law shall rest alone on the police power of the Commonwealth, and changing the definition of the phrase "intoxicating liquor."

Which was committed to the Committee on Law and Order.

Mr. GELDER read in his place and presented to the Chair, Senate Bill No. 3, entitled:

An act to amend sections one, four and five of the act, approved the sixteenth day of March, one thousand nine hundred thirty-three (Act number ten), entitled "An act authorizing the Department of Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges; authorizing the construction and maintenance of such bridges, approaches and connecting roads to State highways, by the Department of Highways; providing for the condemnation of property necessary for the construction thereof, and the assessment and payment of damages therefor; providing for the collection of tolls upon certain terms and conditions, and the deposit thereof in the State Treasury in a special fund; providing for the payment of toll collection, costs, maintenance charges and repayments to the Reconstruction Finance Corporation from said funds; providing for the cessation of tolls, and payment of subsequent maintenance costs from the Motor License Fund; and appropriating certain money in the Motor License Fund to carry out the provisions of said act," by authorizing similar arrangements to be made with other agencies of the Federal Government.

Which was committed to the Committee on Public Roads and Highways.

Mr. COYNE read in his place and presented to the Chair, Senate Bill No. 4, entitled:

An act authorizing officers, departments, boards and commissions of the Commonwealth, and also cities, counties, boroughs, incorporated towns, townships, school districts and poor districts to cancel certain supply constracts and to relieve contractors of obligations thereunder, under certain circumstances, and validating like cancellations made heretofore.

Which was committed to the Committee on Judiciary General.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for twenty minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVING RESOLUTION RELATIVE TO POSTAGE ON LEGISLATIVE JOURNAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a Resolution of the Senate and House of Representatives, directing the Chief Clerks of the Senate and House of Representatives to make arrangements for the postage necessary to mail the Legislative Journal, and that the Appropriations Committee provide for the cost thereof in the bill covering expenses of the Extraordinary Session of 1933.

GIFFORD PINCHOT.

APPROVAL OF RESOLUTION RELATIVE TO SALARIES OF MEMBERS OF THE GENERAL ASSEMBLY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a Resolution of the Senate and House of Representatives, authorizing the State Treasurer to pay, on warrant of the Auditor General, the salaries to which each Member of the Legislature is entitled for the Extraordinary Session of the General Assembly of 1933.

GIFFORD PINCHOT.

RESOLUTION RELATIVE TO THE CANCELLATION OF CONTINUING CONTRACTS

Mr. COYNE offered the following resolution, which was twice read and referred to the Committee on Judiciary General:

In the Senate, November 13, 1933.

Whereas, Many persons who have heretofore contracted to furnish furniture, stationery, food-stuffs, fuel and other materials and supplies to the Commonwealth and to the respective cities, counties, boroughs, incorporated towns, townships, school districts and poor districts have become parties to or have been included within and are abiding by codes of fair competition, agreements, or licenses approved, issued or prescribed under the National Industrial Recovery Act, and

Whereas, By reason of the operation of such codes, agreements and licenses, upon such contractors and upon others with whom they deal the cost to such contractors of the goods which they are required to supply to the Commonwealth or to municipal subdivisions thereof has so increased that it is inequitable to compel continued compliance with the contracts on the part of the contractors; therefore be it

Resolved (if the House of Representatives concur), That the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, hereby authorize any officer, department, board, or commission of this Commonwealth who shall have made any existing contract for materials or supplies, and any city, county, borough, incorporated town, township, school district or poor district, with the written consent of the contractor and his sureties, to cancel any continuing contract for materials or supplies which requires the contractor to deliver goods at a contract price in excess of five hundred dollars ($500.00), over a period

of thirty days or more after the date of the contract, and to relieve the contractor of liability for further performance thereunder. Provided, however, That such cancellation may be made only where the seller is a party to or is subject to and acting in accordance with any such code, agreement or license, and where the seller shall show, to the satisfaction of the public officers who signed and approved, or who were by law required to sign or approve the contract, that by reason of the operation of any such code, agreement, or license, or increased costs of materials purchased from others subject to similar agreements, codes or licenses, the seller's costs have so increased as to make it inequitable to require further performanc of the contract.

Further resolved, That upon the cancellation of any such contract, the proper public officials shall have authority to enter into new contracts for similar materials or supplies, in substantially the same manner as was required for awarding and execution of the original contract.

Further resolved, That the General Assembly hereby declares its purpose forthwith to enact suitable legislation more fully to effectuate this resolution and to relieve all officers, departments, boards, commissions or other bodies from all liability for acting in accordance with this resolution.

Further resolved, That this resolution shall be effective immediately upon its approval by the Governor.

REPORTS FROM COMMITTEES

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Finance, reported as committed, amended, Senate Bill No. 1, entitled:

An act authorizing the Governor to accept funds from agencies of the Federal Government; appropriating such funds for construction of public works for the Commonwealth, and providing for repayment to the Federal Government of part of such funds with interest under certain conditions; and making an appropriation for such repayment.

Mr. PARKINSON. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Finance, reported as committed, Senate Bill No. 3, entitled:

An act to amend sections one, four and five of the act, approved the sixteenth day of March, one thousand nine hundred thirty-three (Act number ten), entitled "An act authorizing the Department of Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges; authorizing the construction and maintenance of such bridges, approaches and connecting roads to State highways, by the Department of Highways; providing for the condemnation of property necessary for the construction thereof, and the assessment and payment of damages therefor; providing for the collection of tolls upon certain terms and conditions, and the deposit thereof in the State Treasury in a special fund; providing for the payment of toll collection, costs, maintenance charges and repayments to the Reconstruction Finance Corporation from said funds; providing for the cessation of tolls, and payment of subsequent maintenance costs from the Motor License Fund; and appropriating certain money in the Motor License Fund to carry out the provisions of said act," by authorizing similar arrangements to be made with other agencies of the Federal Government.

Also, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for term of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Geo. G. Berg, Pittsburgh.
Mrs. Mabel A. Coulter, Pittsburgh.
J. Roy Degenhardt, Pittsburgh.
H. A. Grab, Pittsburgh.
Miss Ann C. Stack, Pittsburgh.

BERKS COUNTY

Miss Margaret E. Butz, Kutztown.
Mrs. Winifred A. Dollard, Reading.
Fred Morganstern, Reading.

BLAIR COUNTY

Miss Mary A. Janker, Altoona.

BUCKS COUNTY

Miss I. Esther Christine, Perkasie.

CAMBRIA COUNTY

Miss Jane Nicholas, Johnstown.

CARBON COUNTY

Miss Miriam I. Yost, Mauch Chunk.

CHESTER COUNTY

Chandler P. Roberts, Downingtown.

COLUMBIA COUNTY

Miss Lois C. Fleming, Catawissa.

LACKAWANNA COUNTY

David W. Phillips, Scranton.

LANCASTER COUNTY

S. P. Frey, Marietta.

LEHIGH COUNTY

Miss Irene M. Estock, Allentown.
Joseph A. Ludrof, Allentown.

LUZERNE COUNTY

Mrs. Mary E. Long, Pittston.

McKEAN COUNTY

Miss Marian R. Chase, Bradford.

MONTGOMERY COUNTY

Miss Mary E. Fling, Norristown.
Horace H. Smith, Pennsburg.

NORTHUMBERLAND COUNTY

Pasquale Mirarchi, Shamokin.

PHILADELPHIA COUNTY

Mrs. Kathryn B. Adams, Philadelphia.
R. David Anderson, Philadelphia.
A. Chester Brown, Philadelphia.
Miss Josephine DiEgidio, Philadelphia.
John C. Russ, Philadelphia.

WASHINGTON COUNTY

Miss Victoria Kaufman, Charleroi.

WESTMORELAND COUNTY

E. E. Huffman, New Alexandria.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and that the Senate do now resolve itself into Executive Session for the purpose of acting upon the foregoing nominations.

Which was agreed to

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Einstein,	Mansfield,	Sulus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,
Ealy,	Lanius,	Roberts,	

NAYS— 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Mr. ARON. Mr. President, I move that the Executive Session do now rise.

Mr. COYNE. Mr. President, I second the motion.

The motion was agreed to.

MOTION TO READ BILLS THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1, entitled:

An Act authorizing the Governor to accept funds from agencies of the Federal Government; appropriating such funds for construction of public works for the Commonwealth, and providing for repayment to the Federal Government of part of such funds with interest under certain conditions; and making an appropriation for such repayment.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 3, entitled:

An Act to amend sections one, four and five of the act, approved the sixteenth day of March, one thousand nine hundred thirty-three (Act number ten), entitled "An act authorizing the Department of Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges; authorizing the construction and maintenance of such bridges, approaches and connecting roads to State highways, by the Department of Highways; providing for the condemnation of property necessary for the construction thereof, and the assessment and payment of damages therefor; providing for the collection of tolls upon certain terms and conditions, and the deposit thereof in the State Treasury in a special fund; providing for the payment of toll collection, costs, maintenance charges and repayments to the Reconstruction Finance Corporation from said fund; providing for the cessation of tolls, and payment of subsequent maintenance costs from the Motor License Fund; and appropriating certain money in the Motor License Fund to carry out the provisions of said act," by authorizing similar arrangements to be made with other agencies of the Federal Government.

And said bill having been read at length the first time

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until 11:00 o'clock tomorrow morning.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:03 P. M. until 11 o'clock, Tuesday morning, November 14, 1933.

HOUSE OF REPRESENTATIVES

MONDAY, November 13, 1933

EXTRAORDINARY SESSION

The Speaker, the Honorable Grover C. Talbot, called the House to order.

The SPEAKER. This being the day and the hour fixed by His Excellency the Governor of the Commonwealth in his Proclamation convening the General Assembly in Extraordinary Session by virtue of the authority conferred upon him under Article IV, Section 12 of the Constitution of Pennsylvania, the Members and Members-elect of the House of Representatives here assembled will now come to order.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Almighty and Allwise God, Father of men, and Ruler of nations, graciously bestow Thy Divine favor upon the General Assembly of Pennsylvania here convened in Extraordinary Session.

His Excellency's summons, has not only focused the attention of the Commonwealth upon Capitol Hill, but compels the members of the Legislature to face the stern, trying situations which will test their very souls. They must grasp the primary facts of life barehanded. They must dominate every situation, for the well being of the Commonwealth hangs in the balance. Oh! God help them to make good. To this end, our Father, bless Thy servants, His Excellency, the Governor, and all State Officers, The President of the Senate, and all Senators, The Speaker, and all Representatives, The Officers, Sergeants at Arms, Pages, Reporters and all others connected with the Legislature.

We earnestly seek Thy help for we know that, "Unless the Lord build the house, they labor in vain who build it; Unless the Lord keep the City, the watchman waketh in vain."

Hear Our Prayer, Oh! Lord. Amen.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from his Excellency the Governor, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 9, 1933.

Honorable Grover C. Talbot, Speaker, House of Representatives, Harrisburg, Pennsylvania.

Dear Mr. Speaker:

I am enclosing, for your official information, copies of my Proclamation issued today, convening the General Assembly of the Commonwealth in extaordinary session on Monday, November 13, 1933, at 12.00 o'clock noon, Eastern Standard Time.

Sincerely yours,
GIFFORD PINCHOT.

PROCLAMATION OF THE GOVERNOR

The SPEAKER. The Clerk will read the Proclamation of the Governor.

The Clerk read the proclamation as follows:

PROCLAMATION

In the Name and by Authority of the
COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE
Harrisburg

By virtue of the authority vested in me by Article IV, Section 12, of the Constitution, I, Gifford Pinchot, Governor of Pennsylvania, do hereby convene the General Assembly of the Commonwealth in extraordinary session, to meet in the Capitol at Harrisburg, on Monday, November thirteenth, one thousand nine hundred thirty-three, at twelve o'clock noon (Eastern Standard Time) of that day, to consider legislation upon the following subjects:

1. Regulation of and taxation on the ownership, manufacture, sale, distribution, storage, transportation, and use of alcohol and alcoholic beverages, including the establishment of State stores for the sale, not for consumption on the premises, of such beverages, and appropriations necessary therefor.

2. Appropriations of the receipts of State liquor stores for the expenses thereof and of the profits for unemployment relief, old age assistance, and unemployment insurance or any of these purposes; and the use of revenue derived from new taxes on alcoholic beverages for any or all of the following purposes: assistance for financially handicapped school districts; erection or improvement of State buildings or other public works or repayment of moneys to be received from the Federal government for this purpose; unemployment relief; restoration of the work formerly done by the Bureau of Industrial Relations, Department of Labor and Industry; payment of the salary of the judge of the juvenile court of Allegheny County; additional expenses of the Treasury Department and the Departments of Health, Labor and Industry, Property and Supplies, and Revenue, and the Pennsylvania State Police; mobilization of the entire Pennsylvania National Guard at Indiantown Gap in the summer of 1934; the payment of unpaid bills of joint legislative or Senate or House investigations heretofore held; and to compensate for the loss of revenue involved in the repeal of the four-mill State tax on interest-bearing bank deposits.

3. Recovery legislation, including co-operation with the National Recovery Administration and other Federal agencies; regulation of intra-state business to prevent unfair competition; authority to the Governor and other State officers to apply for and meet the conditions necessary to receive Federal grants, advances or loans to the State or for self-liquidating projects; legalization of home loan bonds as investments; authority to municipalities to construct public works, to apply for and accept Federal grants and loans and to issue revenue bonds; creation or supervision of housing corporations; establishment of "authorities" for the construction of public works; cancellation of public contracts at the request of contractors whose costs have been increased because of membership in N. R. A.; and authorization of a tunnel under the Delaware River between Pennsylvania and New Jersey.

4. Old age assistance, unemployment insurance, workmen's compensation, rehabilitation of industrial areas in which industries have permanently closed down, prohibition of private employment of deputy sheriffs, and regulation of hours, wages, payment, and conditions of labor.

5. Regulation of the production, distribution, and sale of milk and other dairy products.

6. Prohibition of rate increases by public utilities without the prior approval of the Public Service Commission.

7. Modification of the banking laws.

8. Local taxation, and investigation and reduction of the cost of local government including the taking over as State highways of all remaining second class township roads.

9. Permanent registration of voters in cities, imposition of penalties on candidates for public office who participate in or condone election frauds, and other election safeguards.

10. Relief for financially distressed mortgagors, taxpayers, and other debtors, including provisions concerning deficiency judgments.

11. Income tax for school purposes.

12. Restriction of the use of the highways by trucks on Saturday afternoons, Sundays and legal holidays.

13. Legislation necessary to give effect to any constitutional amendments adopted by the people on November 7, 1933, and appropriation for expenses of the extraordinary session of the General Assembly.

(Seal) Given under my hand and the Great Seal of the State at the City of Harrisburg, this 9th day of November, in the year of our Lord one thousand nine hundred and thirty-three, and of the Commonwealth the one hundred fifty-eighth.

By the Governor: GIFFORD PINCHOT.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.

The SPEAKER. The communication and the Proclamation of the Governor will be noted in the Journal and printed in full in the Legislative Journal.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. In accordance with the mandate of Article II, Section 2 of the Constitution and the laws of this Commonwealth, the Speaker has issued writs of election to the Sheriffs of the several counties where vacancies have occurred in the Membership of this House, directing that Special elections be held to fill said vacancies, in the following districts:

1. Second Legislative district of the County of Lancaster, by reason of the death of the Honorable Thomas J. Brown, on the second day of November, one thousand nine hundred and thirty-two.

2. Twenty-second Legislative district of the County of Philadelphia, by reason of the death of the Honorable Jacob Mathay, on the seventeenth day of March, one thousand nine hundred and thirty-three.

3. Third Legislative district of the County of Allegheny, by reason of the death of the Honorable Charles T. Dwyer, on the nineteenth day of August, one thousand nine hundred and thirty-three.

4. Second Legislative district of the County of Allegheny, caused by the resignation of the Honorable George C. Metzler, on the thirtieth day of August, one thousand nine hundred and thirty-three.

The Chair directs that these writs of election together with the letter of resignation of the Honorable George C. Metzler, be noted in the Journal and printed in full in the Legislative Journal.

Commonwealth of Pennsylvania, ss.

To Daniel F. Shuman, Sheriff of the County of Lancaster:

Greeting: Whereas, A vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the Second Legislative District of the County of Lancaster, composed of the County of Lancaster with the exception of the City of

Lancaster, caused by reason of the death of T. J. Brown, the Representative-elect from said District, on the second day of November, one thousand nine hundred and thirty-two.

Now, therefore, I, Grover C. Talbot, Speaker of the House of Representatives, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania and by the Act of Assembly in such case made and provided, do hereby command you: That you cause an election to be held in the said Second Legislative District of the County of Lancaster on the seventh day of November, A. D., one thousand nine hundred and thirty-three, to choose a person to represent said Second Legislative District in the House of Representatives of Pennsylvania for the term expiring December first, one thousand nine hundred and thirty-four, and that you give due and public notice of said election throughout said Second Legislative District therein, in the form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this ninth day of October, A. D., one thousand nine hundred and thirty-three.

(Signed) GROVER C. TALBOT, (Seal)
Speaker of the House of Representatives.

State of Pennsylvania }
County of Dauphin } ss

Morris H. Garvin, Being duly sworn according to law says that he resides at Ridley Park, Delaware County, Pennsylvania, that he is a Specially Deputized Assistant Sergeant-At-Arms of the House of Representatives of Pennsylvania.

That he served on the Honorable D. F. Shuman, High Sheriff of the County of Lancaster on the tenth day of October 1933, at 9.10 o'clock A. M. at the office of the Sheriff in Lancaster, Lancaster County, Pennsylvania, a special writ of election for the Second Legislative District of Lancaster County, a copy of which is hereto affixed, by command of the Honorable Grover C. Talbot, Speaker of the House of Representatives of Pennsylvania.

MORRIS H. GARVIN,
Assistant Sergeant-At-Arms.

Sworn and subscribed to this 14th day of October, A. D. 1933.

ARTHUR H. BAILEY,
Prothonotary.

Commonwealth of Pennsylvania, ss.

To Richard Weglein, Sheriff of the County of Philadelphia:

Greeting: Whereas, a vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the Twenty-second Legislative District of the County of Philadelphia, composed of the twenty-seventh, fortieth and forysixth wards of the City of Philadelphia, caused by the reason of the death of Jacob Mathay, the Representative-elect from said District, on the seventeenth day of March, one thousand nine hundred and thirty-three.

Now, therefore, I, Grover C. Talbot, Speaker of the House of Representatives, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania and by the Act of Assembly in such case made and provided, do hereby command you: That you cause an election to be held in the said Twenty-second Legislative District of the County of Philadelphia on the seventh day of November, A. D., one thousand nine hundred and thirty-three, to choose a person to represent said Twenty-second Legislative District in the House of Represenatives of Pennsylvania for the term expiring December first, one thousand nine hundred and thirty-four, and that you give due and public notice of said election throughout said Twenty-second Legislative District and to at least one of the inspectors of each election district therein, in the form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this 9th day of October, A. D., one thousand nine hundred and thirty-three.

(Signed) GROVER C. TALBOT (Seal)
Speaker of the House of Representatives.

State of Pennsylvania }
County of Dauphin } ss

Morris H. Garvin, Being duly sworn according to law says that he resides at Ridley Park, Delaware County, Pennsylvania, that he is a Specially Deputized Assistant Sergeant-At-Arms of the House of Representatives of Pennsylvania.

That he served on the Honorable Richard Weglein, High Sheriff of the County of Philadelphia on the tenth day of October 1933, at 1 o'clock P. M. at the office of the Sheriff in Philadelphia, Philadelphia County, Pennsylvania, a special writ of election for the Twenty-second Legislative District of Philadelphia County, a copy of which is hereto affixed, by command of the Honorable Grover C. Talbot, Speaker of the House of Representatives of Pennsylvania.

MORRIS H. GARVIN,
Assistant Sergeant-At-Arms.

Sworn and subscribed to this 14th day of October, A. D. 1933.

ARTHUR H. BAILEY,
Prothonotary,

Commonwealth of Pennsylvania, ss.

To Frank I. Gollmar, Sheriff of the County of Allegheny:

Greeting: Whereas, a vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the third Legislative District of the County of Allegheny, composed of the fourth and fifteenth wards of the City of Pittsburgh, caused by the reason of the death of Charles T. Dwyer, the Representative-elect from said District, on the nineteenth day of August, one thousand nine hundred and thirty-three.

Now, therefore, I, Grover C. Talbot, Speaker of the House of Representatives, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania and by the Act of Assembly in such case made and provided, do hereby command you: That you cause an election to be held in the said third Legislative District of the County of Allegheny on the seventh day of November, A. D., one thousand nine hundred and thirty-three, to choose a person to represent said third Legislative District in the House of Representatives of Pennsylvania for the term expiring December first, one thousand nine hundred and thirty-four, and that you give due and public notice to said election throughout said third Legislative District and to at least one of the inspectors of each election district therein, in the form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this ninth day of October, A. D., one thousand nine hundred and thirty-three.

(Signed) GROVER C. TALBOT (Seal),
Speaker of the House of Representatives.

State of Pennsylvania }
County of Dauphin } ss

Morris H. Garvin, Being duly sworn according to law says that he resides at Ridley Park, Delaware County, Pennsylvania, that he is a Specially Deputized Assistant Sergeant-at-Arms of the House of Representatives of Pennsylvania.

That he served on the Honorable Frank I. Gollmar, High Sheriff of the County of Allegheny on the ninth day of October, 1933, at 2:05 o'clock P. M. at the office of said Sheriff in Pittsburgh, Allegheny County, Pennsylvania, a special writ of election for the Third Legislative District of Allegheny County, a copy of which is hereto affixed, by command of the Honorable Grover C. Talbot, Speaker of the House of Representatives of Pennsylvania.

MORRIS H. GARVIN,
Assistant Sergeant-at-Arms.

Sworn and subscribed to this 14th day of October, A. D., 1933.

ARTHUR H. BAILEY,
Prothonotary.

Commonwealth of Pennsylvania, ss.

To Frank I. Gollmar, Sheriff of the County of Allegheny:

Greeting: Whereas, a vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the Second Legislative District of the County of Allegheny, composed of the second, sixth, ninth and tenth wards of the City of Pittsburgh, caused by the resignation of George C. Metzler, the Representative-elect from said district, on the thirtieth day of August, one thousand nine hundred and thirty-three.

Now, therefore, I, Grover C. Talbot, Speaker of the House of Representatives, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania and by the Act of Assembly in such case made and provided, do hereby

command you: That you cause an election to be held in the said Second Legislative District of the County of Allegheny on the seventh day of November, A. D., one thousand nine hundred and thirty-three, to choose a person to represent said Second Legislative District in the House of Representatives of Pennsylvania for the term expiring December 1st, one thousand nine hundred and thirty-four, and that you give due and public notice of said election throughout said Second Legislative District and to at least one of the inspectors of each election District therein, in the form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this tenth day of October, A. D., one thousand nine hundred and thirty-three.

(Signed) GROVER C. TALBOT (Seal),
Speaker of the House of Representatives.

Attested by:
(Signed) E. F. WHITE,
Chief Clerk, House of Representatives.

State of Pennsylvania }
County of Dauphin } ss

Morris H. Garvin, Being duly sworn according to law says that he resides at Ridley Park, Delaware County, Pennsylvania, that he is a Specially Deputized Assistant Sergeant-at-Arms of the House of Representatives of Pennsylvania.

That he served on the Honorable Frank I. Gollmar, High Sheriff of the County of Allegheny on the thirteenth day of October, 1933, at 2:00 o'clock P. M. at the office of said Sheriff in Pittsburgh, Allegheny County, Pennsylvania, a special writ of election for the Second Legislative District of Allegheny County, a copy of which is hereto affixed, by command of the Honorable Grover C. Talbot, Speaker of the House of Representatives of Pennsylvania.

MORRIS H. GARVIN,
Assistant Sergeant-at-Arms.

Sworn and subscribed to this 14th day of October, A. D., 1933.

ARTHUR H. BAILEY,
Prothonotary.

RESIGNATION OF HONORABLE GEORGE C. METZIER

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

Commonwealth of Pennsylvania,
House of Representatives, Harrisburg, August 28, 1933.

Hon. Grover C. Talbot, Speaker, House of Representatives,
Harrisburg, Pa.

Dear Sir:—

I hereby tender my resignation as a member of the House of Representatives from the Second Legislative District of the City of Pittsburgh to take effect August 30, 1933.

I regret that I must sever my connection with you, as our relations in the past have been most pleasant.

Trusting that I may at some future time have the pleasure of again seeing you, I am,

Respectfully yours,
(Signed) GEORGE C. METZIER.

THE SECRETARY OF THE COMMONWEALTH PRESENTS RETURNS OF ELECTION OF MEMBERS

The Secretary of the Commonwealth being introduced, presented, pursuant to the special election called by the Speaker by virtue of the authority vested in him by the Constitution and Act of Assembly in such case made and provided, held on November 7, 1933, to fill the vacancy in the office of Representative in the General Assembly in the Second Legislative District in Lancaster County, the third Legislative District of Allegheny County and the Second Legislative District of Allegheny County, the returns of said special election.

RESOLUTION

ELECTION RETURNS OPENED

Mr. WOOD offered a resolution which was twice read, considered and adopted as follows:

In the House of Representatives, November 13, 1933.

Resolved, That the returns for the election of Members of the House of Representatives held in the Twenty-second Legislative District in the County of Philadelphia; Second Legislative District in the County of Allegheny, the Third Legislative District in the County of Allegheny, and the Second Legislative District in the County of Lancaster, on the seventh day of November, one thousand nine hundred and thirty-three, be now opened and read.

The returns of the special election were opened and read as follows:

To the House of Representatives of Pennsylvania:

Commonwealth of Pennsylvania }
County of Lancaster } ss:

I, John W. Gehr, Prothonotary of the Court of Common Pleas in and for said County, do hereby certify, that it appears from the returns of the general election, held in said county on the Tuesday next following the first Monday of November, being the seventh day of November, A. D., 1933, as computed in the presence of the Judge of the said Court by the proper officer and his sworn assistants, and duly certified and filed by said Judge in my office, that the following is the number of votes cast for the several candidates for the office of Representative in the General Assembly, in the Second Representative District of said county:

REPUBLICAN

Harry E. Trout had seventeen thousand eight hundred seventy-one (17,871) votes.

DEMOCRATIC

Harry P. Shreiner had eleven thousand three hundred twenty-one (11,321) votes.

In testimony whereof, I have hereunto set my hand and caused the Seal of the said Court to be affixed this eleventh day of November, A. D., 1933.

(Seal)

JOHN W. GEHR,
Prothonotary.

To the House of Representatives of Pennsylvania:

Commonwealth of Pennsylvania }
County of Allegheny } ss:

I, John Vogt, Prothonotary of the Court of Common Pleas in and for said county, do hereby certify, that it appears from the returns of the general election, held in said county on the Tuesday next following the first Monday of November, being the seventh day of November, A. D., 1933, as computed in the presence of the Judge of the said Court by the proper officer and his sworn assistants, and duly certified and filed by said Judge in my office, that the following is the number of votes cast for the several candidates for the office of Representative in the General Assembly, in the Third Representative District of said county:

REPUBLICAN

Peter W. Murphy had seven thousand three hundred seventy-nine (7,379) votes.

DEMOCRATIC

Thomas R. Conley had seven thousand one hundred ninety-five (7,195) votes.

SOCIALIST

John H. Hinish had one hundred fifty-two (152) votes.

Scattered had four only (4) votes.

In testimony whereof, I have hereunto set my hand and caused the Seal of the said Court to be affixed this 10th day of November, A. D., 1933.

(Seal)

JOHN VOGT,
Prothonotary.

To the House of Representatives of Pennsylvania:

Commonwealth of Pennsylvania }
County of Allegheny } ss:

I, John Vogt, Prothonotary of the Court of Common Pleas in and for said County, do hereby certify, that it appears from the returns of the general election, held in said county on the

Tuesday next following the first Monday of November, being the seventh day of November, A. D., 1933, as computed in the presence of the Judge of the said Court by the proper officer and his sworn assistants, and duly certified and filed by said Judge in my office, that the following is the number of votes cast for the several candidates for the office of Representative in the General Assembly, in the Second Representative District of said county:

REPUBLICAN

William H. Gallagher had ten thousand four hundred thirty-three (10,433) votes.

DEMOCRATIC

J. C. Brennan had eight thousand nine hundred thirteen (8,913) votes.

Scattered had two only (2) votes.

In testimony whereof, I have hereunto set my hand and caused the Seal of the said Court to be affixed this 10th day of November, A. D., 1933.

(Seal)

JOHN VOGT,
Prothonotary.

NOTIFICATION FROM SENATE

The Committee of the Senate being introduced, informed that the Senate is ready to proceed with business, and was extended the thanks of the House.

RESOLUTION

HONORABLE FRANK B. WICKERSHAM REQUESTED TO ADMINISTER OATH

Mr. RICE offered the following resolution which was twice read, considered and adopted.

In the House of Representatives, November 13, 1933.

Resolved, That the Honorable Frank B. Wickersham, a judge of the Court of Common Pleas of Dauphin County, learned in the law, be requested to administer the oath of office required to be taken by the Members-elect of the House of Representatives.

OATH OF OFFICE ADMINISTERED TO MEMBERS-ELECT

The SPEAKER. The Chair requests the Honorable Judge Wickersham to administer the oath of office to the members-elect.

Whereupon, the oath of office was administered to the Honorable Peter W. Murphy, the Honorable Harry E. Trout, and the Honorable William J. Gallagher.

ROLL CALL

The SPEAKER. The Clerk will call the roll.

The roll of members was called by the Clerk and the following members answered as being present.

PRESENT

Andrews,	Haines,	McGrail,	Shettel,
Baker,	Hamilton,	McGregor,	Shortz,
Barnhardt,	Harmuth,	McKay,	Shreiner,
Bechtel,	Hartman,	McKinney,	Shugarts
Beech,	Harris,	Melchiorre	Simon,
Bennett,	Hart,	Meredith,	Sinwell,
Bernhard,	Heffernan,	Merrell,	Snyder,
Blumberg,	Hefferon,	Mohn,	Sowers,
Boyd,	Heffner,	Moore,	Spann,
Brennan,	Hermansen,	Mumford,	Stank,
Brown, J. E.,	Hester,	Murphy	Steedle,
Brown, W. L.,	Hewitt,	Myers,	Sterling, P.,
Brownfield,	Himes, H. E.,	Negley,	Sterling, R. B.,
Cannon,	Himes, L. R.,	Nothnagle,	Stevens,
Caputo,	Hoffman	O'Connor,	Stevenson,
Carey	Holmes, J. B.,	O'Keefe,	Stiteler,
Carson,	Holmes, J. L.,	O'Neill,	Stone,
Chervenak,	Hoopes,	O'Rourke,	Storb
Cohen,	Horst,	Patterson,	Stott,
Conner,	Hough	Peelor,	Tahl,
Cooke,	Howard	Pennock,	Terry,
Cordier,	Hutton,	Perry, D. R.,	Trout
Craig,	Jaffe,	Perry, J. J.,	Turner,
Cramer,	Jones,	Peters,	Wade,
Dane	Kane, J. J.,	Powell,	Wagner,
Davies	Kane, L. P.,	Powers,	Walker, G. E.,
DeFrehn,	King,	Price,	Walker, W. A.,
Denning,	Kinney,	Quinn	Wall,
Downey, G. E.,	Labar,	Raub,	Wasserman,
Duffy,	Lane,	Rectenwald,	Way,
Dunmire,	Laubach	Reed,	Weidemann,
Ederer,	Lenahan,	Reilly,	Welsh
Emhardt,	Lewis,	Rhodes,	Westrick,
Eroe,	Long,	Rice,	Wheeler
Evans,	Lord,	Roan,	White,
Fitzgerald,	Lose,	Root,	Wike,
Flanagan,	Lovett, J. E.,	Royle	Williams, G. W.,
Fleisher,	Lovett, W. S.,	Ruby,	Williams, J. J.,
Flinchbaugh,	Lynch, M.,	Ruth,	Wilson, L. M.,
Flynn,	Male,	Sarig,	Wilson, T. B.,
Forrest,	Malina,	Sautter,	Witkin,
Furman,	Maloney,	Schrock,	Wood,
Gallagher, T. J.	Marcks,	Schrope,	Woodside,
Gallagher, W. J.	Mason,	Schwab,	Wright,
Gillette,	McBride,	Schwartz,	Yeakel,
Gorman,	McCandless,	Scorza	Yourishin,
Green,	McClure,	Scott,	Zimmerman,
Greenstein,	McCreary,	Sheffer,	Talbot,
Griffith,	McElwee,	Shellenberger,	Speaker.
Habbyshaw,	McGinnis,	Shenkel	

The SPEAKER. A quorum of the House being present the House is ready to proceed with the business of the Session.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 13, 1933.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House, if the House shall appoint such committee, to await upon His Excellency, the Governor of the Commonwealth, and inform him that the General Assembly is convened in Extraordinary Session in conformity with the proclamation of November 9, 1933, and is ready to receive any communications he may have to make.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

COMMITTEE TO NOTIFY SENATE

Mr. PEELOR offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, November 13, 1933.

Resolved, That a committee of three be appointed by the Speaker to wait upon the Senate and inform that body, that the House of Representatives is convened in Extraordinary Session, pursuant to the call of His Excellency, the Governor of the Commonwealth, and is ready to proceed with the business of the session.

APPOINTMENT OF COMMITTEE TO NOTIFY SENATE

The SPEAKER appointed as a Committee to wait upon the Senate and inform that body that the House has convened and ready to proceed with the busines sof the Session, Messrs. Peelor, McElwee and Andrews.

APPOINTMENT OF COMMITTEE TO WAIT UPON THE GOVERNOR

The SPEAKER appointed as a Committee on the part of the House to act with a similar committee on the part of the Senate to wait upon the Governor and inform him that the General Assembly has convened and is ready to proceed with the business of the session, Messrs. Philip Sterling, John L. Holmes and McGregor.

RESOLUTION

THANKING JUDGE WICKERSHAM

Mr. SHREINER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, November 13, 1933.

Resolved, That the Members of the House of Representatives hereby extend their thanks to the Honorable Frank B. Wickersham, of Dauphin County, for his services in administering the oath of office to its new Members.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

REMARKS BY THE SPEAKER

The SPEAKER. Ladies and Gentlemen of the House of Representatives:

The convening of this extraordinary session marks to date one of the most serious times in Pennsylvania history. Coming as we do, from all sections of our State, it really means that in a more or less degree, there must be a diversity of opinion. However, it is my firm belief that the people of Pennsylvania are demanding that we execute the important business before us to the end that the people themselves may be benefited and after that is accomplished we should promptly adjourn this session.

This is no time for members to put personal benefits above the things that are good for our people. Party ideas should be swept into the background and no political quarrels permitted during this session. If constructive legislation is accomplished in short order, after due and careful consideration, we must of necessity earn the gratitude of our people.

I thank you sincerely for the high honors you have conferred upon me in the past. In conducting the work and deliberation of the session upon which we enter today, my sole aim and purpose is to discharge my duties with fairness and fidelity to you, credit to myself and benefit to the best interests of the Commonwealth.

I beg that you will give your presiding officer, in the discharge of his manifold and intricate duties, your earnest cordial and generous assistance in maintaining order and facilitating the business of the House.

RESOLUTION

ADOPTION OF RULES

Mr. HUTTON offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, November 13th, 1933.

Resolved, That the rules of the last Session of the House of Representatives, be the rules of this Extraordinary Session.

REPORT AND DISCHARGE OF COMMITTEE

Mr. STERLING. Mr. Speaker, your committee, appointed to act with a similar committee on the part of the Senate, to wait upon His Excellency, the Governor, and inform him that the General Assembly is organized, have performed that duty.

The SPEAKER. The Chair extends the thanks of the House to the committee.

LEAVE OF ABSENCE GRANTED CHIEF CLERK

The SPEAKER laid before the House a communication from the Chief Clerk and his reply thereto which were read by the Clerk as follows:

Office of the Chief Clerk
HOUSE OF REPRESENTATIVES

Chester, Pa., November 8, 1933.

Honorable Grover C. Talbot, Speaker, House of Representatives, Harrisburg, Pa.

My Dear Speaker:

For reasons which you are familiar with I fear I will be absent at the opening of the Extraordinary Session of the Legislature, and would appreciate it very much if you would grant me a leave of absence of thirty days, without pay.

As far as I know everything is in readiness for the opening of the session, Monday, November 13, 1933, noon.

Have taken up with Mr. Thorn in the Secretary of the Commonwealth's office the matter of expediting the returns for Members of the House from the several counties caused by deaths and resignations. I feel their certificates will be in on time.

If there should be anything that you think I have overlooked kindly take it up with Miss Barnett, who will take care of affairs in my absence.

An early reply will be appreciated.

I hope to be in Harrisburg the last of the week and trust to see you.

Very truly yours,
(Signed) E. F. WHITE,
Chief Clerk.

November 10, 1933.

Eugene F. White, Chief Clerk, House of Representatives, Harrisburg, Pennsylvania.

Dear Mr. White:

I am in receipt of your letter asking for a leave of absence for thirty days as Chief Clerk, during the coming Special Session.

It was thoughtful of you to attend to the various details mentioned in your letter to assure a smooth working of the preliminary procedure of the House.

While under the circumstances your request seems entirely reasonable and proper, I am convinced after studying the law, that as Speaker I have no authority to grant you a leave of absence but that this is an action which can only be taken by the Members of the House who elected you as Chief Clerk. Accordingly, I shall lay your letter before the House in the belief that your request will be granted by the Members.

Sincerely yours,
GROVER C. TALBOT,
Speaker.

Mr. HUTTON. Mr. Speaker, I move that the Chief Clerk be granted leave of absence for thirty days from today without pay.

The motion was agreed to.

RESOLUTION

RESIDENT CLERK AUTHORIZED TO ACT AS CHIEF CLERK

Mr. HUTTON offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, November 13, 1933.

Whereas, The Rules of this House require that certain duties and powers connected with the procedure of this House are to be performed and exercised by the Chief Clerk; and

Whereas, These powers and duties conferred by the rules cannot be legally delegated to others; therefore be it

Resolved, That any powers and duties conferred and imposed by the Rules of this House on the Chief Clerk shall, during the absence of the Chief Clerk, be performed by the Resident Clerk of the House.

REPORT AND DISCHARGE OF COMMITTEE

Mr. PEELOR. Mr. Speaker, your committee appointed to wait upon the Senate and inform that body that the House is now convened and ready for business has performed that duty.

The SPEAKER. The Chair thanks the committee on the part of the House for the performance of its duties.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 13, 1933.

Whereas, The Post Office Department has decided that the Legislative Journal must be third class matter and has so instructed the Capitol Postmaster at Harrisburg, therefore be it

Resolved (if the House of Representatives concur), That The Chief Clerks of the Senate and House of Representatives be directed to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department, and that the payment of the postage for the Legislative Journal, also for the Bills, Calendars, and Histories, be provided for in the Appropriation Bill.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 13, 1933.

Resolved (if the House of Representatives concur), That the State Treasurer be and is hereby authorized to pay on warrant of the Auditor General to each member of the General Assembly the sum of $250.00 on account of the salary of $500.00 to which each member is entitled for an Extraordinary Session of the General Assembly by virtue of the provision of the Act of Assembly approved the tenth day of May, A. D., 1927, P. L. 880, and amended by Act No. 306, approved June 2, 1933; and the balance of said $500.00, namely $250.00, on the day of final adjournment of the Extraordinary Session of the General Assembly, convened in session on call of the Governor, November 13, 1933.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the Members in Joint Session at three o'clock p.m. today.

GIFFORD PINCHOT.

Mr. TURNER. Mr. Speaker, I move that the request of the Governor to address the Joint General Assembly at 3.00 o'clock this afternoon be granted.

The motion was agreed to.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that the standing committees of the House will serve as the standing committees in this extraordinary session now convened.

Members are privileged to introduce their bills now, by filing them with the Bill Clerk It is necessary that three copies thereof be legibly endorsed and dated before presenting the same.

APPOINTMENT OF EMPLOYES

The SPEAKER. In pursuance of the power vested in me by the Act of 1919, P. L. 717, the Chair appoints Joseph Noullet, Allegheny County, as Chief Sergeant-at-arms, vice William J. Gallagher, resigned, and Marlin K. Fry, Dauphin County, page, vice Clarence Fry, resigned, and Arthur B. Troup, Dauphin County, Page, vice Leslie Frye, resigned.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to present herewith the reasons for pardons granted by me from January 18, 1933 to October 18, 1933.

GIFFORD PINCHOT.

The SPEAKER. The Communication will be noted in the Journal, printed in full in the Legislative Journal and the Reasons for Pardons will be printed in the Appendix to the Legislative Journal.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to submit, for your consideration, the attached letter addressed to me from Honorable George H. Dern, Secretary of War, dated June 6, 1933, together with a draft of an act of cession of jurisdiction over the Carlisle Barracks Military Reservation, and New Cumberland General Depot, and maps of the Reservation and Depot.

GIFFORD PINCHOT.

The SPEAKER. The communication will be noted in the Journal and printed in full in the Appendix to the Legislative Journal.

APPOINTMENT OF PARLIAMENTARIAN

The SPEAKER. It affords me great pleasure to make the following appointment. In compliance with the Act of Assembly, approved the 28th day of May, 1931, the Chair appoints S. Edward Moore of Cumberland County, as Parliamentarian in compliance with said act.

RESOLUTION

BILLS INTRODUCED TO BE WITHIN CALL

Mr. HUTTON offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, November 13, 1933.

Whereas, The Constitution, Article III, Section 25, provides that "When the General Assembly shall be convened in special session, there shall be no legislation upon subjects other than those designated in the proclamation of the Governor calling such session;" and

Whereas, This provision is not directory but mandatory because the Supreme Court of this Commonwealth has held that any law passed at a special session must be within the subjects set forth in the Governor's proclamation, otherwise it is unconstitutional; and

Whereas, The work of the General Assembly can be handled more efficiently and expeditiously if bills introduced relate only to the subjects of legislation specified in the Governor's proclamation; therefore be it

Resolved, That it is the sense of the members of the House of Representatives that members should refrain from introducing legislative bills, clearly not within the subjects announced in the Governor's proclamation, in order to save the time of the House, and to avoid the expense of printing bills which cannot become valid laws.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 13, 1933.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session, November 13, 1933, at 3 o'clock in the Hall of the House for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 13, 1933.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor, to the Hall of the House to address the Members of the General Assembly in Joint Session, Monday, November 13, 1933, at 3 o'clock, pursuant to a resolution already adopted by the Senate and House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF COMMITTEE TO WAIT UPON THE SENATE

The SPEAKER. The Chair appoints as a committee to wait upon the Senate, Messrs. George W. Williams, Long, and Schrock.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair after consultation with the members of the Rules Committee agrees with them in their belief that this will probably be a short and business-like session, and has decided that it will not be necessary for the issuance of cards to privilege visitors on the floor of the House. The Speaker, however, requests the members to refrain from permitting their friends and visitors to sit in their seats and again requests that the members assist the Chair in the maintenance of order during the session.

The Chair requests the newly elected members, sworn in this morning, to leave in the Speaker's Office their preference of five committees that they desire to serve upon and asks that this be done before this day closes.

The same Committee rooms will be available for the Committees as were used in the regular session of 1933.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair requests the newly appointed employes of the House to proceed at once to the Speaker's Office and be sworn in.

RECESS

The SPEAKER. If there is no objection the Chair will declare a recess until 2.45 o'clock p. m. today. Are there objections. The Chair hears none and a recess was declared (at 12.59 p. m.) until 2.45 o'clock p. m. today.

AFTER RECESS

The SPEAKER (Grover C. Talbot) in the Chair.

The SPEAKER. The time of recess having expired the House will be in order.

RESOLUTION

COMMITTEE APPOINTED TO ESCORT SENATE

Mr. HEFFERNAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, November 13, 1933.

Resolved, That the Chair appoint a committee of two to escort the Members of the Senate to the Hall of the House on Monday, November 13, 1933, at 3.00 o'clock p. m., for the purpose of attending a joint session of the General Assembly.

APPOINTMENT OF COMMITTEE TO ESCORT SENATE

The SPEAKER. The Chair appoints as a Committee to escort the Members of the Senate to the Hall of the House for the purpose of attending the Joint Session, Messrs. Heffernan and Turner, and requests that they perform that duty promptly.

APPOINTMENT OF SPEAKER'S CLERK

The SPEAKER. Since the close of our regular session the Speaker has suffered an irreparable loss in the death of the Speaker's Clerk, Robert F. Sharpless. The Chair now announces

the appointment of Mrs. Ann Sharpless of Delaware County as Speaker's Clerk to fill the vacancy created by the death of her husband.

REPORT AND DISCHARGE OF COMMITTEE

Mr. HEFFERNAN. Mr. Speaker, your committee appointed to escort the members of the Senate to the Hall of the House for the purpose of attending a Joint Session has performed that duty and the members of the Senate are now present.

The SPEAKER. The committee is discharged with the thanks of the House. The President of the Senate is invited to preside over the Joint Session of the General Assembly; the President Pro Tempore is invited to a seat on the rostrum and the members of the Senate will be seated in the chairs provided for them in the front of the House.

JOINT SESSION

LIEUTENANT-GOVERNOR EDWARD C. SHANNON PRESIDING

The SERGEANT-AT-ARMS OF THE SENATE. Mr. President, I have the honor to present to you the Committee appointed to escort the Governor of the Commonwealth to the Hall of the House to address the Joint Assembly.

Mr. BUCKMAN. Mr. President, I have the honor to present to you His Excellency, the Governor of the Commonwealth, who will address the Joint Session.

LIEUTENANT-GOVERNOR SHANNON. Members of the General Assembly, the Chair has great honor in presenting His Excellency, the Governor of the Commonwealth, who will now address you.

ADDRESS OF THE GOVERNOR

GOVERNOR PINCHOT: Ladies and Gentlemen of the General Assembly:

I welcome you back to Harrisburg. I welcome your coming not only because action of great importance needs to be taken for the people of Pennsylvania, but also because many of you are old friends, and because I always enjoy my contact with you.

The people of this Commonwealth expect us to join in giving them fully, effectively, and promptly the legislation they need without regard to politics or personal choice. They want a short and harmonious session. I pledge myself to leave nothing undone to that end.

After seeking much advice from many sources, Republican and Democratic, Progressive and Conservative, wet and dry, I have tried to follow the will and the needs of the people in framing the call for this special session. Nothing has been included or excluded for political reasons. The best politics for all of us is to play no politics at all, but simply do what the people want done. A time like this, when millions are suffering as they have never suffered before, demands that this session shall bedevoted to the greatest good to the greatest number and to nothing else whatsoever.

There have been wide differences between this Administration and the Republican State Organization. It has been suggested that all differences should be forgotten during this extraordinary session and that the Senate, the House of Representatives, and the Governor should bury their respective hatchets and work in harmony for the best interests of all the people of our State.

On such a sensible proposition I am ready to meet you more than half way. As evidence of my good faith, I point to the conferences I have been holding with Organization leaders and others in an honest effort to reach an agreement on legislation before the session opened. As evidence of your good faith, I ask you to let political considerations go hang, and to join with me in a single-minded effort to serve the Commonwealth.

There is nothing you or I can do that will be more appreciated by the people than to deal with the questions before this session wholly and exclusively on their merits.

The number of subjects included in the call is far beyond my anticipation and my desire. Even so it has not been possible to admit many subjects upon which large groups of citizens desire action. Only necessary matters have been included.

LIQUOR CONTROL

The conferences held with drys, wets, and political leaders have resulted in ironing out differences on all essential points. It appears to be agreed that the saloon must not come back; that liquor must not be sold without restraint; that private profit from liquor must be reduced to the minimum; that sale not for consumption on the premises must be in the hands of the State; that the Judges must not be dragged back into liquor politics; that the price of liquor must be kept low enough to discourage bootlegging by making it unprofitable; that the principle of local option must be embodied in the liquor law; and that liquor must be taxed heavily enough to yield large revenue to the State but not heavily enough to encourage bootlegging.

The conference liquor control bill is drawn to keep liquor and politics apart. It will, I believe, be approved by sincere wets and sincere drys almost without exception. Apparently the only important opposition to any point of it will have to do with the provisions intended to keep liquor and politics apart by putting the distribution of liquor from the distillery to the consumer in original packages wholly in the control of the State.

It is contended that the distribution of liquor in original packages from the distilleries to the public should be in private hands, so that the profits may go to private persons instead of to the State for the relief of the taxpayer. Most important of all, although unspoken, is the desire that profits from the liquor business should thus be made available for campaign contributions and the maintenance of political machines.

This plan would plunge liquor again into politics, and bring back into the liquor business the element of private profit from which most of its evils sprang. I am against it, and I believe that the great majority of the people of the State are against it also.

Even if it were desirable to do so, we could not take over the distilleries because we could not pay for them. But we can take over the control of distribution in original packages, and we should.

It is of the first importance that there should be as little private profit as possible in the distribution of liquor, and especially that no one should be interested in stimulating the consumption of liquor in order to increase private gain.

I regard the co-operation of sincere wets and sincere drys for effective liquor control as most significant and most important, and I welcome it as a new force of great potency in the public interest.

It is generally believed that the date upon which repeal will become effective is December 5, 1933. Unless laws to control and tax liquor have been enacted by then, a flood of liquor unrestrained, uncontrolled, and contributing nothing to the State Treasury, will overflow and overwhelm the Commonwealth.

That the General Assembly would permit such a thing to

happen is unthinkable. I do not doubt that you will protect our people from the consequences of a liquor flood.

There are today stored in Pennsylvania, according to the best estimates I have been able to secure, at least 12,500,000 proof gallons of whiskey. The Federal tax is only $1.10 per gallon. There is, therefore, no reason in the world why this whiskey should not pay to the Commanwealth of Pennsylvania a floor tax of $2.00 a proof gallon and thereby eliminate at once many of the financial difficulties under which this Commonwealth has been suffering because of the depression.

This tax would bear only upon whiskey made before repeal.

The chief purposes to which the floor tax on alcohol and liquor should be devoted are, in my opinion, first, keeping schools open; second, relief of bank depositors from the 4 mills tax, and third, co-operation with the Federal Government in setting up a State public works program.

I propose that the profits from State liquor stores shall be devoted exclusively to unemployment relief, old age assistance, and unemployment insurance, in the order named.

During the remainder of this biennium it will not be possible to devote any of the money to unemployment insurance, beyond the expenses of a legislative commission to work out a system for Pennsylvania. Appropriations can, however, be made at once for unemployment relief and old age assistance.

THE PUBLIC SERVICE COMMISSION

The Public Service Commission was for years owned and operated by large public utility interests. During my first Administration I used every means in my power to take the Commission from the utilities and give it back to the people. In this endeavor I was defeated by the courts.

During my present term I have been able to appoint five out of seven of the present members of the Commission. Since October 1, 1932, my appointees have been in the majority.

These appointees are recognized without exception as men of the highest character and ability. They have earned the confidence not only of the people but also of the utilities, who have found that the present Commission gives public and utilities both a square deal without fear or favor.

It is only fair to all of my appointees and to the people that these appointments should be acted on by the Senate without further delay. I urge that you take immediate action. There can be neither reason nor justice in any further postponement.

These men were highly qualified by knowledge and experience when I appointed them. Their value to the people has since been increased by their direct experience as Commissioners. To drop them from the Commission would be a heavy loss to the people of the Commonwealth.

These Commissioners hold that it is the business of public servants to do whatever will promote the public interest and is not specifically forbidden. In that spirit, as the result of a resolution offered in 1932 by one of them, the Commission launched upon a campaign to obtain rate reductions by informal conferences instead of incurring the delay and expense of the formal procedure provided by law.

The law did not require them to hold these conferences. It was a purely voluntary exercise of their powers in the public interest. In spite of the loss of untility revenue due to the depression, the substantial increase of tax burdens, both State and Federal, and the increase of operating expenses through the requirements of NRA, the results have been amazing.

In a single year's work under this plan, the Commission has by informal procedure alone secured reductions of rates amounting to about $4,000,000 of annual savings to the public in their utility bills. In addition is the saving to the taxpayers of more than a million dollars which would have been the cost of formal procedure, to say nothing of an average delay of about four years per complaint.

It is of the utmost importance to the people of Pennsylvania that these savings to the people should be continued and increased, as they will be if the nominees now before the Senate are confirmed. The utilities themselves are coming to understand that these wise reductions increase profits, and thus further reductions are warranted.

Beyond all comparison the service of the Commission to the public is now greater than ever before. The work done on classified complaint and application cases in the year since October 1, 1932, includes 993 informal complaints adjusted to the satisfaction of the complainants, 259 formal complaints, and 3757 formal applications. Most of the latter were from men unable to prepare their own applications and too poor to travel to Harrisburg or hire attorneys. For their convenience hearings have been held in every corner of the Commonwealth and during this single year more than 7000 applicants have been helped in this way.

These are merely examples of the work done since my appointees became the majority. What they have succeeded in doing in a single year is a guarantee to the people of what they will do if they are continued in office. Their work is daily gathering momentum in its service and value to the public. I urge the Senate with all the force at my command to confirm these men at once.

PUBLIC UTILITIES

The average man's most serious cause of complaint against the public utilities is their excessive rates.

In spite of the present thirty-day provision of the law, public utilities can, and do, increase their rates about as they like, leaving to the public the cost and burden not only of providing that unjust rate increases are unjust, but of paying them while proof is being made.

That is putting the shoe on the wrong foot with a vengeance. The burden of justifying a raise in rates should be on the company which originates the raise at all times, and never on the consumer who must pay the bill.

I recommend legislation to prevent any company from increasing its rates until after such increase has been submitted to the Public Service Commission and permission has been given to put such increase in effect. No other single provision of law could so greatly help to get fair rates for the householders of Pennsylvania.

RECOVERY

The people of the United States, long in despair, are taking a new grip. The great depression is lifting and must continue to lift.

President Roosevelt's National Recovery Program must succeed.

The safety and welfare of all our people demand it. Therefore it is the duty of every individual and of every governmental body to co-operate wholeheartedly with the National Administration in this great enterprise.

Accordingly, even though State Governments are legally exempt, I have endeavored in every way practicable under our constitution and laws to bring the Government of this Commonwealth into full harmony and co-operation with the Federal Recovery Act. In this I am confident of the general support and approval of our people.

The National Recovery Act provides, first, for Federal pub-

lic works to be constructed wholly at public expense; second, for Federal contributions for unemployment relief not to be repaid; and, third, for Federal participation in self-liquidating public and semi-public works, thirty per cent. to be contributed outright by the Federal Government and seventy per cent. to be repaid by the borrower.

Because of the constitutional and other limitations on the borrowing power of the Commonwealth and its subdivisions, and in spite of the most vigorous efforts to secure for our people the full benefits of the National Recovery Act, we have not yet been able to obtain our proper share of Federal funds.

But if legislation suggested by and worked out in co-operation with the Federal Public Works Administration can be passed, the limitations which have kept these benefits from our people can be removed. Bills for this purpose will be laid before you.

UNEMPLOYMENT RELIEF

On December 1st funds for unemployment relief, both State and National, would have been completely exhausted if the people of Pennsylvania had not adopted Constitutional Amendment No. 8, upon the pasage of which I congratulate the Commonwealth. The fact that this amendment received the largest vote among twelve, and that it passed by the heaviest majority, are testimonials to the good sense of our people, and to their strong support of relief for the unemployed. Without this amendment we could not have escaped an immediate and very heavy additional burden upon the taxpayers, for Pennsylvanians cannot be allowed to starve.

Since last June the number of totally unemployed in this Commonwealth has been reduced from over 1,300,000 to less than 1,000,000. That is real progress.

Nevertheless, the Federal Relief Administrator, in spite of the decrease in unemployment, has given public notice that he expects more families on relief during the coming winter. Because of the increasingly rapid exhaustion of family resources, I am sorry that I must agree with him. Less than half of the unemployed have been receiving relief.

Unless, therefore, recovery is far more prompt than there is reason to expect, additional funds for unemployment relief beyond the $20.000,000 made available by Amendment No. 3 will be required some time next spring. Such additional funds can be secured from a tax on liquor, just as a part of the relief funds already expended represent a tax on beer.

Accordingly, I recommend that the profits derived from State liquor stores be appropriated to unemployment relief to the extent of $20,000,000. I make this recommendation to avoid calling another extra session for relief in case such funds should be needed before the regular session of 1935, as I anticipate they will.

The Federal Government is now supplying funds for unemployment relief in Pennsylvania on a 50-50 basis. I have every reason to believe that this arrangement will apply to relief funds hereafter provided by the State.

Mistakes have been made in the administration of relief in Pennsylvania. They were inevitable. No undertaking so vast so new, and so rapidly organized could hope to avoid mistakes. The task of providing three meals a day for more than two million men, women, and children who deserve help, and sifting out an equal number who desire it but did not deserve it, is enormous and enormously difficult.

But in spite of all criticism, political and non-political, justified and unjustified, we may take genuine satisfaction when Federal authorities tell us that in no other State has relief been better handled than in Pennsylvania.

During the last two months the State Emergency Relief Board has spent comparatively more money than before for the investigation of cases on relief. By this increase in administrative cost, great sums have been saved to the State. For every dollar spent in such investigation about five dollars have been saved by the reduction of the relief load.

The number of cases on relief has been cut down in this way from 460,000 to 330,000—a total savings of $4,750,000. The increased cost of the investigation which brought about this saving was about $975.000. Because of it, it was possible to increase the average monthly grant per family from $13.03 in May to $15.58 in September. Compared with $33.85 in New York, it is clear that grants in Pennsylvania are too low.

The annual report of the Executive Director of the State Emergency Relief Board will be in your hands before the end of this month.

WORK RELIEF ON THE ROADS

With the knowledge and consent of the Federal Emergency Relief Administrator, and upon the recommendation of the State Emergency Relief Board, the sum of $7,500.000 of Federal funds has been allocated to work relief on the roads. About the same amount in State funds was needed to match it for the materials, machinery, and supervision without which roads cannot be built. This sum was set up out of the motor fund.

No other money spent for relief is so well spent as this. It gives men work at the going rate of wages in each locality, It takes them off direct relief, and in addition we get more roads. Apparently there is nothing our people want more.

ALL-THE-YEAR ROADS

The people generally, I believe, support the present plan of building low-cost hardsurface all-the-year durable roads. Since this Administration came into office more than 6500 miles of such roads have been completed at an average cost of $6000 per mile. An additional 1200 miles are authorized for construction. About 1600 miles of township roads have been reclaimed.

Low cost roads built and authorized amounted to 9300 miles, leaving only 7800 miles out of the original 20,000 still to be improved.

At the same time 2505 miles on the old highway system have been built or authorized. Of the 3000 miles unimproved in the old system when I took office less than 500 miles remain to be improved. In addition many miles have been widened to accommodate increased traffic. Certainly such an achievement proves that the main highways have not been neglected.

Since more money has thus been spent for the benefit of dwellers along the main highways and in centers of populations, it would be unfair for them to refuse the farmers the comparatively inexpensive improvement of their roads which they have so often been promised, and for which they have waited so long.

The authorization and construction of 11,800 miles of hard-surfaced road in less than three years by a single State has never had a parallel. Nothing like it has ever been done in the history of any nation. And this world's record for all time has been made in a period of deep depression when the revenues of the Highway Department had fallen below normal by tens of millions of dollars.

SECOND CLASS TOWNSHIP ROADS

At the last regular session I urged the General Assembly to take over the 53,000 miles of second class township roads. I

made that recommendation because of the practically unanimous public approval of the results of the previous taking over of 20,000 miles. I repeat it now.

Legislation recently enacted turns the 53,000 miles over to the Commonwealth for a period of two years only, and limits the work which can be done upon them during these two years to maintenance and repair at the rate of about $105 per mile. That is not enough in some cases and too much in others. But the surplus cannot be spent where it is actually needed.

The present law does not provide for making these roads into hard-surfaced-all-the-year-around highways, as it should. Neither, and this is most important, does it give the farmers, the heaviest-taxed people in Pennsylvania, the tax relief to which they are clearly entitled. It would amount in perpetuity to about $9,000,000 a year.

The State should take over the 53,000 mlies. A bill for this purpose passed the House at the last session. It was subsequently exchanged for the present undesirable form. I recommend that the remaining second class township roads be taken over by the State for maintenance and construction.

TRUCKS

The highways of Pennsylvania are for the service of the people of Pennsylvania. They should be constructed, regulated, and restricted in whatever way will best promote the greatest good of the greatest number in this Commonwealth.

There are 1,410,000 licensed passenger automobiles in Pennsylvania. Automobile riders include at one time or another nearly every man, woman, and child in the State. The use of the highways by car owners and car riders, which means by substantially our whole population, is unjustly and unnecessarily hampered, interfered with, and made dangerous and uncomfortable by the increasing number of huge trucks.

There are but 18,317 of these trucks, trailers, and semi-trailers registered in Pennsylvania. They are, however, so constantly on the road, and their road manners are on the whole still so bad, that they constitute a nuisance out of all proportion to the small number of their owners.

Legal holidays and Saturday afternoons and Sundays are the times when the largest number of automobiles are on the road. It is no more than fair that the people who pay for the roads should at least have the right to the safe and unrestricted use of them during the few hours each year when they use them most.

I recommend that, with exceptions to be controlled by special permits, no truck longer than 33 feet, with a gross weight of more than 20,000 pounds, no truck and trailer longer than 45 feet, and weighing more than 30,000 pounds, shall be allowed to travel on any State Highway in the Commonwealth between 12:00 noon on Saturday and 12:00 midnight on Sunday, or on any legal holiday.

BANKING LAWS

It is of grave importance that the laws of Pennsylvania should be brought into conformity with the Federal laws recently enacted for the safety of depositors in banks. The Banking Code passed by the last session of the Legislature corrected many deficiences in our laws. But the Federal legislation since then enacted has made additional changes necessary.

One of the most conspicuous and unjustified special privileges in Pennsylvania is the exemption of private banks from the supervision of the State Banking Department. I recommend that this special privilege be removed and that private banks, like State banks, be subjected to State supervsion.

Our banking laws should be so amended as to bring them into harmony with Federal legislation for the protection of the depositor.

There is much justified opposition to the 4 mills tax on the interest on bank deposits. The money anticipated from this tax has already been advanced and spent for unemployment relief. If the 4 mills tax is to be repealed, another source must provide the $8,000,000 this tax was expected to provide.

I recommend that it be repealed and that $8,000,000 be taken from the floor tax on liquor to replace it.

RELIEF FOR TAXPAYERS AND DEBTORS

Pennsylvania like every other State, is filled with distressed owners of mortgaged properties, taxpayers unable to find the means to pay, and persons in great trouble because of debt. I recommend that they be given the careful and friendly attention of the General Assembly.

SCHOOLS

Unless we help them, shrinkage of local revenues will, I am informed, lead to the closing of several hundred schools in this Commonwealth by the first of January, and thus deprive many thousands of young Pennsylvanians of the schooling which is their right. The Commonwealth of Pennsylvania cannot afford to let these children suffer.

I recommend that an emergency appropriation of $5,000,000 be made from the proceeds of the alcohol floor tax to meet the immediate emergency.

Further, I recommend the enactment of a gradual income tax devoted exclusively to school purposes. Real estate in this Commonwealth cannot and should not continue to carry the whole increasing load of school taxation.

The graduated income tax is the fairest of all taxes because it bears most heavily on those who are best able to pay. Many other States are using it. There is every reason why Pennsylvania should lighten the burden of real estate taxation for school purposes and avoid the danger of closed schools by adopting a graduated income tax. Many other States have such a tax already.

MILK CONTROL

Milk producers and milk consumers in Pennsylvania have long suffered unjustly from an unfair distribution of costs and profits. On the whole, many customers have paid too much, many distributors have profited too much, and many farmers have received less than they should for their milk.

Now that new milk agreements are proposed, it is worse than ridiculous that the milk distributors, some of whom have been making huge profits even in this time of depression, should have their profits increased by increasing the spread between what the farmer receives and what the consumer pays.

The milk question is extremely complicated. To deal fairly with consumer, producer, and dealer much knowledge, constant investigation, and constant readjustment will be required. The profits of the dealers should be restricted to a reasonable point, the receipts of the farmers should be increased to a reasonable point, and the cost of milk to the consumer should be kept down to a reasonable point.

I recommend the creation of a Milk Control Board.

CLEAN ELECTIONS

It is obvious that cheating at elections could be immensely reduced if every candidate knew in advance that if he cheated it would cost him his election. To punish little men far down the line while the candidate for whom the cheating is done retains his office does not stop election frauds.

I recommend the passage of a law under which the candidate who knowingly violates or permits to be violated any election law shall be disqualified for taking office, and that the candi-

date who received the next highest number of votes shall be seated in his place.

One of the most fruitful sources of fraud in elections is the requirement for constant renewal of the registration of the voter. It has long been recognized that permanent registration promotes clean elections. The elimination of the tax qualification for voting has removed one obstacle to its practical operation. Under a permanent system of registration the whole year is available for purging the lists instead of a few weeks just before election.

I recommend that the protection of permanent registration be extended to all city voters. The call opens the door also to other election safeguards.

CHILD LABOR

The people of the United States in the National Recovery Act and in certain codes adopted under it have recognized the principle of protecting the older workers and the children themselves against child labor. At a time when there is not work enough for adults, it is especially wrong that children should be permitted to work.

I recommend the adoption of the proposed Child Labor Amendment to the Federal Constitution by the present session of the General Assembly, and I urge the enactment of legislation to keep all children of 15 years and under in school and prevent them from taking their jobs away from adult workers.

OLD AGE ASSISTANCE

At the last special session a bill for a Constitutional Amendment to permit old age pensions passed the House and would have passed the Senate had it come to a vote. The majority for old age assistance in each House which existed then doubtless exists today.

The Attorney General advises me that an old age assistance system limited to indigent persons is constitutional under the Talbot Act decision of the Supreme Court, that if enacted it can be sustained, and that it can provide assistance in whatever sums the General Assembly may set for maintaining the beneficiaries in their homes.

I recommend that an old age assistance law be enacted at the present session. Already 26 States have enacted old age assistance legislation. The necessary money can be found from the profits of State liquor stores. It should not exceed eight millions per year.

Once the principle of old age assistance has been recognized by law, improvements in the details can be secured far more easily and much sooner than by waiting, as has been suggested, for a constitutional revision, its adoption by the people, and the enactment of the necessary legislation under it. Half or three-quarters of a loaf now is certainly better than a whole loaf in the distant and uncertain future.

SWEATSHOPS

The people of this Commonwealth are thoroughly familiar with the recent uncovering of sweatshop conditions in both the eastern and the western parts of the State. Sweatshop employers were paying full time employes in many cases at the rate of three dollars—two dollars—sometimes even less than one dollar, not per day, but per week.

Such conditions are utterly repugnant. They offend all decency. They plunge the sweated employes into misery, and they give the sweatshop owners an unfair and illegitimate advantage over decent employers who pay their workers decent wages.

The principal of the minimum wage is one of the foundations of the National Recovery Act.

In the interest both of the workers and of fairminded employers, I recommend the passage of a minimum wage law in this State.

UNEMPLOYMENT INSURANCE

The principle of unemployment insurance is being rapidly adopted in State legislation. We have learned that the time to protect our people against unemployment and to protect the taxpayer against the enormous cost of unemployment relief is before the emergency is upon us.

I recommend a legislative study of this subject leading to the setting up of a fund for unemployment insurance. We must prepare now to arm ourselves against the next depression. It is too late for unemployment insurance to meet the present crisis. We must plan for the future.

COMPANY-PAID DEPUTY SHERIFFS

It is probable that more disorder and bloodshed in strikes has been due to company-paid private police and company-paid deputy sheriffs than to all other causes put together.

During the recent strike trouble in the soft coal fields, now happily ended, two strikers were killed and numerous others were shot or beaten by company-paid deputy sheriffs without substantial provocation.

And these wanton killings, shootings, and beatings narrowly missed plunging the whole of Western Pennsylvania into chaos and strife.

Keeping order in the strike area and protecting the rights of persons and property was made immeasurably harder by the presence and the actions of company-paid deputy sheriffs. Many of them were gunmen with criminal records, anxious only to create disorder so that their pay might go on.

Because of these deputies—and only because of them—I was forced to send the National Guard into the strike area. The cost of doing so falls upon the taxpayers, who did nothing to bring this situation about, and not on the companies, who did everything.

If there had not been a single company-paid deputy in the whole strike area there would have been less disorder, less property would have been damaged, and far less people would have been hurt.

These men did not prevent trouble. They produced it. They were appointed at the request of the coal companies, largely selected by the coal companies, entirely paid by the coal companies, and they took orders not from the legally appointed peace officers of the county or the Commonwealth, but from the officials of the coal companies.

It is reported by the State Police that the wanton killing at Gates was upon the direct orders of the superintendent of one of the mines of the H. C. Frick Coal and Coke Company.

Company-paid deputy sheriffs are unknown in the eastern half of our Pennsylvania coal fields. If they are not necessary in the East, they are not necessary in the West. The anthracite operators find the needs of their situation fully met by watchmen or guards, whose jurisdiction does not extend beyond company property.

None of the recent killings in the safe coal fields took place on company property—and none of them would have taken place except for the authority of company-paid deputy sheriffs to act outside of company property.

Under the present system the soft coal and steel companies of Western Pennsylvania have set up private military establishments of their own, recruited in part from men discharged for cause from the State Police. These private armies of deputies are uniformed, officered, armed and provided with machine gune and gas bombs. They are trained to look for

trouble, and they are eager to find it. Their existence is a constant threat against the peace and good order of this Commonwealth.

In 1931 we abolished the company-paid private policeman. The present session will, I hope, abolish the company-paid deputy sheriff.

I recommend the passage of legislation to prevent any deputy sheriff from being paid except by the county in which he is employed, or from acting except under the orders of the lawfully constituted public authorities.

A number of subjects included in the call have not been discussed in this message lest it should be too long. They will be brought before the General Assembly in other ways.

I have outlined, as briefly as I could, the problems we face. These problems look difficult at first glance. But they are not difficult. I concede that there may be some honest difference of opinion on some of them. But if we keep our eyes trained on one thing—the public good—and remember that the public good must come first, we shall quickly solve every problem.

The only bills prepared by the Attorney General which will be introduced today relate to the vitally important subjects of control and taxation of liquor and recovery from the depression. Bills dealing with liquor will be introduced in the House, bills dealing with recovery will be introduced in the Senate. I urge that these bills be given the right of way in both Houses.

It is unnecessary to remind you that it will be good sense for all of us to do what we believe the majority of the people want done, and do it quickly.

To that end I pledge myself. I ask the same spirit from you. Working together unselfishly we can do great things for the Commonwealth in these next few weeks.

LIEUTENANT-GOVERNOR SHANNON. The Chair wishes to express the thanks of the General Assembly to the Governor for his message which he has presented to us here today.

ADJOURNMENT OF JOINT SESSION

LIEUTENANT-GOVERNOR SHANNON. The business for which the Joint Session of the General Assembly was convened having been transacted, the Joint Session is adjourned. The Senators will immediately assemble in the Senate Chamber.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

APPOINTMENT OF EMPLOYE

The SPEAKER. The Chair failed to announce to the membership this morning that under the power vested in him under the Act of 1919 P. L. 717, that the Speaker had accepted the resignation of Philip Baumholtz as Clerk to Committee, and had appointed Martin Baumholtz to fill the position.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair requests that any members who have bills to file at the present time do so immediately with the Bill Clerk.

It is the desire of the Chair to declare a recess of sufficient time that the bills now in the hands of the Bill Clerk may be referred.

The Chair would further request that when we come back from the recess that the chairmen of the various committees proceed to the Resident Clerk's office and take up their bills, because if we are to dispatch the business of the session with the important legislation that is laid before us, it will be necessary for the committees to function not later than tomorrow morning.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 4.45 o'clock this afternoon. Are there objections? The Chair hears none and a recess is declared (at 3.58 P. M.) until 4.45 o'clock this afternoon.

AFTER RECESS

The SPEAKER (Grover C. Talbot) in the Chair.

The SPEAKER. The time of recess having expired the House will be in order.

BILLS INTRODUCED AND REFERRED

By Mr. TAHL. HOUSE BILL No. 1.

An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors of any admixture thereof.

Referred to the Committee on Judiciary General.

By Mr. CONNER. HOUSE BILL No. 2.

An Act to restrain and regulate the sale of vinous and spirituous, male or brewed liquors, or any admixture thereof; providing for the licensing thereof by and imposing duties upon courts and the Department of Revenue; fixing fees for such licenses; providing penalties; and repealing acts inconsistent herewith.

Referred to the Committee on Judiciary General.

By Mr. FLINCHBAUGH. HOUSE BILL No. 3.

An Act regulating the transportation of alcoholic liquors and providing penalties.

Referred to the Committee on Judiciary General.

By Mr. O'CONNOR. HOUSE BILL No. 4.

An Act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors, or any admixtures thereof; restricting ownership in licensed places; imposing duties upon the Superior Court, county treasurers, clerks of courts, quarter sessions courts, district attorneys, and proper authorities of the counties of the State; providing penalties, right of appeal, and repealing inconsistent acts.

Referred to the Committee on Judiciary General.

By Mr. O'CONNOR. HOUSE BILL No. 5.

An Act authorizing the adoption by employers in certain cases of a "check off" system whereby the union dues of employes and the wages of check weightmen, or other persons, may be deducted from the wages of employes; making unlawful other deductions and providing a penalty.

Referred to the Committee on Labor.

By Mr. O'CONNOR. HOUSE BILL No. 6.

An Act authorzing the Department of Internal Affairs to control and regulate the weighing of all bituminous and anthracite coal mined, produced or sold in the Commonwealth; requiring a checkweighman on every scale, providing a method of paying checkweighmen; providing for the closing of mines in certain instances; prohibiting the defrauding of miners of coal; requiring persons producing coal to keep certain records and make reports to the Department of Internal Affairs; requiring common carriers to furnish certain information to the Department of Internal Affairs; providing for exemptions; providing for penalties; and repealing inconsistent laws.

Referred to the Committee on Mines and Mining.

By Mr. O'CONNOR. HOUSE BILL No. 7.

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth, by adding thereto section thirty-five.

Referred to the Committee on Constitutional Amendments.

By Mr. WITKIN. HOUSE BILL No. 8.

An Act imposing States taxes, payable by those herein defined as manufacturers and importers, on the privilege of manufacturing, selling or using in this Commonwealth certain spirituous and vinous liquors, providing for the collection of taxes and the manner of making payment thereof, conferring powers and imposing duties on certain State officers and departments, and upon manufacturers, importers and upon those using or engaging in the sale of spirituous and vinous liquors; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. CORDIER. HOUSE BILL No. 9.

An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified; describing the method and manner of collection of such tax; conferring powers and imposing duties on certain State officers and departments, and certain individuals, firms and corporations, and imposing penalties.

Referred to the Committee on Ways and Means.

By Mr. McCLURE. HOUSE BILL No. 10.

An Act to regulate and restrain the sale, importation and use of certain alcoholic beverages; conferring powers and imposing duties upon the Pennsylvania Alcohol Permit Board, the Department of Public Instruction, other officers of the State government, courts and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses subject to local option to sell such beverages for consumption on the premises; forbidding importation of such beverages into the State except by State stores; prohibiting certain sales of, practices in connection with, and transactions in such beverages by licenses and others; making disposition of the receipts from State stores and of license fees; and imposing penalties.

Referred to the Committee on Judiciary General.

By Mrs. WILSON. HOUSE BILL No. 11.

An Act to provide for, control and regulate the manufacture, sale of and traffic in spirituous liquors through a liquor control board which is created as an independent administrative board; defining its powers and duties; prescribing penalties and making an appropriation.

Referred to the Committee on Judiciary General.

By Mr. HARRY E. HIMES. HOUSE BILL No. 12.

A Joint Resolution proposing an amendment to article [illegible], section nine, of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. SPANN. HOUSE BILL No. 13.

An Act to amend certain sections of the act, approved the fifth day of May, one thousand nine hundred thirty-three (Act number one hundred four), entitled "An Act imposing a State Tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the methods and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties," by restricting the provisions of the act to malt liquors, as definied therein.

Referred to the Committee on Ways and Means.

By Mr. STEEDLE. HOUSE BILL No. 14.

An Act to provide for the expenses of the extraordinary session of the Legislature assembled November thirteenth Anno Domini one thousand nine hundred thirty-three in pursuance of the proclamation of the Governor of the Commonwealth dated the ninth day of November Anno Domini one thousand nine hundred thirty-three.

Referred to the Committee on Appropriations.

By Mr. ZIMMERMAN. HOUSE BILL No. 15.

An Act to amend the title and certain sections of the act, approved the third day of May, one thousand nine hundred thirty-three (Act number ninety-one), entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by limiting the provisions of the act to malt liquors, as defined therein.

Referred to the Committee on Judiciary General.

By Mr. McELWEE. HOUSE BILL No. 16.

An Act to amend title, Whereas clauses, and sections one and four of the act approved the eighteenth day of May, one thousand nine hundred and thirty-three (P.L. 826), entitled "An act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs."

Referred to the Committee on Judiciary General.

By Mr. WILSON. HOUSE BILL No. 17.

An Act to amend the title and certain sections of the act approved the nineteenth day of February, one thousand nine hundred and twenty-six (Pamphlet Laws, sixteen) entitled "A supplement to the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, thirty-four), entitled 'An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws'; providing for the registering of federal permits; also regulating, under permit, through a Pennsylvania Alcohol Permit Board created in the Department of Welfare, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, recovery, reuse, holding in bond, holding in storage by bailees for hire sale at wholesale, and transportation for hire, or any alcohol or alcoholic liquid, by certain persons; also providing for fees and the disposition thereof; also authorizing the inspection of the records of permittees and the purchase of said alcohol or alcoholic liquid; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act," by making the act consistent with the repeal of the Eighteenth Amendment, changing definitions and exemptions, bringing rectifiers

within this act. provising for the abatement of nuisances, and increasing fees.

Referred to the Committee on Judiciary General.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. From the record bills have been referred to the following Committees: Ways and Means, Judiciary General, Constitutional Amendments, Mines and Mining and Appropriations.

The Chair requests the chairmen of the committees named to proceed immediately, after adjournment, to the Resident Clerk's office and pick up these bills.

ADJOURNMENT

Mr. PRICE. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11:00 o'clock.

The motion was agreed to and (at 5:02 o'clock P. M.) the House adjourned until tomorrow morning at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., TUESDAY, NOVEMBER 14, 1933 No. 2.

SENATE

TUESDAY, November 14, 1933

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo offered the following prayer:

Oh Thou Infinite Eternal and Unchangeable God, we beseech Thee that in these days of change and decay we may have something unchanging to rely upon personally, that amid all of the things that seem to be changing in this world we may have in our own souls the unchangeable foundation of Thy truth.

Be with the presiding officer of this Senate today, be with all the members and all of the employes; grant upon us in this time of storm and stress something in our own souls that does not change, and may we be able to say, "Oh, Thou, Who changest not, abide with me." We ask in Christ's Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MANSFIELD, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. BUCKMAN asked and obtained leave of absence for the Senator from Cumberland, Mr. Prince.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

LEHIGH COUNTY

Homer L. Frey, Schnecksville.
Miss Olive Kemmerer, Allentown.
Miss Millie McAdam, Allentown.
Miss Marion A. Peifly, Allentown.

GIFFORD PINCHOT.

BILLS INTRODUCED

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 5, entitled:

An Act to establish as a State highway a certain section of public road in the County of Warren, and providing for its construction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 6, entitled:

An Act to establish as a State highway a certain section of public road in the County of Warren, and providing for its construction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

TIME OF NEXT MEETING

Mr. BATCHELOR offered the following resolution, which was twice read, considered and agreed to:

In the Senate, November 14, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, November twentieth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, November twentieth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1, as follows:

An Act authorizing the Governor to accept funds from agencies of the Federal Government appropriating such funds for construction of public works for the Commonwealth and providing for repayment to the Federal Government of part of such funds with interest under certain conditions and making an appropriation for such repayment

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor is hereby authorized to accept on behalf of the Commonwealth grants of money from the Presi-

dent of the United States or any Federal agency authorized to make such grants under the National Industrial Recovery Act approved the sixteenth day of June one thousand nine hundred and thirty-three or any amendments thereof or supplements thereto or any other Federal act for the construction of public works by or on behalf of the Commonwealth

Section 2 All moneys so received shall be paid into the State Treasury and they are hereby appropriated to the Department of Property and Supplies for payment of the cost of the construction with the consent of the Governor of public works projects for the Commonwealth The term "cost of construction" as used in this section shall include the cost of the necessary plans specifications supervision architectural and engineering fees whether paid to persons within or without the Department and all other incidental expenses necessary for construction and completion of the project unless payment of any such costs from said funds shall be expressly forbidden by the Federal agency making the grant Among such projects shall be the following The Finance Building of the Capitol Group in Harrisburg such buildings for the Cumberland Valley State Institution for Mental Defectives as shall be determined by the Department of Welfare with the approval of the Governor armories as determined by the Armory Board of the State of Pennsylvania with the approval of the Governor additional buildings for and improvements to buildings of State mental hospitals and other welfare institutions and State Teachers Colleges

Section 3 For the purpose of the succeeding sections of this act the term "advancement" shall mean an amount equal to seventy per centum (70%) of the total amount received from the President or a Federal agency under the foregoing provisions of this act

Section 4 The sum of ten million dollars ($10,000,000) or so much thereof as shall be necessary is hereby appropriated to the Treasury Department to be repaid to the Federal agency which shall have made any grant hereinabove mentioned as follows

(a) On June first one thousand nine hundred thirty-four one-thirtieth (1/30) of the advancement together with interest on the entire advancement to that date

(b) On June first one thousand nine hundred thirty-five one thirtieth (1/30) of the advancement together with interest on the balance of the advancement remaining unpaid on June first one thousand nine hundred thirty-five the entire unpaid balance of the advancement Provided however That this payment of the entire remaining unpaid balance need not be paid if prior to June first one thousand nine hundred thirty-five the General Assembly shall have made and the Governor shall have approved an appropriation providing for the payment of one-thirtieth (1/30) of the advancement on June first one thousand nine hundred thirty-six together with interest on all unpaid balances one-thirtieth (1/30) of the advancement on June first one thousand nine hundred thirty-seven together with interest on all unpaid balances and also payment on June first one thousand nine hundred thirty-seven of the entire balance of the advancement then remaining unpaid subject to the condition however that the last mentioned payment of the entire balance need not be paid on June first one thousand nine hundred thirty-seven if prior to that date the General Assembly shall have passed and the Governor shall have so approved a similar act providing for payments of one-thirtieth (1/30) of the advancement on June first one thousand nine hundred thirty-eight and on June first one thousand nine hundred thirty-nine respectively with interest as above and also for full payment of the entire unpaid balance on June first one thousand nine hundred thirty-nine unless the General Assembly of one thousand nine hundred thirty-nine shall have prior thereto made provision for similar payments on account in one thousand nine hundred forty and one thousand nine hundred forty-one and for similarly conditioned payment of the entire unpaid balance on June first one thousand nine hundred forty-one and so onward until the full amount of the advancement and interest shall have been repaid

It is the intention of this act that during each biennium repayment of one-thirtieth (1/30) of the advancement with interest on unpaid balances each year during the succeeding biennium shall be provided for absolutely and that appropriation shall be made for the full payment of the entire unpaid balance with interest at the end of the next biennium unless prior thereto similar provision for absolute payment of installments and conditional provision for payment of the unpaid balance shall be made for the succeeding biennium.

Section 5 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. BUCKMAN. Mr. President, in accordance with the instruction of the Committee on Finance, I move that Senate Bill No. 1, the bill just read, be recomitted to the Committee on Finance.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 3, as follows:

An Act to amend sections one four and five of the act approved the sixteenth day of March one thousand nine hundred thirty-three (Act number ten) entitled "An act authorizing the Department of Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges authorizing the construction and maintenance of such bridges approaches and connecting roads to State highways by the Department of Highways providing for the condemnation of property necessary for the construction thereof and the assessment and payment of damages therefor providing for the collection of tolls upon certain terms and conditions and the deposit thereof in the State Treasury in a special fund providing for the payment of toll collection costs maintenance charges and repayments to the Reconstruction Finance Corporation from said funds providing for the cessation of tolls and payment of subsequent maintenance costs from the Motor License Fund and appropriating certain money in the Motor License Fund to carry out the provisions of said act" by authorizing similar arrangements to be made with other agencies of the Federal Government

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the sixteenth day of March one thousand nine hundred thirty-three (Act number ten) entitled "An act authorizing the Department of Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges authorizing the construction and maintenance of such bridges approaches and connecting roads to State highways by the Department of Highways providing for the condemnation of property necessary for the construction thereof and the assessment and payment of damages therefor providing for the collection of tolls upon certain terms and conditions and the deposit thereof in the State Treasury in a special fund providing for the payment of toll collection costs maintenance charges and repayments to the Reconstruction Finance Corporation from said fund providing for the cessation of tolls and payment of subsequent maintenance costs from the Motor License Fund and appropriating certain money in the Motor License Fund to carry out the provisions of said act" be and it is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Highways of this Commonwealth shall have the power and authority to enter into arrangements with the Reconstruction Finance Corporation or any other agency of the Federal Government authorized so to act for the advancement of the necessary funds to effect the construction of any bridge or bridges over rivers or streams within this Commonwealth Said arrangements are to be effected without any financial obligation on the part of the Commonwealth or the Department of Highways

Section 2 That section four of the said act be and it is hereby amended to read as follows

Section 4 Upon the completion of any bridge or bridges authorized under the provisions of this act the Department of Highways shall connect tolls from the users to such bridge in such amount and upon such terms and conditions as may be approved by the Public Service Commission When sufficient tolls have been collected to cover maintenance charges and to repay any balance due the Reconstruction Finance Corporation or such other agency of the Federal Government for advancements made as herein provided said bridge or bridges shall become free and the collection of tolls shall thereupon cease Thereafter said bridge or bridges shall be maintained by the Department of Highways out of the Motor License Fund

Section 3 That section five of the said act be and it is hereby amended to read as follows

Section 5 All tolls collected for the use of said bridge or bridges shall be deposited in the State Treasury in a separate fund and shall be used only for the purposes of paying toll collection costs and maintenance charges and repayment of advancements received from the Reconstruction Finance Corporation or such other agency of the Federal Government Toll collection costs maintenance charges and repayments to the Reconstruction Finance Corporation or such other agency of the Federal Government from said fund will be made by the State Treasurer on warrant of the Auditor General upon requisition of the Secretary of Highways in accordance with arrangements entered into between the Department of Highways and the Reconstruction Finance Corporation or such other agency of the Federal Government

Section 4 This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEES

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with favorable recommendation the following nominations made by His Excellency, the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

LEHIGH COUNTY

Homer L. Frey, Schnocksville.
Miss Olive Kemmerer, Allentown.
Miss Millie Macadam, Allentown.
Miss Marion A. Peifly, Allentown.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations re-reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations ported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Lanius,	Salus,
Aron,	Einstein,	Mansfield,	Scott,
Batchelor,	Fay,	Miller,	Shapiro,
Baumer,	Frazier,	Norton,	Snyder,
Bell,	Gelder,	Owlett,	Sones,
Bennett,	Graff,	Parkinson,	Sordoni,
Boyd,	Harris,	Pethick,	Staudenmeier,
Brandt,	Harvey,	Pierson,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Hunsicker,	Rice,	Ziesenheim,
Coyne,	Krause,	Roberts,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. TRAINER. Mr. President, I move that the Executive Session do now rise.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE

TIME OF NEXT MEETING

The Clerk of the House of Representatives, being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, November 14, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, November twentieth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, November twentieth, at nine o'clock.

BILLS INTRODUCED

Mr. SALUS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 7, entitled:

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class.

Which was committed to the Committee on Municipal Affairs.

Mr. REED. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED read in his place and presented to the Chair Senate Bill No. 8, entitled:

An Act for the acquisition of property by the Commonwealth east of the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg, and making an appropriation.

Which was committed to the Committee on Appropriations

Also read in his place and presented to the Chair Senate Bill No. 9, entitled:

An Act making an appropriation to the Department of Property and Supplies for the erection of an additional office building in Capitol Park, and for grading and terracing the ground surrounding the same.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 10, entitled:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon, and making an appropriation.

Which was committed to the Committee on Appropriations.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until 4:30 this afternoon.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

COMMITTEE APPOINTMENT

The PRESIDENT. The Chair on behalf of the President Pro Tempore announces the following appointment to committee:

Executive Nominations: The Senator from Montgomery, Mr. Boyd.

REPORT FROM COMMITTEE

Mr. HOWELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on Executive Nominations, reported with favorable recommendation, the following nominations made by His Excellency, the Governor of the Commonwealth:

NOMINATIONS BY THE GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY

Miss H. M. Schweikert, Pittsburgh.
Louis J. Ferragonio, Pittsburgh.
Miss Agnes J. Gould, Pittsburgh.
Miss Charlotte M. Neuhart, Pittsburgh.
Donald R. Hezlep, Oakdale.
Miss C. O'Donnell, Pittsburgh.
Charles Specht, Pittsburgh.
Miss Clara Anne Loughran, Pittsburgh.
George F. Ferrier, Pittsburgh.
Nicholas Milich, McKees Rocks.
Mrs. Mildred S. Greer, Pittsburgh.
Miss Bernadette M. Marlier, Pittsburgh.
Alvin E. Mason, Harrison Township.
John A. Foster, Pittsburgh.
Mrs. Carolyn E. Stobart, Pittsburgh.
Miss Helen E. Boyd, Pittsburgh.
Mrs. Dora A. Bove, Pittsburgh.
John A. Lawler, Pittsburgh.
Miss Martha E. Jones, Pittsburgh.
Jas. A. Gribbin, Pittsburgh.
William H. Price, Pittsburgh.
Miss Margaret Sandler, Pittsburgh.
Chas. K. Brooks, Forest Hills.
Ritter, Miss Lenora, Millvale.
E. B. Hadfield, Pittsburgh.
Miss Mary F. Mellett, Pittsburgh.
J. Russell Montgomery, West Deer Township.
Mrs. Mattie E. Carpenter, Pittsburgh.
Miss Lavina M. Miller, Pittsburgh.
G. A. Streib, Pittsburgh.
James A. Rea, Bellevue.
Joseph F. Joyce, Pittsburgh.
Emerson E. Stoner, Wilkinsburg.
William J. White, Jr., Pittsburgh.
Leonard Defonso, Carnegie.
Frank J. Surman, Pittsburgh.
Joseph K. Weiss, Pittsburgh.
J. R. Stone, Dormont.
Jack Sussman, Pittsburgh.
Miss Agnes M. Kerchner, Pittsburgh.
William T. Dible, Verona.
Miss Augusta S. Gundlach, Pittsburgh.
David J. Morrow, Clairton.
Robert Palkovitz, McKeesport.
C. E. Seibert, Pittsburgh.

BEAVER COUNTY

Richard M. Townsend, Beaver Falls.
Edwin P. Parrott, Aliquippa.
Miss Ann M. Frew, Beaver.
Samuel B. Laughner, Aliquippa.

BEDFORD COUNTY

Miss H. Viola Kling, Bedford.

BERKS COUNTY

Miss Mary M. Wolf, Reading.
Miss Josephine M. Ranwats, Reading.
Mrs. Marie G. Catlin, Reading.
Charles S. Herbein, Boyertown.
Miss Eleanor C. Cupp, Reading.
Mrs. Katie R. Mosser, Cumru Township.

BLAIR COUNTY

Miss Leila P. Fisher, Altoona.
Mrs. Goldie Boland, Altoona.
Miss E. Lillian Miller, Tyrone.
Charlie B. Moore, Altoona.

BRADFORD COUNTY

C. M. Bender, Towanda.

BUCKS COUNTY

Miss Alice T. Cooley, Morrisville.

BUTLER COUNTY

G. R. Burdick, Jr., Butler.
Cloyd M. Smith, Butler.

CAMBRIA COUNTY

Mrs. Margaret B. Dumm, Spangler.
Vincent B. Saly, Johnstwon.
Miss Florence Head, Johnstown.
Mrs. Mary J. Biss, Spangler.
Miss Kathryn L. Studt, Johnstown.
John T. Byrne, Gallitzin.
Joseph Hilvitz, Suspuehanna Township.

CARBON COUNTY

Warren L. Ritter, Leighton.

CENTRE COUNTY

Miss Mary M. Rankin, Bellefonte.

CHESTER COUNTY

John A. Sabol, Phoenixville.
Mrs. Elmira F. Sheeler Coatesville.
Harry E. Radbill, West Chester.
Julius R. Szegedy, Phoenixville.
James R. McGowan, Dowingtown.

CLEARFIELD COUNTY

R. M. Haney, Clearfield.
James A. Nelson, DuBois.
Merritt I. Edner, DuBois.

CLINTON COUNTY

Miss Dorothy M. Schadt, Lock Haven.

CRAWFORD COUNTY

N. Allen Love, Titusville.
E. S. Anderson, Titusville.

DAUPHIN COUNTY

Miss Kathryn E. Zeiter, Harrisburg.
Miss Berneace A. Hurst, Harrisburg.
Miss Ruth M. Smith, Harrisburg.
W. Donald Sweger, Harrisburg.
Miss Anne K. Sheely, Harrisburg.
F. David, Clark, Harrisburg.
Donald E. Herman, Harrisburg.
J. A. Wickenhaver, Harrisburg.

DELAWARE COUNTY

Horace T. Cole, Upper Darby Township.
Isaac Kershaw, Jr., Upper Darby Township.
Albert Snyder, Radnor Township.
Miss M. Eugenia Adicks, Upper Darby Township.
Mrs. Mary T. Ervin Parker, Swarthmore.

ELK COUNTY

Eugene P. McCarthy, Johnsonburg.

ERIE COUNTY

Harry W. Hagmann, Erie.
Miss Eleanor M. Merkle, Erie.
J. M. Kellogg, Erie.
Miss Henriette F. Weber, Erie.
Maxwell B. Zwibel, Erie.
Fred L. Nash, Erie.
Miss Ruth E. Loesch, Erie.
Mrs. Alice C. Peerboom, Erie.
Miss Marjorie, Schodt, Erie.

FAYETTE COUNTY

Wm. B. Parshall, Uniontown.
Mrs. Cornelia M. Goughnour, Uniontown.
M. W. Delehunt, Uniontown.
Miss Hilda Hirleman, Connellsville.

FRANKLIN COUNTY

Fred L. Gish, Peters Township.

FULTON COUNTY

James E. Johnson, Thompson Township.

GREENE COUNTY

Andrew Waychoff, III, Waynesburg.

INDIANA COUNTY

A. H. Seaman, Pine Township.
G. E. Fassett, Homer City.

LACKAWANNA COUNTY

Miss Beatrice Tighe, Scranton.
Mrs. Fae C. Allen, Scranton.
Miss Marion M. Coyne, Scranton.
Miss Anna Munchak, Scranton.
Harry M. Gordon, Scranton.
Mrs. Beulah C. Johnson, Carbondale.
Miss Elizabeth Roughton, Scranton.

LANCASTER COUNTY

Paul N. Sauder, New Holland.
Miss Alice R. Johnson, Lancaster.
Miss Lillian M. Hess, Lancaster.
Mrs. Catharine M. Price, Lancaster.
Earle D. Rhoades, Lancaster.

LAWRENCE COUNTY

Angelo J. Casacchia, New Castle.
Miss Mary E. McLafferty, New Castle.
Charles J. Carlson, Ellwood City.
Michael Hermann, New Castle.
Miss Ina M. Cooper, New Castle.
William M. Frew, Ellwood City.
Griff Thomas, New Castle.

LEBANON COUNTY

Mrs. Gladys E. Sholly, Bethel Township.
Mrs. Mae I. Webber, Heidelberg Township.
Miss Ruth E. Lentz, Lebanon.

LEHIGH COUNTY

Raymond F. Hall, Allentown

LUZERNE COUNTY

Miss Mary R. O'Donnell, Wilkes-Barre.
Miss Regina Gilroy, Pittston.
Miss Anna V. Henrich, Wilkes-Barre.
Harry Shupeck, Hazleton.
Mrs. Lydia T. Durkin, Wilkes-Barre.
J. William Schreiner, Nanticoke.
George W. Tripp, Wilkes-Barre.
Miss Mary C. Morrow, Pittston.
Earl West, Wilkes-Barre.
John A. Schiavo, Hazleton
Miss H. R. McGlynn, Wilkes-Barre

LYCOMING COUNTY

Mrs. Katherine E. Norrito, Williamsport.

MERCER COUNTY

Alfred M. Zimmer, Sharon.

MONROE COUNTY

Miss Helen L. Philips, Stroudsburg.
Miss Caroline P. Mueller, Barrett Township

MONTGOMERY COUNTY

Wm. K. Donaldson, Abington Township.
Miss Rosanna M. Sullivan, Jenkintown
Henry A. Frye, Narberth.
Miss Florence N. Blakely, Norristown.
Miss Elizabeth H. McGrady, Norristown.
Miss Mary J. Tancini, Conshohocken.
J. Franklin Bechtel, Pottstown.
Frederick B. Smillie, Norristown
Mrs. Irene G. Green, Norristown.
Henry I. Fox, Jr., Norristown.
Miss Marian M. Reynolds, Norristown.
Mrs. Ida H. Warner, Lower Merion Township.
Miss Anna Sclafani, Norristown.
Stewart B. Boerner, Abington Township.
Henry T. Brown, Lower Merion Township.

NORTHAMPTON COUNTY

Harvey H. Harr, Palmer Township.
Mrs. Belle M. Miller, Easton.
Charles W. Stem, Portland.
Bartolo Picone, Easton.

NORTHUMBERLAND COUNTY

Miss Genevieve T. Strzyzewski, Mount Carmel.
Mrs. Mildred W. Walter, Milton.
Mrs. Blanche Shoemaker, Sunbury.
Arthur M. Elliott, Shamokin.
Dominic Silvano, Mount Carmel Township.

PHILADELPHIA COUNTY

Mrs. Helen D. Huder.
Miss Kathryn M. Littley.
Saul Peiper.
Miss Hannah Weinrach.
William D. Curley.
Miss Edith J. Galbraith.
Miss G. Ruth Hall.
John A. Palmer.
Emanuel Soloner.
George W. Deane.
Harry C. Meyers.
George H. Bonner.
Ernest W. Hopper.
Walter Gabell, Jr.
Paul O. Klaus.
John A. Tait.
Miss S. Agnes Kelly.
William C. Luders.
Manes Novello.
William Dorsey.
Charles Feinman.
William J. Gilmore, Jr.
Denis J. Horgan, Jr.
Mrs. Kathryn C. Ramsey.
Miss Melva G. Kuhn.
Miss Violet V. Maloy.
Joseph H. D'Amelio.
J. Frederick Burkart.
C. Webster Kinsley.
Miss Marion S. Kirk.
Harry A. Crisp.
Harry Goldfarb.
Mrs. Carol L. Weil.
Jacob Azeff.
Vincent S. Smolczynski.
Frank M. Crutchley.
Robert M. Waddington.
Mrs. Katherine M. Pentz.
Boleslaus F. Rudzinski.
Miss Elsie P. Wagner.
Morris Gross.
Miss Verna M. Detwiler.
Mrs. Estelle E. Strumpf.
Milton T. Young.
Harry Hoffmeister.
Albert M. Segel.
Miss Helen E. Enters.
Benjamin Barish.
A. John Krimm.
August P. Schulz.
Henry D. Childers.
Miss Alice N. Henderson.
Fred J. Wolf.
Nathan Kenin.
Joseph Boniface Hock.
Miss G. E. Bardenheuer.
Miss Margaret M. Bigley.
Miss Catherine Helmetag.
Harry J. Master.
Miss Elizabeth M. Martin.
Edw. T. Tyson, 3rd.
Miss H. Olga Archer.
Miss D. Levering Deighton.
Miss Rosemary Stinson.
Miss Elizabeth G. Barton.
Miss Alice T. Dashiell.
Miss Anna Klein.
Mrs. Kathryn M. Agnew.
Virgil B. Baldi.
Miss Marie R. Ragozzino.
Abraham Shotz.
Miss Helene Albertson.
Miss Teresa M. Dougherty.
William C. Greger.
Donald W. Baxter.
John J. Burke, Jr.
R. M. Moore.
Wallace S. Rile.

POTTER COUNTY

N. K. Harris, Coudersport.

SCHUYLKILL COUNTY

Marvin W. Williams, Mahanoy City.
Miss M. Rebecca Fernsler, Pottsville.
Mrs. Madeline D. Bobst, Tamaqua.
Herald H. Spaide, Ashland.
Kimber H. Hoy, Mount Carbon.
Albert R. Maberry, Pottsville.

SNYDER COUNTY

Palmer E. Dinius, Middleburg.

SUSQUEHANNA COUNTY

Ralph L. Smith, Montrose.

TIOGA COUNTY

J. M. Hawk, Wellsboro.
Kenneth R. Harrison, Lawrenceville.

UNION COUNTY

John C. Watson, Hartleton.

VENANGO COUNTY

Therell H. McKean, Clintonville.
Miss Clara G. Beach, Franklin.
Miss Hazel A. Irvin, Oil City.
F. G. Mendenhall, Cooperstown.
William Edward Wurster, Oil City.
Miss Esther M. Baughman, Oil City.

WARREN COUNTY

Christian L. Rader, Sheffield Township.
Miss Verna A. Thompson, Warren.
Richard P. Lott, Warren.
Miss Grace E. Mitchell, Warren.
E. H. Beshlin, Warren.

WASHINGTON COUNTY

Miss Sara Louise Scott, Washington.
Miss M. Eloise Yorke, Washington.
Mrs. Lenore K. Gladden, Washington.
Miss Stella M. Robinson, Charleroi.
R. H. Fife, Chartiers Township.
Howard W. Hill, North Bethlehem Township.
Bernard C. Knestrick, Washington.

WAYNE COUNTY

Ellis D. Keyes, Lake Township.

WESTMORELAND COUNTY

Alex Barker, Monessen.
Joseph Shire, Monessen.
Miss Elinore K. Bell, Greensburg.
Mrs. Carena A. McKinney, New Kensington.

YORK COUNTY

Miss Miriam E. Patterson, York.
Miss Thelma Ilgenfritz, York.
L. D. Keesey, York.
Miss Clara A. Dempwolf, York.
Burnell K. Trone, Hanover
J. C. Johnson, Delta.

GIFFORD PINCHOT.

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November, 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be commissioners of deeds, for the term of five years, to compute from the dates set opposite their names:

Marron, Michael, Cavan, Irish Free State, May 26, 1933
Sharon, Alfred, Cannes, France, July 5, 1933.
Harris, James A. L., Wildwood, New Jersey, July 20, 1933.
Gray, Lucas D., Ballybay, Irish Free State, August 7, 1933.
Robinson, R. Curtis, Ocean City, New Jersey, August 9, 1933.
Dwyr, John J., New York, New York, September 19, 1933.
Zimmerman, Wilbur, Atlantic City, New Jersey, October 1, 1933.
Fell, Charles E., Atlantic City, New Jersey, October 10, 1933.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Armstrong,	Ealy,	Lanius,	Salus,
Aron,	Einstein,	Mansfield,	Scott,
Batchelor,	Fay,	Miller,	Shapiro,
Baumer,	Frazier,	Norton,	Snyder,
Bell,	Gelder,	Owlett,	Sones,
Bennett,	Graff,	Parkinson,	Sordoni,
Boyd,	Harris,	Pethick,	Staudenmeier,
Brandt,	Harvey,	Pierson,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Hunsicker,	Rice,	Ziesenhelm,
Coyne,	Krause,	Roberts,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Mr. BELL. Mr. President, I move that the Executive Session do now rise.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 10:00 o'clock.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:36 P. M. until 10:00 o'clock Wednesday morning, November 15, 1933.

HOUSE OF REPRESENTATIVES

TUESDAY, November 14, 1933.

The House met at 11:00 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

O Thou Eternal, in whose presence we live, illumine our minds and encourage our hearts as we bow before Thee this morning.

The presiding officers and members of this Legislature are duly conscious of the weighty and far reaching problems confronting the General Assembly.

The material and human apparatus of the Legislature has been set up, and is even now functioning. We reverently bow before Thee and thus set up the Spiritual apparatus, thru which we humbly pray for Divine guidance.

Grant, Oh! God, that each member of the House may be so conscious of Thy presence that he may growingly realize that beyond the material things which perplex and distract today, there lie the eternal things which endure forever.

Help the Speaker and members of the House to be clear-headed, competent in action, with an unselfish regard for the interests of others, and a firm faith in God. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. Lose, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. PETERS. HOUSE BILL No. 18.

An Act providing for assistance to aged poor persons, and for the sharing of such assistance by the Commonwealth and poor districts; providing for the appointment of county boards for the assistance to the aged to administer the provisions hereof, and for the payment of their expenses, and for the appointment of a State Supervisor and necessary assistants, and prescribing his powers and duties; imposing duties and liabilities upon the Department of Welfare, counties, the State Treasurer, and the authorities having in charge the administration of local poor relief; providing for the acceptance of the provisions hereof by county commissioners and the authorities in poor districts; and prescribing penalties.

Referred to the Committee on Appropriations.

By Mr. HOOPES. HOUSE BILL No. 19.

An Act to amend section three hundred and one of the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder;" extending said act to occupational diseases contracted in the course of employment.

Referred to the Committee on Public Health and Sanitation.

By MR. HOOPES. HOUSE BILL No. 20.

An Act authorizing cities to acquire lands and provide for the erection thereon of dwellings for rental to its citizens and appropriate money and issue bonds therefor.

Referred to the Committee on Cities.

By Mr. WILSON. HOUSE BILL No. 21.

An Act relating to labor; declaring the policy of the Commonwealth as to the hours of, and prohibiting the employment of persons for more than six hours in any one day, or for more than thirty hours in any one week; providing for overtime employment and attaching penalties thereto, and providing penalties for violations hereof.

Referred to the Committee on Labor.

By Mr. WILSON. HOUSE BILL No. 22.

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

Referred to the Committee on Constitutional Amendments.

LEAVES OF ABSENCE

Mr. MUMFORD asked and obtained leave of absence for Mr. Wheeler for the balance of the week on account of illness.

Mr. McKAY asked and obtained leave of absence for Mr. Stevenson for the balance of the week.

APPOINTMENT OF CHAIRMAN OF COMMITTEE ON LABOR

The SPEAKER. The Chair appoints the Gentlemen from Bucks, Mr. Yeakel, Chairman of the Committee on Labor to fill the vacancy caused by the resignation of Mr. George C. Metzler, resigned.

RESOLUTION

IN MEMORIUM ON DEATH OF HONORABLE AARON B. HESS

Mr. EVANS offered the following resolution which was twice read, considered and unanimously adopted by a rising vote.

In the House of Representatives, November 14, 1933.

Following the adjournment of the 1933 Session of the Legislature, the Members of this House heard with deep regret of the death of the Honorable Aaron B. Hess of Lancaster County, a former Speaker of the House, and an outstanding member thereof during nine regular sessions.

At the early age of seventeen years, he ended the carefree days of youth and began a busy life when he secured employment as a school teacher in Lancaster County, and strict application to whatever occupation was his, continued until the end of the three score years and two that marked his short span of life.

As business man and manufacturer, he was eminently successful, and his wide circle of friends and his genial disposition made a political career as inevitable as it too proved to be successful.

As a prominent and active figure on the floor of this House, and as a fair and impartial Speaker of this House, he will be remembered by those who served with him; therefore be it

Resolved, That in the passing of the Honorable Aaron B. Hess, the County of Lancaster has lost one of its outstanding citizens who served it with credit and distinction, and that those who knew him here are filled with sincere and genuine sorrow when they realize that he has gone; and be it further

Resolved, That this resolution be spread upon the Journal of the House, and a copy thereof be forwarded to his surviving family.

NORMAN WOOD,
JOSEPH T. EVANS,
GEORGE E. DOWNEY.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair regrets the delay in the proceedings. It has been caused on account of conferences with the chairmen of some of the committees.

The chairman of the Judiciary General Committee has asked me to announce that that committee will meet in room 324 immediately after the morning recess.

The chairman of the Ways and Means Committee has asked me to announce that there will be a meeting of the Ways and Means Committee immediately after the morning recess in the House Caucus Room.

If there are no objections, the Chair is about to declare a recess until 1:00 P. M.

Mr. PHILIP STERLING. Mr. Speaker, the announcement which you made obviously makes it impossible for those men who are on both committees to attend both meetings.

The SPEAKER. Does the chairman of the Ways and Means Committee have anything to offer?

Mr. WITKIN. Mr. Speaker, the Ways and Means Committee will meet immediately after the meeting of the Committee on Judiciary General, and if the members of the Ways and Means Committee will wait in the House Caucus Room, as soon as the other meeting is over we will open the meeting of the Committee on Ways and Means.

The SPEAKER. The Chair will repeat the announcement made by the chairman of the Ways and Means Committee.

Immediately after the conclusion of the meeting of the Committee on Judiciary General, the Committee on Ways and Means will meet in the House Caucus Room.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 1.00 o'clock P. M. Are there objections? The Chair hears none and (at 12.00 o'clock noon) a recess is declared until 1.00 o'clock P. M.

AFTER RECESS

The House reconvened at 1.00 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PERMISSION FOR COMMITTEE TO MEET DURING SESSION

The SPEAKER. The Chairman of the Judiciary General Committee has requested that his committee meet during the session. Are there objections? The Chair hears none.

Permission is granted to the Judiciary General Committee to meet and as I understand they are to meet to the right of the rostrum, and during their meeting we will be at ease for a few moments while the Sergeants-at-Arms deliver to the members copies of the bills in pink that are being reported from committees.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. For the information of the members they should have House Bills Nos. 8, 9, 10, 13, 14, 15 and 17 when the distribution has been completed.

The Chair desires to announce that in the short space of time these are all the pink bills available, and requests that the members keep them under lock and key for future reference.

REPORTS FROM COMMITTEES

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 14, entitled:

An act to provide for the expenses of the extraordinary session of the Legislature assembled November thirteenth

Anno Domini one thousand nine hundred thirty-three in pursuance of the proclamation of the Governor of the Commonwealth dated the ninth day of November Anno Domini one thousand nine hundred thirty-three.

Mr. PETERS, from the Committee on Way and Means, reported as committed, House Bill No. 8, entitled:

An Act imposing State taxes, payable by these herein defined as manufacturers and importers, on the privilege of manufacturing, selling or using in this Commonwealth certain spirituous and vinous liquors, providing for the collection of the taxes and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments, and upon manufacturers, importers and upon those using or engaging in the sale of spirituous and vinous liquors; and providing penalties.

Mr. McCLURE, from the Committee on Ways and Means reported as committed, House Bill No. 9, entitled:

An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified; describing the method and manner of collection of such tax; conferring powers and imposing duties on certain State officers and departments, and certain individuals, firms and corporations, and imposing penalties.

Mr. WILSON, from the Committee on Judiciary General, reported as amended, House Bill No. 10, entitled:

An Act to regulate and restrain the sale, importation and use of certain alcoholic beverages; conferring powers and imposing duties upon the Pennsylvania Alcohol Permit Board, the Department of Public Instruction, other officers of the State government, courts and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses subject to local option to sell such beverages for consumption on the premises; forbidding importation of such beverages into the State except by State stores; prohibiting certain sales of, practices in connection with, and transactions in such beverages by licenses and others; making disposition of the receipts from State stores and of license fees; and imposing penalties.

Mr. PHILIP STERLING, from the Committee on Ways and Means, reported as committed House Bill No. 13, entitled:

An Act to amend certain sections of the act, approved the fifth day of May, one thousand nine hundred thirty-three (Act number one hundred four), entitled: "An act imposing a State Tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties," by restricting the provisions of the act to malt liquors, as defined therein.

Mr. CRAIG, from the Committee on Judiciary General, reported as committed House Bill No. 15, entitled:

An Act to amend the title and certain sections of the act, approved the third day of May, one thousand nine hundred thirty-three (Act number ninety-one) entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by limiting the provisions of the act to malt liquors, as defined therein.

Mr. RUBY, from the Committee on Judiciary General, reported as committed, House Bill No. 17, entitled:

An Act to amend the title and certain sections of the act approved the nineteenth day of February, one thousand nine hundred twenty-six (Pamphlet Laws, sixteen), entitled "A supplement to the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, thirty-four), entitled 'An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; repealing existing alcoholic liquor laws and alcoholic liquor license laws'; providing for the registering of federal permits; also regulating, under permit, through a Pennsylvania Alcohol Permit Board created in the Department of Welfare, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, recovery, reuse, holding in bond, holding in storage by bailees for hire, sale at wholesale, and transportation for hire, of any alcohol or alcoholic liquid, by certain persons; also providing for fees and the disposition thereof; also authorizing the inspection of, the records of permittees and purchasers of said alcohol or alcoholic liquid; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act." by making the act consistent with the repeal of the Eighteenth Amendment, changing definitions and exemptions, bringing rectifiers within the act, providing for the abatement of nuisances, and increasing fees.

BILLS ON FIRST READING

Mr. STEEDLE, asked and obtained unanimous consent for House Bill No. 14 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 14, entitled:

An Act to provide for the expenses of the extraordinary session of the Legislature assembled November thirteenth Anno Domini one thousand nine hundred thirty-three in pursuance of the proclamation of the Governor of the Commonwealth dated the ninth day of November Anno Domini one thousand nine hundred thirty-three.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. PETERS, asked and obtained unanimous consent for House Bill No. 8 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 8, entitled:

An Act imposing States taxes, payable by those herein defined as manufacturers and importers, on the privilege of manufacturing, selling or using in this Commonwealth certain spiritous and vinous liquors, providing for the collection of the taxes and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments, and upon manufacturers, importers and upon those using or engaging in the sale of spirituous and vinous liquors; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. McCLURE, asked and obtained unanimous consent for House Bill No. 9, to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 9, entitled:

An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified; describing the method and manner of collection of such tax; conferring powers and imposing duties on certain State officers and departments, and certain individuals, firms and corporations, and imposing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. PHILIP STERLING, asked and obtained unanimous consent for House Bill No. 13 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 13, entitled:

An Act to amend certain sections of the act, approved the fifth day of May, one thousand nine hundred thirty-three (Act number one hundred four), entitled: "An act imposing a State Tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties," by restricting the provisions of the act to malt liquors, as defined therein.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. CRAIG, asked and obtained unanimous consent for House Bill No. 15 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 15, entitled:

An Act to amend the title and certain sections of the act, approved the third day of May, one thousand nine hundred thirty-three (Act number ninety-one) entitled "An Act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by limiting the provisions of the act to malt liquors, as defined therein.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. RUBY, asked and obtained unanimous consent for House Bill No. 17 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 17, entitled:

An Act to amend the title and certain sections of the act approved the nineteenth day of February, one thousand nine hundred twenty-six (Pamphlet Laws, sixteen), entitled "A supplement to the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, thirty-four), entitled 'An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws'; providing for the registering of federal permits; also regulating, under permit, through a Pennsylvania Alcohol Permit Board created in the Department of Welfare, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, recovery, reuse, holding in bond, holding in storage by bailees for hire, sale at wholesale, and transportation for hire, of any alcohol or alcoholic liquid, by certain persons; also providing for fees and the disposition thereof; also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act," by making the act consistent with the repeal of the Eighteenth Amendment, changing definitions and exemptions, bringing rectifiers within the act, providing for the abatement of nuisances, and increasing fees.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement. The keynote of the addresses delivered yesterday in the Hall of this House denoted a desire for a speedy dispatch of business, after careful consideration. The Chair desires to compliment the members upon their action of this morning in reporting bills from committee. If we are to carry out the mandate of the speeches of yesterday, it is necessary for us to meet on Thursday of this week. By so doing second reading bills will be had tomorrow, Wednesday, and bills on third reading and final passage on Thursday.

The Chair urgently requests the members to arrange their business so that we may have a full attendance on Thursday.

The SPEAKER. The Chair will clear the table.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 14, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvenes on Monday evening, November twentieth, at nine o'clock; and when the House of Representatives adjourns this week it reconvenes on Monday evening, November twentieth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly

ADJOURNMENT

Mr. BAKER. Mr. Speaker, I move that this House do now adjourn until Wednesday morning, November 15th, 1933, at 11:00 o'clock.

The motion was agreed to, and (at 1:34 P. M.) the House adjourned until Wednesday morning, November 15th, 1933, at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

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SENATE

WEDNESDAY, November 15, 1933

The Senate met at 10 o'clock A. M.

The PRESIDENT Pro Tempore (Mr. Harry B. Scott) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo offered the following prayer:

Our Gracious Heavenly Father, we thank Thee for the sunshine of this morning. Help us to remember, when the days of rain and stress and storm come, the sun will always shine; and may it be so in the life of each one of us, may it be so in the lives and in the homes of all the members of this Senate. As they go back to their homes may they find sunshine there.

Be with us in all that we do, and guide us in all of Thy plans and purposes; and help us always to strive to do the things that are pleasing in Thy sight.

Bless us this day and go with us, in Christ's Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PARKINSON, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. THOMPSON asked and obtained leave of absence for the Senator from Cumberland, Mr. Prince.

Mr. PARKINSON asked and obtained leave of absence for the Senator from Somerset, Mr. Ealy.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor, being introduced, presented communications in writing from his Excellency the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 15, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

C. H. Shiring, Wilmerding.

SCHUYLKILL COUNTY

Miss Margaret C. Hughes, Pottsville.

GIFFORD PINCHOT.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 3, entitled:

An Act to amend sections one four and five of the act approved the sixteenth day of March one thousand nine hundred thirty-three (Act number ten) entitled "An act authorizing the Department of Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges authorizing the construction and maintenance of such bridges approaches and connecting roads to State highways by the Department of Highways providing for the condemnation of property necessary for the construction thereof and the assessment and payment of damages therefor providing for the collection of tolls upon certain terms and conditions and the deposit thereof in the State Treasury in a special fund providing for the payment of toll collection costs maintenance charges and repayments to the Reconstruction Finance Corporation from said fund providing for the cessation of tolls and payment of subsequent maintenance costs from the Motor License Fund and appropriating certain money in the Motor License Fund to carry out the provisions of said act" by authorizing similar arrangements to be made with other agencies of the Federal Government

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Coyne,	Mansfield,	Salus,
Aron,	Frazier,	Miller,	Shapiro,
Batchelor,	Gelder,	Norton,	Snyder,
Baumer,	Graff,	Owlett,	Sordoni,
Bell,	Harris,	Parkinson,	Staudenmeier,
Bennett,	Harvey,	Pethick,	Thompson,
Boyd,	Homsher,	Pierson,	Trainer,
Brandt,	Howell,	Quigley,	Williamson,
Buckman,	Hunsicker,	Reed,	Ziesenheim,
Chapman,	Krause,	Rice,	Scott,
Clark,	Lamus,	Roberts,	Pres. Pro Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

EMPLOYES OF THE SENATE

Mr. HOMSHER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER offered the following resolution which was twice read, considered and agreed to.

SUPERINTENDENT OF FOLDING ROOM

PAGES

In the Senate, November 15, 1933.

Resolved, That by reason of vacancies existing in the offices of Superintendent of Folding Room and Pages, That

William Crawford Murdock, Wilkinsburg, Allegheny County, be elected Superintendent of Folding Room, vice Frank W. Ittel, resigned, and

William Henry Spicer, 2043 N. Second Street, Harrisburg, be elected Page, vice John S. Spicer, Jr., resigned, and

David K. Heim, 2714 Lexington Street, Harrisburg, be elected Page, vice Harvey J. Rose, Jr., resigned.

APPOINTMENT BY CHIEF CLERK

The PRESIDENT. The Chief Clerk announces the following appointment:

PROOFREADER—LEGISLATIVE JOURNAL

(Mrs.) Lubertha Hoy, Carlisle, vice Mrs. Marion Yeager Bayles, resigned.

REPORTS FROM COMMITTEES

Mr. SORDONI. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SORDONI, from the Committee on Judiciary General reported as committed, Senate Bill No. 4 entitled:

An Act authorizing officers, departments, boards, and commissions of the Commonwealth, and also cities, counties, boroughs, incorporated towns, townships, school districts and poor districts to cancel certain supply contracts and to relieve contractors of obligations thereunder, under certain circumstances, and validating like cancellations made heretofore.

Mr. PARKINSON, Mr. President, I ask unanimous consent to marke report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Executive Nominations reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 15, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment at Notaries Public, for terms of four years to compute from the date of conformation:

ALLEGHENY COUNTY

C. R. Shiring, Wilmerding.

SCHUYLKILL COUNTY

Miss Margaret C. Hughes, Pottsville.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Coyne,	Mansfield,	Salus,
Aron,	Frazier,	Miller,	Shapiro,
Batchelor,	Gelder,	Norton,	Snyder,
Baumer,	Graff,	Owlett,	Sordoni,
Bell,	Harris,	Parkinson,	Staudenmeier,
Bennett,	Harvey,	Pethick,	Thompson,
Boyd,	Homsher,	Pierson,	Trainer,
Brandt,	Howell,	Quigley,	Williamson,
Buckman,	Hunsicker,	Reed,	Ziesenheim,
Chapman,	Krause,	Rice,	Scott,
Clark,	Lanius,	Roberts,	Pres. Pro Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. HOMSHER. Mr. President, I move that the Executive Session do now rise.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

MOTION TO READ BILL THE FIRST TIME

Mr. SORDONI. Mr. President, I move that the bill reported from committee at today's session be read the first time.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 4, entitled:

An Act authorizing officers, departments, boards and commissions of the Commonwealth, and also cities, counties, boroughs, incorporated towns, townships, school districts and poor districts to cancel certain supply contracts and to relieve contractors of obligations thereunder, under certain circumstances, and validating like cancellations made heretofore.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:20 A. M. until 9 o'clock Monday evening, November 20, 1933.

HOUSE OF REPRESENTATIVES

WEDNESDAY, November 15, 1933

The House met at 11.00 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Lord God of Hosts, we are thankful to Thee for Thy continued love and care to us and to our people, throughout all generations. Forgive us if, when the storms are wild, we forget how near thou art. In days, long since, Thou didst raise up leaders who led Thy people out of the wilderness into a large and goodly place. Be Thou the inspiration and guide of our chosen leaders today O God, for our people are in a wilderness, and must be led forth into the new era which is opening in the history of our beloved Commonwealth. Help thy servants to remember that when they are true to Thee, they are true to the people whose chosen representatives they are, "He hath showed Thee, O man, what is good; and what doth the Lord require of Thee, but to do justly, to love mercy and to walk humbly with Thy God." May our service be acceptable this day. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. Conner, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate, which were laid upon the table.

BILLS INTRODUCED AND REFERRED

By Mr. TURNER. HOUSE BILL No. 23.

An Act relating to unemployment insurance; creating an unemployment compensation commission in the Department of Labor and Industry, and prescribing its powers and duties; providing for the establishment of voluntary unemployment reserves, and for the custody and control of the funds created thereby, and for the payment of unemployment compensation therefrom; authorizing the establishment and maintenance of free public employment offices and conferring certain powers and imposing certain duties on the managers of such employment offices; prescribing penalties; and making an appropriation.

Referred to the Committee on State Government.

By Mr. HOOPES. HOUSE BILL No. 24.

An Act relating to unemployment relief; making an appropriation to the State Emergency Relief Board for direct and work relief, and prescribing the powers and duties of the Board with reference thereto.

Referred to the Committee on Appropriations.

By Mr. McGREGOR. HOUSE BILL No. 25.

An Act to amend an act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An Act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justice of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by adding thereto section one thousand and thirty-two; prohibiting the operation of certain commercial motor vehicles on the highways on Sunday.

Referred to the Committee on Highways.

By Mr. JOHN J. KANE. HOUSE BILL No. 26.

An Act to promote public health safetly morals and general welfare by providing for the elimination of unsanitary and dangerous housing conditions and the construction and supervision of safe and sanitary dwellings and apartments and for the renting thereof at reasonable rentals creating a State Board of Housing in the Department of Property and Supplies for the purpose of encouraging approving assisting supervising and regulating such activities prescribing and defining powers and duties of the board including supervisory and regulatory powers over limited dividend housing companies engaged in such activities authorizing the board to fix within certain limits rentals of housing accommodations furnished by limited dividend housing companies and making an appropriation.

Referred to the Committee on Public Health and Sanitation.

By Mr. JOHN J. KANE. HOUSE BILL No. 27.

An Act relating to dividend housing companies defining and providing for the formation of such corporations for the purpose of eliminating unsanitary and dangerous housing conditions and constructing and operating safe and sanitary dwellings and apartments to let at reasonable rentals extending to such corporations certain existing laws relating generally to corporations of the second class providing for the supervision and regulation of the activities of such corporations by the State Board of Housing in the Department of Property and Supplies providing for the protection of such corporations and the parties dealing with the prescribing defining and limiting the powers and duties of such corporations conferring upon certain of such corporations and limiting their use of the power of eminent domain exempting such corporations from the payment of the capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations, savings banks and savings institutions and authorizing certain exsting companies to accept the provisions of this act.

Referred to the Committee on Corporations.

By Mr. JOHN J. KANE. HOUSE BILL No. 28.

An Act relating to limited dividend reconstruction corporations defining and providing for the formation of such corporations for the purpose of reconstructing slum areas extending to such corporations certain existing laws relating generally to corporations of the second class providing for the supervision and regulation of the activities of such corporations by the State Board of Housing in the Department of Property and Supplies, providing for the protection of such corporations and the parties dealing with them prescribing defining and limiting the powers and duties of such corporations conferring upon such corporations and limiting their use of the power of eminent domain exempting such corporations from the payment of the capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers, insurance companies and associations, saving bank and savings institutions.

Referred to the Committee on Public Health and Sanitation.

By Mr. SCHWARTZ. HOUSE BILL No. 29.

An Act to provide for the licensing and regulation of the business of bottling malt beverages by persons other than the manufacturers thereof.

Referred to the Committee on Judiciary General.

By Mr. MUMFORD. HOUSE BILL No. 30.

An Act to further amend clause (f) section one, article two and section four, article five of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws. on thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporaton, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing, and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals'; and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and redugation of certain corporations,' approved the twenty-ninth day of April, one thousand nine hundred and seventy-four, and all other legislation inconsistent with or supplied by this act," by requiring the approval of the Commission to proposed changes in rates.

Referred to the Committee on Public Utilities.

By Mr. RICE. HOUSE BILL No. 31.

An Act for the acquisition of property by the Commonwealth east of the Soldiers' and Sailors' Memorial Bridge in the city of Harrisburg, and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. RICE. HOUSE BILL No. 32.

An Act for the extension of Capitol Park in the City of Harisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon, and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. RICE. HOUSE BILL No. 33.

An Act making an appropriation to the Department of Property and Supplies for the erection of an additional office building in Capitol Park, and for grading and terracing the ground surrounding the same.

Referred to the Committee on Appropriations.

PETITION

FAVORING RETAIL DISPENSING OF LIQUORS

The Speaker laid before the House petitions from citizens favoring legislation making it lawful for tap rooms, taverns and cafes to be retail dispensers of liquors.

Referred to the Committee on Judiciary General

RESOLUTION

IN MEMORIUM OF DEATH OF CHARLES T. DWYER

Mr. SPANN offered a resolution and asked and obtained unanimous consent for its immediate consideration which was twice read, considered and unanimously adopted by a rising vote, as follows:

In the House of Representatives, November 14, 1933.

With life's quiet eventime still ahead, with no opportunity to peacefully enjoy the fruits of long years of labor, the Honorable Charles T. Dwyer, from Allegheny County, on August 19th, joined the long list of departed Members of this House.

Born in Dunbar in Fayette County on August 3, 1883, he later moved into the County of Allegheny where, by his outstanding qualities, he so won the respect and esteem of his neighbors that he became their representative in these Legislative Halls.

Elected as a Member in 1930, his service in behalf of his constituents merited their confidence so completely that he was re-elected in 1932; therefore be it

Resolved, That in the death of the Honorable Charles T. Dwyer, this House has lost the service of a Member who considered first his duty to those he represented, that the district he so well served has been deprived of his experience and ability, and that those who knew him will miss his help and assistance in carrying on the work of the session; and be it further

Resolved, That to the widow and family who survive, we extend our most sincere sympathy, and that this resolution be spread upon the Journal of the House and a copy thereof be forwarded by the Chief Clerk to the widow of the said Honorable Charles T. Dwyer.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 10, entitled:

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Alcohol Permit Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation of such beverages into the State except by State stores prohibiting certain sales of practices in connection with and transactions in such beverages by licenses and others making disposition of the receipts from State stores and of license fees and imposing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 14, as follows:

An Act to provide for the expenses of the extraordinary session of the Legislature assembled November thirteenth Anno Domini one thousand nine hundred thirty-three in pursuance of the proclamation of the Governor of the Commonwealth dated the ninth day of November Anno Domini one thousand nine hundred thirty-three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or as much thereof as may be necessary be and the same are hereby specifically appropriated for the payment of the expenses of the Legislature assembled in extraordinary session the thirteenth day of November Anno Domini one thousand nine hundred thirty-three in pursuance of the proclamation of the Goveronor dated the ninth day of November Anno Domini one thousand nine hundred thirty-three

To the Senate

The total sum of one hundred and four thousand six hundred twenty-one dollars and eighty cents ($104,621.80) or as much thereof as may be necessary to be paid in the manner prescribed by law

For the payment of the salaries of the Senators and extra compensation allowed by law to the President pro tempore of the Senate

For the payment of the mileage of the Senators

For the payment of the postage allowed by law to each Senator the sum of fifty dollars ($50.00)

To the Chief Clerk and assistants for the payment of postage the sum of seventy-five dollars ($75.00)

To the Chief Clerk for the payment of the postage on the Legislative Journal bills and calendars the sum of two thousand dollars ($2,000)

For the payment of the salaries of the officers and employes of the Senate during and for the completion of the work of the extraordinary session also or the payment of mileage of the officers and employes of the Senate

For the payment of the expenses of the Committee on Appropriations of the Senate extraordinary session of one thousand nine hundred thirty-three the sum of one thousand dollars $(1,000) or as much thereof as may be necessary to be paid on warrant of the Auditor General drawn in favor of the chairman of the committee on the presentation of his requisition for the same the chairman to file an account with the Auditor General thirty days after the adjournment of the extraordinary session of the Legislature

For the contingent expenses including extra clerical and stenographic charges of the President pro tempore of the Senate during the period of the extraordinary session the sum of five hundred dollars ($500.00) or as much thereof as may be necessary and for the payment of the necessary expenses including extra labor in the office of the Chief Clerk during the extraordinary session the sum of six thousand dollars ($6,000) or as much thereof as may be necessary.

To the Chief Clerk of the Senate for the payment of extra services in connection with the compilation of the history of legislation in the Senate during the extraordinary session the sum of five hundred dollars ($500.00)

House of Representatives

The total sum of two hundred and fifty-eight thousand nine hundred thirty-one dollars twenty-four cents ($258,931.24) or as much thereof as may be necessary to be paid in the manner prescribed by law

For the payment of the salaries of Members of the House of Representatives and extra compensation allowed by law to the Speaker of the House

For the payment of mileage of the Members

For the postage allowed by law to each Member the sum of fifty-dollars ($50.00)

To the Chief Clerk and assistants for the payment of postage the sum of seventy-five dollars ($75.00)

To the Chief Clerk for the payment of postage on the Legislative Journal bills and calendars the sum of five thousand dollars ($5,000)

For the payment of the salaries of the officers and employes of the House of Representatives during and for the completion of the work of the extraordinary session also for the payment of the mileage of the officers and employes of the House of Representatives

For the payment of the expenses of the Committee on Appropriations of the House of Representatives extraordinary session of one thousand nine hundred and thirty-three the sum of two thousand two hundred dollars ($2,200) or so much thereof as may be necessary to be paid on warrant of the Auditor General drawn in favor of the chairman of the committee on the presentation of his requisition for the same said chairman to file an account with the Auditor General within thirty days after the adjournment of the extraorindary session of the Legislature

For the contingent expenses including extra clerical and stenographic charges of the Speaker of the House of Representatives during the period of the extraordinary session the sum of five hundred dollars ($500.00) or so much thereof as may be necessary and for the payment of the necessary expenses including extra labor in the office of the chief clerk during the extraordinary session the sum of ten thousand dollars ($10,000) or as much thereof as may be necessary

Legislative Journal

For payment to the Chief Clerk of the Senate and Chief Clerk of the House of Representatives for making indices of the Journal of each House for the extraordinary session the sum of two hundred fifty dollars each ($500.00)

For the work of the Legislative Journal officials after the close of the extraordinary session on the Legislative Journal also proof-reading of appendix and index thereto as provided by law the sum of one thousand five hundred dollars ($1,500)

For the payment of the person or persons appointed to index the Legislative Journal of the extraordinary session in accordance with the act establishing said Journal the sum of five hundred dollars ($500.00)

Section 2 This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 13, as follows:

An Act to amend certain sections of the act approved the fifth day of May one thousand nine hundred thirty-three (Act number one hundred four) entitled "An act imposing a State Tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" by restricting the provisions of the act to malt liquors as defined therein

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one two three four five seven eight nine ten twelve and thirteen of the act approved the fifth day of May one thousand nine hundred thirty-three (Act number one hundred four) entitled "An act imposing a State Tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" be and the same are hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assmbly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the ["one thousand nine hundred thirty-three Beverage] "Malt Liquor Tax Law"

Section 2 The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

["Beverages"] "Malt Liquors" Alcoholic beverages which include beer lager beer ale porter [wine] or similar fermented malt [or vinous] liquor [and fruit juice] containing one-half of one per centum or more of alcohol [and not more than 3.2 per centum of alcohol by weight] by whatever name such liquors [or fruit juices] may be called [, the manufacture and sale of which for beverage purposes is not prohibited by the laws of the United States]

"Department" Department of Revenue of this Commonwealth

"Distributor" A person engaged in the purchase and resale of [beverages] malt liquors in the original sealed packages as prepared for market by the manufacturer or bottler including any who or which

1 Imports or causes to be imported from any other state or territorry of the United States or from any foreign country [beverages] malt liquors for his own use in the Commonwealth of Pennsylvania or for sale and delivery in and after reaching the Commonwealth other than in the original package receptacle or container

2 Imports or causes to be imported from any other state or territory of the United States or from any foreign country [beverages] malt liquors for his own use in the Commonwealth of Pennsylvania or for sale or delivery therein after the same have come to rest or storage therein whether or not in the original package receptacle or container

3 Purchases or receives [beverages] malt liquors in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use or for sale and delivery therein from any person who has imported the same from a foreign country

4 Purchases or receives [beverages] malt liquors in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use therein or for sale and delivery therein from any other who has imported the same from any other state or territory of the United States in case such [beverages] malt liquors have not prior to such purchase or receipt come to rest or storage in the Commonwealth of Pennsylvania

5 Receives and in any manner uses or distributes [beverages] malt liquors in the Commonwealth of Pennsylvania on which the tax provided in this act has not been previously paid

"Manufacturer" A person engaged in the brewing manufacturing or bottling of [beverages] malt liquors for sale

"Original Container" Bottle cask keg or other container that has been securely capped or corked by the manufacturer with the name and address of the manufacturer permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing the same

"Person" An individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals or a corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to a partnership limited partnership or any other form of unincorporated enterprise shall mean the partners or members thereof and as applied to corporations the officers thereof

"Retail Dealer" A person engaged in the retail sale of [beverages] malt liquors either for consumption on the premises or not for consumption on the premises where sold

"Sale" Any transfer for a consideration exchange barter gift offer for sale and distribution in any manner or by any means whatsoever

The singular shall include the plural and the masculine shall include the feminine and the neuter

Section 3 Each manufacturer or distributor shall be subject to pay to the Commonwealth the taxes [illegible] this section upon all [beverages] malt liquors [illegible] this Commonwealth when prepared for market or imported into this Commonwealth Such taxes shall be at the rate of one-half cent (1/2c) per pint of sixteen (16) fluid ounces or fraction thereof

The tax rates per barrel or standard fraction thereof are as follows

Standard Fraction	Malt Tax Rate	Volume
1 barrel	$1.24	31 gal
1/2 barrel	.62	15 1/2 gal
1/3 barrel	.42	10 1/3 gal
1/4 barrel	.31	7 3/4 gal
1/6 barrel	.21	5 1/6 gal
1/8 barrel	.16	3 7/8 gal
1 gallon	.04	
1/2 gallon	.02	
1 quart	.01	
1 pint	.005	

Manufacturers and distributors shall be liable to the Commonwealth as taxpayers for the payment of the taxes imposed by this act

Section 4 The payment of the taxes herein provided shall be evidenced by the affixing of [beverage] malt liquor tax stamps or crowns to the original containers in which all [beverages] malt liquors are placed received stored shipped or handled Such stamps or crowns shall be affixed to each individual container [or beverages] of malt liquors by manufacturers within twenty-four (24) hours and by distributors within forty-eight (48) hours after such [beverages] malt liquors are placed therein or received by them

It is the intent and purpose of this section to require all manufacturers and distributors to affix the stamps or crowns provided for in this act to all original containers in which [beverages] malt liquors are normally placed prepared for market received sold or handled

Any manufacturer or distributor who shall sell [beverages] malt liquors to retail dealers or consumers without affixing to the containers the stamps or crowns required by this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) or to suffer imprisonment for a term not exceeding six (6) months or both in the discretion of the court and in the case of a conviction of a second or subsequent offense hereunder shall be sentenced to pay a fine of not less than two hundred dollars ($200.00) or more than one thousand dollars ($1,000.00) and to suffer imprisonment for a term of not less than six (6) months or more than three (3) years

Any manufacturer or distributor who shall be convicted of a misdemeanor under this section shall in addition to the punishment heretofore prescribed be adjudged to pay to the Commonwealth the tax due together with interest at the rate of twelve (12) per centum per annum from the date when due and payable Such adjudication shall be certified to the prothonotary of the county and shall be indexed as and have the effect of a judgment for the amount of such tax and interest

Section 5 The department shall prescribe prepare and furnish stamps or crowns of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act The department shall make provision for the sale of such stamps or crowns in such places and at such times as it may deem necessary

The department may appoint persons within or without the Commonwealth as agents for the sale of stamps or crowns to be used in paying the tax herein imposed upon sales of [beverages] malt liquors and whenever the department shall sell consign or deliver to any such agent any such stamps or crowns for sale or use such agent shall be entitled to receive as compensation for his services and expenses as such agent and to retain out of the moneys to be paid by him for such stamps a commission of one-half of one per centum on the face value thereof The department is hereby authorized and required to allow such commission or compensation in the settlement of the accounts of such agent upon payment by him into the State Treasury through the department of any moneys which may be or become due to the Commonwealth by reason of the sale delivery or consignment to such agent of such stamps or crowns

Section 7 For the purpose of verifying the stamp requirements it shall be the duty of every manufacturer and distributor on or before the fifth day of the succeeding month to transmit to the department on forms supplied by the department a report under oath or affirmation of [beverages] malt

liquors prepared for market or which were imported and came to rest or storage at his place of business in this Commonwealth during the preceding month Such report shall show the number of barrels or standard fraction thereof prepared for market or imported during the period for which it is made and such further information as the department shall prescribe Each manufacturer and distributor shall maintain and keep for a period of two (2) years such record or records of [beverages] malt liquors manufactured or imported together with invoices bills of lading and other pertinent papers as may be required by the department

Section 8 The department or any agent appointed in writing by it is hereby authorized to examine the books papers invoices and other records and the stock of [beverages] malt liquors in and upon any premises where the same are placed stored or sold to verify the payment of or liability for the tax imposed by this act Any person in possession of such [beverages] malt liquors is hereby directed and required to give the Secretary of Revenue or his duly authorized representative the means facilities and opportunity for such examinations

Section 9 Producers or other vendors of [beverages] malt liquors from without this Commonwealth may purchase stamps or crowns from the department and affix them in the manner prescribed by the department to original containers of [beverages] malt liquors to be sold in this Commonwealth in which case the recipient of such [beverages] malt liquors within this Commonwealth shall not be required to purchase and affix stamps or crowns thereon

Section 10 In case any [beverages] malt liquors upon which stamps or crowns have been placed by manufacturers or distributors have been sold and shipped to a regular dealer in [beverages] malt liquors in another state the seller in this Commonwealth shall be entitled to a refund of the actual amount of tax paid upon condition that the seller in this Commonwealth shall make affidavit that the [beverages] malt liquors were so sold and shipped and that he shall furnish from the purchaser a written acknowledgment that he has received such [beverages] malt liquors and the amount of stamps or crowns thereon together with the name and address of the purchaser whereupon the department shall with the approval of the Board of Finance and Revenue issue to the seller in this Commonwealth stamps or crowns of sufficient value to cover the refund

Section 12 It shall be unlawful for any retail dealer consumer or other person to accept delivery of taxable [beverages] malt liquors in containers upon which stamps or crowns do not appear and upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace he shall be fined ten dollars ($10.00) and in default of payment thereof shall undergo imprisonment for not more than five (5) days

Section 13 Any person who shall fail neglect or refuse to comply with or shall violate the rules and regulations perscribed adopted and promulgated by the department under the provisions of this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books papers invoices and other records his stock of [beverages] malt liquors in and upon any premises where the same are prepared stored and sold and his equipment pertaining to the manufacture or sale of [beverages] malt liquors taxable under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) or to suffer imprisonment of not more than six (6) months or both in the discretion of the court

Section 2 The passage of this act shall not be construed to relieve any person association or corporation whatsoever from the payment of any taxes penalties or interest due or owing to the Commonwealth under the act hereby amended or to affect or terminate any petitions investigations prosecutions or other proceedings pending thereunder or to prevent the commencement of any prosecutions for violations of such act heretofore committed or the commencement of any proceedings for the recovery of such taxes penalties or interest

Section 3 This act shall become effective on the day after the day the Twenty-First Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 15, entitled:

An Act to amend the title and certain sections of the act approved the third day of May one thousand nine hundred thirty-three (Act number ninety-one) entitled "An act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by limiting the provisions of the act to malt liquors as defined therein

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title and sections one two three four five six eight nine ten eleven twelve thirteen fourteen sixteen eighteen nineteen twenety twenty-one twenty-two twenty-three twenty-four twenty-five twenty-six twenty-seven twenty-eight twenty-nine and thirty-one of the act approved the third day of May one thousand nine hundred thirty-three (Act number ninety-one) entitled "An act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" be and the same are hereby amended to read as follows

AN ACT

To regulate and restrain the traffic in malt [brewed and vinous and fruit juice beverages] liquors as herein defined providing for the licensing of the sale and distribution of such [beverages] liquors imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such [beverages] liquors may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessiosn courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and its is hereby enacted by the authority of the same That Short Title This act shall be known and may be cited as the ["Beverage] "Malt Liquor License Law"

Section 2 Definitions The following words and terms as used in this act shall be construed as defined in this section

(a) The [word "beverages"] term "malt liquor" means any beer lager beer ale porter [wine] or similar fermented malt [or vinous] liquor [and fruit juice] containing one-half of one per centum or more of alcohol by volume [and not exceeding three and two-tenths per centum of alcohol by weight] by whatever name such liquors [or fruit juices] may be called [the manufacture and sale of which for beverage purposes is not prohibited by the laws of the United States]

(b) The word "person" means and includes natural persons associations partnerships and corporations

(c) The word "manufacturers" means and includes all persons holding permits issued by the Alcohol Permit Board of this Commonwealth

(d) The word "distributor" means and includes persons licensed to engage in the purchase and resale of [beverages] malt liquors in the original sealed packages as prepared for the market by the manufacturer but not for consumption on the premises where sold

(e) The term "retailer" means and includes persons licensed to engage in the retail sale of [beverages] malt liquors where the consumption thereof is upon the premises of such vendor with the privilege of selling [beverages] malt liquors to be carried from the premises by the purchaser thereof only however in the original containers

(f) The term "original containers" means and includes bottles casks kegs or other containers that have been securely capped or corked by the manufacturer with the name and address of the manufacturer permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing same

(g) The term "license" means and includes both the person making the application therefor and the premises upon which the privileges of the license are to be exercised and includes [distributors' retailers' and public service] licensed issued under the provisions of this act

(h) "Eating place" means a room having an area of not less than three hundred square feet and equipped with tables and chairs accommodating forty persons at one time

(i) "Treasurer" means the county treasurer of the county in which is located any place specified in an application as the place for which a license is desired

(j) As used in this act the singular shall include the plural and the masculine gender shall include the feminine and neuter

Section 3 Sales for Consumption on the Premises It shall be unlawful for any person to sell to another for consumption upon the premises where sold or to permit another to consume upon the premises where sold any [beverage] malt liquor unless such person holds a valid [retailer's] malt liquor retail license issued under this act by the treasurer or a valid license issued under any other act authorizing the sale of spirituous vinous and malt liquors for consumption upon such premises

Section 4 Sales Not for Consumption on the Premises It shall be unlawful for any person to sell to another any [beverage] malt liquor not for consumption upon the premises where sold unless such person holds a valid manufacturer's permit issued by the Alcohol Permit Board or a valid distributor's or retailer's malt liquor license issued by the treasurer

Section 5 Malt Liquor Distributor's Licenses The treasurer shall issue to any person who applies therefor pays the license fee hereinafter prescribed and files the bond hereinafter required a [distributor's] malt liquor distributor license for the place at which such person desires to sell [beverages] malt liquors not for consumption on the premises where sold

Section 6 Malt liquor Retailers' Licenses Subject to the restrictions hereinafter provided the treasurer shall issue to a person who conducts a reputable hotel or any incorporated club whatsoever or a reputable bona fide eating place where food is regularly and customarily prepared and sold and who makes application upon a form as hereinafter prescribed pays the license fee hereinafter prescribed and files the bond hereinafter required a [retailer's] malt liquor retailer license for such place

[Such licenses shall be issued only to reputable individuals who are citizens of the United States and have for one year been residents of the municipality or twonship wherein the place of business is located at the date of their applications or to reputable corporations organized or duly registered under the laws of Pennsylvania]

No [retailer's] malt liquor retailer license shall be granted for the sale of [beverages] malt liquors for consumption on the premises in any municipality or township in which the electors shall as hereinafter provided have voted against the licensing therein of places where [beverages] malt liquors may be sold for consumption on the premises where sold

Section 8 Public Service Malt Liquor License The Department of Revenue may issue [special retailer's] public service malt liquor licenses to a railroad pullman or steamship company permitting [beverages] malt liquors to be sold at retail in dining club or buffet cars or the dining compartments of steamships or vessels for consumption on the trains steamships or vessels wherever operated in the State except when standing in stations or terminals within a municipality wherein retail sales are prohibited Such licenses shall only be granted to reputable persons and for fit places The Department of Revenue shall have the power to suspend or revoke any such licenses for cause after granting a hearing thereon to the licensee Any person aggrieved by the decision of the Department of Revenue in refusing suspending or revoking any such license may within thirty days thereafter appeal to the court of common pleas of Dauphin County which shall fix a time for hearing of which notice shall be given to the Department of Revenue as the court may provide The court shall hear the appeal de novo and shall make such order affirming modifying or reversing the order of the department as to it shall appear just The action of the court shall be final

Section 9 [Distributors' and Retailers' Licenses] Malt Liquor License Year Mercantile License Exemption Licenses issued under this act to distributors [and] retailers and public service companies shall unless revoked in the manner provided in this act be [granted by the treasurer and shall be] valid for [one] the malt liquor license year for which they are issued The malt liquor license year [in each county] shall begin on June first in each calendar year Licenses may be issued at any time during a malt liquor license year

No license under this act shall be required to obtain any mercantile license whatsoever to sell malt liquors and every licensee under this act who is also the holder of a mercantile license may deduct the gross income received from sales of malt liquors from his gross income from all sources in making his returns for mercantile license tax purposes.

Section 10 Filing of Applications for Distributors' and Retailers' Licenses Every person intending to apply for a distributor's or retailer's license as aforesaid in any municipality or township of this Commonwealth shall file with the treasurer his or its application [at least one week before the first day of June] and [shall] at the same time pay said treasurer a filing fee of ten dollars for the use of the county

Section 11 Application for Distributors' and Retailers' Licenses Application for distributors' and retailers' malt liquor licenses shall contain

(a) The name and residence of the applicant and how long he has resided there and if an individual the residence of such applicant and if an association partnership or corporation the residences of the members officers and directors for the period of two years next preceding the date of such application

(b) The particular place for which the license is desired and a detailed description thereof

(c) Place of birth of applicant and if a naturalized citizen where and when naturalized and if a corporation when and where incorporated with the names and addresses of each officer and director

(d) Name of owner of permises and his residence

(e) That the applicant is not or in case of a partnership or association that the members or partners are not and in the case of a corporation that the officers and directors are not in any manner pecuniarily interested either directly or indirectly in the profits of any other class of business regulated under this act except as hereinafter temporarily permitted

(f) That applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person shall be in any manner pecuniarily interested therein during the continuance of the license except as hereinafter temporarily permitted

(g) Whether applicant or in case of a partnership or association any member or partner thereof or in case of a corporation any officer or director thereof has during the three years immediately preceding the date of said application had a license for the sale of [beverages] malt liquors or spirituous and vinous liquors revoked or has during the same period been convicted of any criminal offense and if so a detailed history thereof

(h) A full description of that portion of the premises for which license is asked and if any other business is to be conducted concurrently with the sale and distribution of [beverages] malt liquors a full history of such business relating the nature thereof the length of time it has so previously been conducted by the applicant or his predecessor at such location

There shall be annexed to such application a certificate signed by at least twelve reputable qualified electors of the ward borough or township in which such [beverages] malt liquors are to be sold setting forth that they have been acquainted with the applicant or applicants or the members of the association or partnership or the directors and officers of the corporation where the applicant is a corporation that they have good reason to believe that each and all the statements contained in the petition are true and they therefore believe that the application should be granted and that the license should issue

The application must be verified by affidavit of applicant and if any false statement is made in any part of the application the affiant shall be deemed guilty of the crime of perjury A license shall not be granted by the treasurer unless the application contains the information herein required

Section 12 Prohibitions Against the Grant of Licenses Any retailer may be granted licenses to maintain operate or conduct any number of places for the sale of [beverages] malt liquors but a seperate license must be secured for each place where [beverages] malt liquors are sold or where orders are taken

No person shall possess or be issued more than one distributor's license in any one municipality or township nor shall any distributor maintain or operate any place or places other than that for which the license is granted where [beverages] malt liquors are sold or where orders are taken

Licenses shall be granted by the treasurer only to reputable individuals or to associations partnerships and corporations whose members or officers and directors are reputable individuals

Licenses shall be granted by the treasurer only to individual citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding or to corporations organized in or duly authorized to transact business in this Commonwealth and all of whose officers and directors shall be citizens of the Unitede States who have also been residents of this Commonwealth for at least three years immediately preceding the applications for license

A malt liquor retail license shall not be issued to any individual unless such individual for one year immediately preceding the date of his application has been a resident of the county or of a county adjoining the county wherein his place of business is or is to be located

Section 13 Revocation and Suspension of Licenses by Court of Quarter Sessions After a license has been granted upon petition of the Attorney General the treasurer the district attorney or fifteen or more taxpayers residents of the ward borough or township where the place of business is located to the court of quarter sessions and upon sufficient cause being shown or proof being made to the court that the licensee holding a license or any partners members officers or directors of the licensee has or have violated any of the laws of this Commonwealth relating to the sale of [beverages] malt liquors or relating to the manufacture sale or transportation of alcohol [or/and] or other alcoholic beverages it may upon due notice and proper hearing being given to the person so licensed suspend or revoke the said license issued by the treasurer The court shall assess or remit the costs in its discretion. The action of the court in suspending or revoking a license shall be final

Any licensee whose license is revoked shall be ineligible to have a license or permit under this act or under another act relating to the manufacture sale or distribution of malt liquor or other alcoholic liquors until the expiration of five years from the date his license was revoked

Section 14 Licenses Not Assignable Transfers Licenses isued under this act may not be assigned The treasurer is hereby authorized to transfer any distributor's or retailer's malt liquor license from one person to another or from one place to another within the same municipality or township as the treasurer may determine but no transfer shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not lawfully have been issued originally Any such transfer of a license may be made at any time From any refusal to grant a transfer the person aggrieved shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to grant licenses

Section 16 Renewal of Licenses Renewals of licenses shall be granted annually by the treasurer upon the filing of an application as hereinbefore provided [at least one week before the first day of June] and the payment of a fee of ten dollars for the use of the county and the payment of the license fee and the filing of a bond as in the case of an orginal license

Section 18 All Licensees to Furnish Bond No license shall be issued to any distributor or retailer or railroad pullman or steamship company until the licensee shall have first executed a bond to the Commonwealth of Pennsylvania and a warrant of attorney to confess judgment in the penal sum hereinafter prescribed and with sufficient sureties either personal or a surety company authorized to do business in this Commonwealth Such [bond] bonds shall not be accepted until approved by the treasurer in the case of licenses issued to retailers and distributors and by the Department of Revenue in the case of licenses issued to railroad pullman or steamship companies All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to the sale of beverages or relating to the manufacture sale or transportation of alcohol or any other alcoholic beverages Such [bond] bonds shall be filed with and retained by the treasurer in the case of licenses issued to retailers and distributors and by the Department of Revenue in the case of licenses issued to railroad pullman or steamship companies The penal sums of such bonds filed by a distributor or retailer shall be one thousand dollars for each place at which the licensee is authorized to sell beverages The penal sums of such bonds filed by railroad pullman or steamship companies shall be one thousand dollars irrespective of the number of licensed cars or ships operated by such companies Every such bond shall be turned over to the district attorney or the Attorney General as the case may be to be sued out if and when the licensee's license shall have been revoked as herein provided

Section 19 License Fees Distribution of Revenues No license shall be issued to any distributor or retailer until the licensee shall have first paid an annual license fee for such grant as follows

(a) In the case of a distributor the license fee shall be graduated according to the population of the municipality or township in which the place of business is located as follows and shall be paid to the treasurer

I In municipalities or townships having a population of less than one thousand five hundred inhabitants thirty-seven dollars and fifty cents

II In those having a population of one thousand five hundred and more but less than ten thousand inhabitants fifty dollars

III In those having a population of ten thousand and more but less than fifty thousand inhabitants seventy-five dollars

IV In those having a population of fifty thousand and more but less than one hundred thousand inhabitants one hundred dollars

V In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants one hundred and twenty-five dollars

VI In those having a population of one hundred fifty thousand and more one hundred and fifty dollars

(b) In the case of a retailer the license fee shall be graduated according to the population of the municipal unit in which the place of business is located as follows and shall be paid to the treasurer

I In municipalities or townships having a population of less than one thousand five hundred inhabitants seventy-five dollars

II In those having a population of one thousand five hundred and more but less than ten thousand inhabitants one hundred dollars

III In those having a population of ten thousand and more but less than fifty thousand inhabitants one hundred and fifty dollars

IV In those having a population of fifty thousand and more but less than one hundred thousand inhabitants two hundred dollars

V In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants two hundred and fifty dollars

VI In those having a population of one hundred fifty thousand and more three hundred dollars

(c) In the case of an incorporated club the fee shall be twenty-five dollars in all cases

(d) In the case of a public service license for the sale of [beverages] malt liquors in dining club and buffet cars the fee shall be ten dollars for each car on which [beverages] malt liquors are sold and shall be paid to the State Treasurer through the Department of Revenue

(e) In the case of a public service license for the sale of [beverages] malt liquors on a boat or vessel the fee shall be fifty dollars for each such vessel or boat which shall be paid to the State Treasurer through the Department of Revenue

(f) The fees for distributor retail and public service company malt liquor licenses when applied for and issued on or after

September first but prior to December first shall be three-fourths of the annual fee

December first but prior to March first of the succeeding year shall be one-half of the annual fee

March first but prior to June first one-fourth of the annual fee

The license fees fixed by this section shall be paid before the license or renewal is issued

The fees for distributors' and retailers' malt liquor licenses shall be paid by the treasurer to the municipalities and townships of the first class in which the licensed places are located for the use of such municipalities and townships The fees for licenses of places located in townships of the second class shall be paid into the county treasury for the use of the county The fees for public service malt liquor licenses shall be for the use of the Commonwealth

Remittances shall be made by the treasurer to municipalties and townships within thirty days of the receipt of any license fee

Section 20 Sales by Manufacturers Minimum Quantities No manufacturer shall sell any [beverages] malt liquors for consumption on the premises where sold nor sell or deliver any such [beverages] malt liquors in other than original containers nor in quantities of less than two hundred and eighty-eight (288) fluid ounces nor shall any manufacturer maintain or operate any place or places other than the place or places covered by his or its permit where [beverages] malt liquors are sold or where orders are taken

Section 21 Sale by Distributors No distributor shall purchase receive or resell any [beverages] malt liquors except in the original containers Provided That no [such beverage] malt liquors sold or delivered shall be consumed upon the premises of the distributor or in any place provided for such purpose by such distributor

Section 22 Sales by Retailers No retailer shall purchase or receive any [beverages] malt liquors except in original containers and thereafter may break the bulk upon the licensed premises and sell or dispense the same for use and consumption only however in and upon the premises so licensed Provided however That such retailer may sell such [beverages] malt liquors in the original containers to be carried from the premises by the purchaser thereof

No retailer shall maintain any bar at which [beverages] malt liquors are served to customers or sell any [beverages] malt liquors for consumption on the licensed premises except in a room or rooms or place on the licensed premises at all times visible and accessible to the use and accommodation of the general public but this section shall not be interpreted to prohibit the sale of [beverages] malt liquors at a lunch counter with seats or chairs permanently fastened thereto if such counter is in an eating place as herein defined A retailer licensed to sell [beverages] malt liquors in a hotel or club house may however sell and deliver such [beverages] malt liquors in any room of such hotel or [club-house] club house occupied by a bona fide registered guest or member entitled to purchase the same

Section 23 Unlawful Sales It shall be unlawful for any licensee or his or its servants agents or employes

(a) To sell trade or barter in [beverages] malt liquors between the hours of twelve o'clock midnight of any Saturday and six o'clock in the forenoon of the following Monday

(b) To sell furnish or give any [beverages] malt liquors to any person visibly intoxicated or to any insane person or to any minor

(c) To sell furnish or give any [beverages] malt liquors to any person on any day on which a general municipal special or primary election is being held

(d) In the case of retailers to sell or offer to sell any [beverages] malt liquors for consumption on the premises where sold to any person on credit excepting credits extended by [an] a hotel or club to a bona fide registered guest or member No right of action shall exist to collect any claims for credit extended contrary to the provisions of this clause

(e) To sell offer to sell or furnish any [beverage] malt liquor to any person on a pass-book or store order or to receive from any person any goods wares merchandise or other articles in exchange for [beverages] malt liquors

(f) To hawk or peddle any [beverages] malt liquors in this Commonwealth

(g) To manufacture import sell trade or barter in any spiritous vinous or other alcoholic liquors except malt liquors

Section 24 Things of Value Not to Be Offered for the Return of Certain Articles It shall be unlawful for any person licensesd to sell [beverages] malt liquors to offer or give anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing such [beverages] malt liquors or to offer or give anything of value as a premium or present to induce the purchase of such [beverages] malt liquors or for any other purpose whatsoever in connection with the sale of such [beverages] malt liquors Provided however That this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof

Section 25 Unlawful to Fortify Adulterate or Contaminate [Beverages] Malt Liquors It shall be unlawful to fortify adulterate contaminate or in any wise to change the character or purity of the [beverages] malt liquors from that as originally marketed by the manufacturer

Section 26 Transportation in Original Packages It shall be unlawful to transport any [beverages] malt liquors except in the original containers

Section 27 Delivery Vehicles to Bear Name and Address of Distributor or Manufacturer It shall be unlawful for a manufacturer or distributor to deliver any [beverages] malt liquors excepting in vehicles bearing the name and address of such distributor or manufacturer on each side of such vehicle in letters no smaller than four inches in height

Section 28 Interlocking Business Prohibited (a) No manufacturer and no officer or director of any manufacturer shall at the same time be a distributor or retailer or an officer director or stockholder or creditor of any distributor or of any retailer nor be the owner proprietor or lessor of any place covered by any [distributor's] malt liquor distributor or [retailer's] malt liquor retail license

(b) No distributor and no officer or director of any distributor shall at the same time be a manufacturer or retailer or be an officer director stockholder or creditor of a manufacturer or retailer or be the owner proprietor or lessor of any place covered by any [retailer's] malt liquor retail license

(c) No manufacturer or distributor or retailer licensed under this act shall own any stock of or have any financial interest in any other class of business licensed under this act

(d) Excepting as hereinafter provided no manufacturer or distributor shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or in any mortgage lien against the same for which a [retailer's] malt liquor retail license is granted nor shall a manufacturer or distributor either directly or indirectly lend any moneys credit or equivalent thereof to any retailer in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where [such beverages] malt liquors are licensed for sale and consumption upon the premises excepting only the usual and customary commercial credits for [beverages] malt liquors sold and delivered

(e) Excepting as hereinafter provided no manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a [distributor's] malt liquor distributor license is granted nor shall a manufacturer either directly or indirectly lend any moneys credit or their equivalent to any distributor in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where [such beverages] malt liquors are licensed for sale by a distributor excepting only the usual and customary commercial credits for [beverages] malt liquors sold and delivered

The purpose of this section is to require a separation of the financial and business interests between the various classes of business regulated by this act and no person or corporation shall by any device whatsoever directly or indirectly evade the

provisions of this section But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest until January first one thousand nine hundred and thirty-six by a manufacturer of any place occupied by a distributor or retailer if the manufacturer has continuously owned or had a conflicting interest in such place for a period of at least three years prior to the effective date of this act

The term "manufacturer" as used in this section shall include manufacturers as defined in this act and any person manufacturing any [beverage] malt liquor outside of this Commonwealth

Section 29 Penalty Any person copartnership association or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding three hundred dollars ($300) for the first offense and for any second or subsequent offense shall be sentenced upon conviction to pay a fine not exceeding five hundred dollars ($500) Any such person or the members agents servants or employes of any [partnerships] such partnership or association or the officers directors agents servants or employes of any such corporation responsible for any violation of any of the provisions of this act in addition to the fines hereinbefore prescribed [may] shall upon a first conviction be sentenced to imprisonment for a term not exceeding six months and upon a second or subsequent conviction be sentenced to imprisonment for a term not [exceeding six months or by both such fine and imprisonment in the discretion of the court] less than six months or more than one year

Section 31 Local Option In any municipality or township an election may be held but not oftener than once in four years on the date of any municipal election to determine the will of the electors with respect to the granting of licenses to retailers of [beverages] malt liquors under the provisions of this act Whenever electors equal to at least ten per centum of the highest vote cast for any office in the municipality or township at the last preceding general election shall petition the corporate authorities of the municipality or township for a referendum on the question of granting such licenses the said corporate authorities shall cause a question to be submitted at the municipal election occurring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners for submission of such question on the ballot or on voting machines at such election in the manner provided by the election laws of the Commonwealth

Such question shall be in the following form

Do you favor the granting of malt liquor retail [beverage] licenses in the of ?	Yes No	

If a majority of the persons voting on such question vote "yes" then [retailers'] malt liquor retail licenses shall be granted by the treasurer in such municipality or township under the provisions of this act but if a majority of the persons voting on such question vote "no" then the treasurer shall thereafter have no power to grant or to renew upon their expiration any [retailer's] malt liquor retail licenses in such municipality or township under the provisions of this act

On the question,

Will the House agree to the section?

Mr. McELWEE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 24, by inserting between lines 18 and 19, the following new paragraph: "No retail malt liquor licenses shall be granted under the provisions of this act as amended, in any municipality or township wherein the electors, under the provisions of the Beverage License Law of May third, one thousand nine hundred and thirty-three (P. L. 252), voted prior to the adoption of this amendment against the granting of retail beverage licenses, unless in accordance with the provisions of this act as amended, the action of the electors is hereafter reversed."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections and title were separately read and agreed to as follows:

Section 2 All licenses issued to distributors retailers and railroad pullman or steamship companies prior to the effective date of this act and which were unrevoked on that date shall continue in full force and effect until the first day of June one thousand nine hundred thirty-four (unless revoked prior thereto for cause) except that such licenses shall after the effective date of this act authorize the licensees to sell only malt liquors in the manner provided in this act

Section 3 This act shall become effective on the day after the day the Twenty-First Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states

An Act to amend the title and certain sections of the act approved the third day of May one thousand nine hundred thirty-three (Act number ninety-one) entitled "An act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by limiting the provisions of the act to malt liquors as defined therein

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 8, as follows:

An Act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of spirituous and vinous liquors and providing penalties

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Spirituous and Vinous Liquor Tax Law"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Container" Any receptacle vessel or cask barrel drum keg can or bottle or other form of package used for the transferring or shipment of distilled spirits rectified spirits or wines

"Corporation" A corporation or joint stock association organized under the laws of this Commonwealth the United States or any other State territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Distilled Spirits" Any liquid usable for beverage purposes which contains more than one-half of one per cent of alcohol by volume obtained by distillation or any process of evaporation mixed with water and other substances in solution including brandy rum whisky gin and any other alcoholic beverage obtained as aforesaid by whatever name such beverage may be called All wines containing more than twenty-four (24) per cent absolute alcohol by volume shall be classed as "distilled spirits" for the purpose of this act

"Gallon" A liquid measure containing two hundred thirty-one (231) cubic inches

"Importer" Any person who or which

1 Imports or causes to be imported from any other state or territory of the United States or from any foreign country distilled spirits rectifed spirits or wines for his own use in the Commonwealth of Pennsylvania or for sale and delivery in and after reaching the Commonwealth other than in the original package receptacle or container

2 Imports or causes to be imported from any other state or territory of the United States or from any foreign country distilled spirits rectified spirits or wines for his own use in the Commonwealth of Pennsylvania or for sale or delivery therein after the same have come to rest or storage therein whether or not in the original package receptacle or container

3 Purchases or receives distilled spirits rectified spirits or wines in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use or for sale and delivery therein from any person who has imported the same from a foreign country

4 Purchases or receives distilled spirits rectified spirits or wines in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use therein or for sale and delivery therein from any person who has imported the same from any other state or territory of the United States in case such distilled spirits rectified spirits or wines have not prior to such purchase or receipt come to rest or storage in the Commonwealth of Pennsylvania

5 Receives and in any manner uses or distributes distilled spirits rectified spirits or wines in the Commonwealth of Pennsylvania where the tax provided in this act has not been previously paid

"In bond" Distilled spirits rectified spirits and wines shall be construed to be "in bond" when they are lodged or stored in any place or warehouse designated or defined from time to time by or pursuant to any Act of Congress as a bonded winery distillery warehouse general bonded warehouse or special bonded warehouse under bond of the owner thereof conditioned upon the payment of taxes due thereon to the United States

"Manufacturer" Any person association or corporation engaged in the producing manufacturing distilling rectifying or compounding of distilled spirits rectified spirits or wines in this Commonwealth

"Person" Every natural person association or corporation Whenever used in a clause prescribing or imposing a fine or imprisonment or both the term "person" as applied to "association" shall mean the partners or members thereof and as applied to "corporation" shall mean the officers thereof

"Proof Gallon" A gallon of liquid which contains one-half (½) of its volume of alcohol of a specific gravity of seven thousand nine hundred thirty-nine ten thousandths (.7939) at sixty degrees (60°) fahrenheit

"Rectified Spirits" Any beverage containing more than one-half of one per cent of alcohol by volume obtained by rectification redistillation refining or purifying of distilled spirits or wines by any process other than by original and continuous distillation from mash wort or wash through continuous closed vessels and pipes until the manufacture thereof is completed or by mixing distilled spirits wines or other liquor with any materials thereby producing any spurious imitation or compound alcoholic liquor

"Secretary" The Secretary of Revenue of this Commonwealth or his duly authorized deputy or representative

"Spirituous and Vinous Liquors" Distilled spirits rectified spirts and wines as defined in this section

"Wines" Any beverage containing more than one-half of one per cent and not more than twenty-four (24) per cent absolute alcohol by volume obtained by the fermentation of the natural sugar contents of fruits or other agricultural products containing sugar including all natural wines and fortified wines within the above limits but not including any beverage known as beer lager beer ale porter or similar fermented malt liquor obtained by alcoholic fermentation of an infusion or decoction of barley malt and hops in water

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax

(a) Every manufacturer shall be subject to pay to the Commonwealth of Pennsylvania the taxes imposed in this section for the privilege of producing manufacturing distilling rectifying or compounding distilled spirits rectified spirits or wines in this Commonwealth when such distilled spirits rectified spirits or wines are withdrawn from bond or if not required by Act of Congress to be stored or placed in bond when prepared for market or for use in the manufacture or production of any beverage intended for sale

Such taxes shall be measured by the amount of such distilled spirits rectified spirits and wines so produced manufactured distilled rectified or compounded by the manufacturer on or after the effective date of this act and shall be computed thereon at the following rates

On distilled spirits one dollar ($1) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On rectified spirits thirty cents ($.30) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon in addition to the tax imposed herein on the privilege of producing using or selling within this Commonwealth the distilled spirits or wines from which said rectified spirits are produced manufactured or compounded

On wines one cent ($.01) per unit of proof per wine gallon and a proportionate tax at a like rate on all fractional parts of such wine gallon

(b) Every importer shall be subject to pay to the Commonwealth of Pennsylvania the taxes imposed in this section for the privilege of selling or using in this Commonwealth distilled spirits rectified spirits or wines produced manufactured distilled rectified or compounded without this Commonwealth Such taxes shall be measured by the amount of distilled spirits so sold or used by the importer in this Commonwealth on or after the effective date of this act and shall be computed thereon at the following rates

On distilled spirits one dollar ($1.) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On rectified spirits one dollar and thirty cents ($1.30) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On wines on cent ($.01) per unit of proof per wine gallon and a proportionate tax at a like rate on all fractional parts of such wine gallon

Section 4 Monthly Reports and Payments of Taxes By Manufacturer Penalty For the purpose of ascertaining the amount of taxes payable under this act by manufacturers it shall be the duty of each manufacturer on or before the fifteenth day of each month to transmit to the department upon a form prepared and furnished by the department a report under oath or affirmation of the distilled spirits rectified spirits and wines withdrawn from bond or if not required by Act of Congress to be stored or placed in bond prepared for market or for use in the manufacture or production of any beverage intended for sale by him within this Commonwealth during the preceding month Such reports shall show the number of proof gallons or wine gallons of alcoholic beverages withdrawn from bond or if not required by Act of Congress to be stored or placed in bond prepared for market or for use in the manufacture or production of any beverage intended for sale during the period for which it is made and such further information as the department shall prescribe

Every manufacturer at the time of making each report required by this section shall compute and pay to the department the tax due by him to the Commonwealth under the provisions of this act The amount of all taxes imposed under the provisions of this act for every month shall be due and payable on the fifteenth day of the next succeeding month and shall bear interest at the rate of one (1) per cent per

month or factional part of the month from the day they were due and payable until paid

If any manufacturer shall neglect or refuse to make any report or payment as herein required an additional ten per centum of the amount of taxes shall be added by the department and collected as hereinafter provided and in addition thereto the Alcohol Permit Board at the request of the department may suspend any permit issued by it to such manufacturer

Section 5 Determination and Redetermination of Taxes Penalty and Interest due by Manufacturers

(a) If the department is not satisfied with the report and payment of taxes made by any manufacturer under the provisions of this act it is hereby authorized and empowered to make a determination of the taxes due by such manufacturer based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such manufacturer Within thirty (30) days after the date of any such determination such manufacturer may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons which the petitioner believes entitle him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within ninety (90) days after the date of any determination to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within thirty (30) days after notice by the department of the action taken on any petition for redetermination filed with it the manufacturer against whom such determination was made may by petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reasons upon which the petitioner relies and shall be in such form as the Board of Finance and Revenue shall prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received and in the event of the failure of said board to dispose of any such petition within ninety (90) days the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the taxes due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within ninety (90) days may within sixty (60) days appeal to the court of common pleas of Dauphin county from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(e) If any manufacturer shall neglect or refuse to make any report and payment of taxes required by this act the department shall estimate the tax due by such manufacturer and determine the amount due by him for taxes penalties and interest thereon as prescribed herein from which determination there shall be no right of review or appeal

Section 6 Labels to be Affixed to Containers by Manufacturers Every manufacturer shall affix to each container in which distilled spirits rectified spirits or wines are placed for sale a label setting forth the name of the manufacturer the place where and the date upon which the contents of such containers were produced manufactured distilled rectified or compounded and the words "Pennsylvania Spirituous and Vinous Liquor Tax Paid" Such Label shall be affixed in such manner that its removal shall require the continued application of steam or water

Section 7 Spirituous and Vinous Liquor Tax Stamps Penalties The payment of taxes herein provided to be paid by importers under the provisions of this act shall be evidenced by the affixing of "spirituous and vinous liquor tax stamps" to the containers in which all such beverages are intended for sale or use Such stamps shall be affixed by importers to each individual container in which such beverages are intended for sale or use before such beverages are sold or used within this Commonwealth

Any importer who shall fail to affix to the containers of such beverages the stamp as required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than two hundred dollars ($200) or more than one thousand dollars ($1,000) and costs of prosecution or to undego imprisonment for a term of not less than six (6) months or more than three (3) years or both in the discretion of the court

Any importer who shall be convicted of a misdemeanor under this section shall in addition to the punishment heretofore described be adjudged to pay to the Commonwealth the taxes due together with interest at the rate of one (1) per cent per month or fraction of a month from the date when said taxes were due and payable Such adjudication shall be certified to the prothonotary and shall be indexed as and have the effect of a judgment for the amount of such tax and interest

Section 8 Sale of Stamps The department shall prescribe prepare and furnish stamps of such denominations and quantities as may be necessary for the payment of the taxes to be paid by importers under the provisions of this act The department shall make provisions for the sale of such stamps in such places and at such times as it may deem necessary

The department may appoint persons within or without the Commonwealth as agents for the sale of stamps to be used in paying the taxes herein imposed and whenever the department shall sell consign or deliver to any such agent any such stamps for sale or use the agent shall be entitled to receive as compensation for his services and expenses as such agent and to retain out of the moneys to be paid by him for such stamps a commission of one half of one per cent of the face value thereof The department is hereby authorized and required to allow such commission or compensation in the settlements of the accounts of such agent upon payment by him into the State Treasury through the department of any moneys which may be or become due to the Commonwealth by reason of the sale delivery or consignment to such agent of such stamps

Section 9 Manner of Affixing Stamps Stamps shall be affixed in such manner that their removal shall require continued application of steam or water

Section 10 Purchase and Use of Stamps by Foreign Vendors Producers or other vendors of distilled spirits rectified spirits and wines from without this Commonwealth may purchase stamps from the department and affix them in the manner prescribed by the department to original containers in which such beverages are to be sold in this Commonwealth in which case the recipient of such beverages within this Commonwealth shall not be required to purchase and affix stamps thereon or pay the taxes herein imposed upon the privilege of selling or using such beverages within this Commonwealth

Section 11 Counterfeiting of Stamps Penalty Any person who falsely or fraudulently makes forges or alters or counterfeits any stamp prescribed by the department under the provisions of this act or causes or procures to be falsely or fraudulently made forged altered or counterfeited any such stamp or knowingly and wilfully utters publishes passes or tenders as true any such false altered forged or counterfeited stamp or uses more than once any stamp provided for and required by this act for the purpose of evading the tax hereby imposed and assessed shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment for a term of not less than two (2) years or more than five (5) years

Section 12 Examination of Records Equipment and Stock The Department or any agent appointed by it is hereby authorized at any time to examine the books papers invoices other records and manufacturing equipment pertaining to and stock of distilled spirits rectified spirits and wines in and upon any premises where the same are placed stored or sold either by manufacturers or importers or any other person to verify the accuracy of any report required to be made by this act or payment of or liability for the taxes imposed by this act Any person in possession of such beverages is hereby directed and required to give the Secretary of Revenue or his duly authorized representative the means facilities and opportunity for such examinations

The department is hereby authorized to furnish any information obtained by it in the exercise of its duties under the provisions of this act concerning distilled spirits rectified spirits and wines manufactured in or imported into this Commonwealth to the proper authorities of this or of any other State territory or the United States and to obtain similar information from the proper authorities of any other State territory or the United States

Scetion 13 Acceptance of Beverage not Bearing the Labels or Stamps Required by this Act It shall be unlawful for any retail dealer consumer or any person other than an importer to accept delivery of distilled spirits rectified spirits or wines in containers upon which the labels required to be affixed by manufacturers or the stamps required to be affixed by importers under the provisions of this act do not appear and upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace he shall be fined twenty-five dollars ($25) and in default of payment thereof shall undergo imprisonment for not more than ten (10) days

Section 14 Uncollectible Checks Whenever any check issued in payment of tax penalty or interest imposed by this act shall be returned to the department as uncollectible the department shall charge a fee of five dollars ($5) per one hundred dollars ($100) or fractional part thereof plus all protest fees to the person presenting such check to the department

Section 15 Retention of Records by Manufacturers and Importers Each manufacturer and importer shall maintain and keep for such period as may be required by the department such record or records of distilled sipirts rectified spirits and wines produced manufactured distilled rectified or compounded in or imported into this Commonwealth by him together with invoices bills of lading and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of one thousand dollars ($1,000) and costs of prosecution or to undergo imprisonment for not more than one year or both in the discretion of the court

Section 16 Violations

(a) Any person who shall fail neglect or refuse to make the report and pay the taxes penalties and interest imposed by this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books records invoices other papers and manufacturing equipment pertaining to and stock of distilled spirits rectified spirits and wines within this Commonwealth or who shall make any incomplete false or fraudulent report or who shall attempt to do anything whatsoever to avoid a full disclosure of the amount of distilled spirits rectified spirits and wines by which the taxes under this act are measured or to avoid the payment of the whole or any part of the taxes penalties and interest due shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and costs of prosecution and to undergo imprisonment for not less than six (6) months or more than three (3) years Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

(b) Any person who shall falsely label any container in which distilled spirits rectified spirits or wines are placed for sale or use a false or fictitious name or give a false or fictitious address in any application or form required under the provisions of this act or otherwise commit a fraud in any application record or report shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars ($500) or more than one thousand dollars ($1,000) and costs of prosecution or undergo imprisonment for not less than six (6) months or more than three (3) years or both in the discretion of the court Such fine shall be in addition to any penalty imposed by any other section or subsection of this act.

(c) Upon the conviction of any person of any of the misdemeanors described in this section the Alcohol Permit Board at the request of the department may revoke any permit issued by it to such person

Section 17 Enforcement The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

Section 18 Disposition of Tax Fees Fines and Interest All taxes fines penalties and interest received collected or accruing under the provisions of this act shall be paid into the General Fund of the State Treasury by and through the department

Section 19 Exemption from Tax From and after the date upon which the Commonwealth of Pennsylvania begins to operate Pennsylvania Liquor Stores no taxes shall be imposed or collected under the provisions of this act upon the privilege of producing selling or using such distilled spirits rectified spirits and wines as are sold to or sold or used by the Commonwealth

Section 20 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 21 Effective Date This act shall become effective the day after the day the Twenty-first Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 17, as follows:

An Act to amend the title and certain sections of the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances resigned or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permits through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by making the act consistent with the repeal of the Eighteenth Amendment changing definitions and exemptions bringing rectifiers within the act providing for the abatement of nuisances and increasing fees

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board

created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" is hereby amended to read as follows

[A SUPPLEMENT

To the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws" providing for the registering of federal permits also regulating]

AN ACT

Regulating under permit through [a] the Pennsylvania Alcohol Permit Board [created in the Department of Welfare] the manufacture production distillation development use in manufacture denaturization redistillation rectification recovery reuse holding in bond holding in storage by bailees for hire [sale at wholesale] and transportation for hire of and alcohol [or] alcoholic liquid or alcoholic beverage by certain persons requiring the registration of federal permits also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act

Section 2 Sections 2 3 4 5 7 8 9 10 12 15 17 18 19 and 21 of said act are hereby amended to read as follows

Section 2 (Definitions) For the purpose of this act the following terms shall have the following meanings respectively designated for each

[(a) The phrase "intoxicating liquor" as used in this act shall mean anything found and determined from time to time to be intoxicating by act of Congress passed pursuant to and in the enforcement of the Constitution of the United States of America]

[(b)] (a) The word "person" shall mean and include natural persons associations partnerships and corporations for whatever purpose organized

[(c)] (b) The phrase "alcohol and alcoholic liquid" whenever used in this act shall mean and include alcohol and all distilled redistilled denatured recovered liquids or substances and any compound or admixture thereof beer ale wines porter spirits whiskey and all liquors from whatever source or by whatever processes produced which contain any alcohol by volume capable of being used for beverage purposes [or as intoxicating liquor] during or after manufacture production distillation redistillation denaturalization rectification or recovery

[(d)] (c) The term "application" shall mean a formal verified written request under oath or supported by a verified statement of facts for a permit for the privilege authorized by law

[(e)] (d) The term "permit" shall mean a formal written authorization by the board setting forth specifically therein the things that are authorized

[(f)] (e) The term "board" shall mean the Pennsylvania Alcohol Permit Board [authorized and created by this supplemental act]

[(g)] (f) The term "regulations" shall mean any regulation prescribed by the board for carrying out the provisions of this act

[(h)] (g) The term "container" shall mean and include any receptacle vessel or form of package tank vat cask barrel drum keg can bottle or conduit used or capable of use for holding storing transferring or shipment of alcohol or alcoholic liquid

[(i)] (h) The term "federal permit" as used in this act shall be construed to mean what is commonly known as the [basic] permit issued by authority of the United States of America in conformity with the [National Prohibition Act] Acts of Congress and the regulations issued pursuant thereto and shall not include a subsidiary or installment permit [for a particular transaction issued to the holder of a basic permit]

[(j) The phrase "National Prohibition Act" shall be construed to mean the act of Congress approved October twenty-eighth one thousand nine hundred and nineteen known as the National Prohibition Act as supplemented and amended]

[(k)] (i) The term ["industrial alcohol plant"] "distillery" shall mean and include any premises or plant [or distillery] wherein alcohol or alcoholic liquid is manufactured made and distilled from raw material or any place wherein alcohol or alcoholic liquid is produced by any method suitable for the production of alcohol

[(l)] (j) The term "denaturing plant" shall mean and include all plants used exclusively for the denaturization of alcohol either specially or completely by the admixture of such denaturing materials as shall render the alcohol or any compound in which it is authorized to be used unfit for use as [an intoxicating] a beverage

[(m)] (k) The phrase ["dealcoholizing plant"] "brewery" shall mean and include [all] any premises and plants where [alcohol or] alcoholic liquids or beverages are produced by the process of which beer ale or porter [or wine is] are produced or premises and plants wherein liquids such as beer ale or porter [or wine] are produced [by wasting the alcohol or by arrested fermentation and all premises and plants where alcohol alcoholic liquids or beverages are treated so that the percentage of alcohol is diminished]

(l) The phrase "winery" shall mean and include any premises and plants where alcoholic liquids or beverages are produced by the process by which wine is produced or premises and plants wherein liquid such as wine is produced

[(n)] (m) The term "bonded warehouse" shall mean and include all places and warehouses legally established under the provisions of the [National Prohibition Act] Act of Congress and the administrative provisions of the internal revenue laws of the government of the United States of America for the storage concentration distribution and holding in bond of alcohol or alcoholic liquid

[(o)] (n) The term "manufacture" shall mean and include all means methods and processes used employed and made use of to produce and make alcohol or alcoholic liquid from raw materials and shall mean and include the production recovery or reuse of alcohol in the making developing using in the process of manufacture denaturing redistilling or recovering of any alcohol or alcoholic liquid in distilleries industrial alcohol plants denaturing plants breweries and dealcoholizing plants

[(p)] (o) The term "denatured alcohol" shall mean and include all alcohol or alcoholic liquid or any compound thereof which by the admixture of such denaturing material or materials is rendered unfit for use as [an intoxicating] a beverage

Section 3 It shall be unlawful for any person without a permit from the Commonwealth obtained as hereinafter provided except as exempted by section five hereof to manufacture produce distill develop or use in the process of manufacture denature redistill recover rectify reuse hold in bond hold in storage as bailee for hire [sell at wholesale] or transport for hire within this Commonwealth any alcohol or alcoholic liquid

Section 4 Every person except as exempted by section five hereof holding a federal permit under the [National Prohibition Act] Acts of Congress to manufacture produce distill develop or use in the process of manufacture denature redistill recover reuse hold in bond hold in storage as bailee for hire [sell at wholesale] or transport for hire within this Commonwealth any alcohol or alcoholic liquid shall within thirty (30) days after this act takes effect file a true and exact copy of the same with the Pennsylvania Alcohol Permit Board and every person thereafter obtaining such a federal permit shall file forthwith a true and exact copy of the same with said board Said board shall keep a record of said federal permits and register therein the name and address of each person to whom said federal permit is issued the date of the federal permit the date of its expiration and a brief description of the provisions of the federal permit and shall file said copy

in its office Provided however That no federal permit shall be registered for any applicant who is not a citizen of the United States or who has within two (2) years prior to the making of such application been convicted of a violation of the laws of this Commonwealth or of the United States relating to intoxicating liquors

Conviction of a violation of any of the statutes of this Commonwealth or the laws of the United States relative to the traffic in intoxicating liquors by the holder of any federal permit shall operate as a revocation of the registration of such federal permit

Section 5 It is hereby declared that registration of a federal permit or securing a permit hereunder shall not be required from any registered pharmacist or a physician licensed by the State Boad of Medical Education and Licensure or a person or persons who made and sell vinegar [non-intoxicating] cider and fruit juices or a person or persons who [make] manufacture store sell or transport methanol [distilled from wood] propanol butanol and amanol or a person or persons who conduct a wholesale drug business or a person or persons who conduct a mercantile business chiefly devoted to the sale of food stuffs and having an established place located within the Commonwealth or a person or persons who manufacture alcoholic liquids and preparations not fit for use as a beverage or for [intoxicating] beverage purposes a person or persons engaged in the manufacture possession or sale of patent patented or proprietary medicines toilet medicinal or antiseptic preparations or solutions or flavoring extracts or syrups or a person or persons who manufacture or sell paints varnishes enamels lacquers stains or paint or varnish removing or reducing compounds or wood fillers or a person or persons who manufacture any substance where the alcohol or alcoholic liquid is changed into other chemical substances and does not appear in the finished product as alcohol or alcoholic liquid [or such common carriers as are suoject to regulation by the Public Service Commission of the Commonwealth of Pennsylvania] or a person or persons who sell store or transport alcohol and alcoholic liquids completely denatured as specified by the board

Section 7 Every applicant for a permit under this act shall file with the board a petition in writing duly verified in such form as the board shall from time to time prescribe setting forth

1 The legal names of the applicant and of the owner of the place where business under the permit will be carried on with their residence addresses by street and number if a partnership of each separate partner and if a corporation of each individual officer thereof

2 The exact location of said place of business and of every place to be occupied or used in connection with such business the productive capacity of each plant where any alcohol of alcoholic liquid is to be manufactured produced distilled rectified developed or used in the process of manufacture denatured redistilled recovered reused the capacity of every warehouse or other place where such alcohol or alcoholic liquid is to be held in bond or stored for hire [the storage capacity of every place where a wholesale business in any alcohol or alcoholic liquid is to be conducted] or the equipment to be used where a transportation business is to be carried on under the permit

3 The period of time the applicant has been carrying on the business for which the permit is desired

4 If the permit is for the manufacture production distillation development or denaturization holding in bond holding in storage of any alcohol or alcoholic liquid the maximum quantity per month to be manufactured developed or stored and if the permit is for the use redistillation recovery rectification or reuse of any alcohol or alcoholic liquid the purpose or pursposes for which the same is to be used

5 That no one of the applicants has been convicted of a violation of this act or of any law or regulation of the United States of America or of the Commonwealth of Pennsylvania for the control of the manufacture possession and traffic in [any intoxicating liquor] alcohol or alcoholic liquids

6 That each and every one of the applicants is a citizen of the United States of America

7 Such other relevant information as the board shall from time to time require by rule or regulation

This petition must be verified by affidavit of the applicant made before any officer legally qualified to administer oaths and if any false statement is wilfully made in any part of said petition the applicant or applicants shall be deemed guilty of the crime of perjury and upon indictment and conviction shall be subject to its penalties

Section 8 Upon the filing of the application in the form herein provided and upon execution of a bond to the Commonwealth and a warrant of attorney to confess judgment in the penal sum of ten thousand dollars ($10,000) with surety to be approved by the board which bond shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to the manufacture sale offering for sale bartering furnishing transporting possessing delivering within or importing into or exporting out of this Commonwealth of [intoxicating liquors] alcohol or alcoholic liquid and the conditions of the permit the board may grant to such applicant a permit to engage in the manufacturing producing distilling developing or using in the process of manufacturing denaturing redistilling recovering rectifying reusing holding in bond holding in storage as bailee for hire [selling at wholesale] and transporting for hire of alcohol or alcoholic liquid

Section 9 All persons except as exempted by section five hereof manufacturing producing distilling developing or using in the process of manufacture denaturing redistilling recovering rectifying reusing holding in bond holding in storage as bailee for hire [selling at wholesale] or transporting for hire of alcohol or alcoholic liquid under the provisions of this Act of Assembly shall securely and permanently attach to every container ready for shipment thereof as the same is manufactured produced distilled developed denatured redistilled recovered rectified reused a label stating name of manufacturer kind and quantity of alcohol or alcoholic liquid contained therein and the date of its manufacture together with the number of the permit authorizing the manufacture thereof and all persons possessing such alcohol or alcoholic liquid in wholesale quantities shall securely keep and maintain such label thereon [and all persons selling at wholesale shall attach to every package of alcohol or alcoholic liquid when sold a label setting forth the kind and quantity of alcohol or alcoholic liquid contained therein by whom manufactured the date of sale and the person to whom sold which label shall likewise be kept and maintained thereon until the alcohol or alcoholic liquid is used for the purpose for which such sale was authorized]

Section 10 Every permit issued under the provisions of this act for the manufacture production distillation development denaturization redistillation recovery rectification reuse holding in bond holding in storage of any alcohol or alcoholic liquid shall specify the maximum quantity of such alcohol or alcoholic liquid per month which may lawfully be manufactured produced distilled rectified developed denaturized redistilled reused held in bond or stored under such permit Any permit issued for the use of any alcohol or alcoholic liquid in the process of manufacture shall specify the purpose or purposes for which such alcohol or alcoholic liquid is to be used and the maximum quantity per month which may lawfully be used under such permit Every permit shall specify by definite location every place to be occupied or used in connection with the business to be conducted thereunder It shall be unlawful for the holder of any permit to manufacture produce distill develop denaturize redistill recover rectify reuse hold in bond hold in storage or use a greater quantity of any alcohol or alcoholic liquid in any month than that specified in his permit or to use any alcohol or alcoholic liquid for any purpose other than that specified in his permit or to occupy or use any place in connection with any business authorized under a permit other than the place or places designated therein

Section 12 Every place operated under permit secured hereunder where any alcohol or alcoholic liquid is manufactured produced distilled developed or used in the process of manufacture denatured redistilled rectified recovered reused held in bond stored for hire or in connection with a permittee's business or [sold at wholesale] shall be subject to inspection by members of the board or by persons duly authorized and designated by the board at any and all times of the day or night as they may deem necessary (a) for the detection of violations of this act or of the rules and regulations of the board promulgated under the authority of this act or of the act to which this is a supplement or (b) for the purpose of ascertaining the correctness of the records required by this act to be kept by permittees and the books and records of permittees and the books and records of their customers insofar as they relate to purchases from said permittees shall at all times be open to inspection by the members of the board or by persons duly authorized and designated by the board for the purpose of making inspections as authorized by this section Members of the board and the persons duly authorized and designated by the board shall have the right without fee or hindrance to

enter any place which is subject to inspection hereunder or any place where records subject to inspection hereunder are kept for the purpose of making such inspections

Section 15 [All persons now carrying on any business requiring a permit under the provisions of this act must apply for the same within sixty (60) days after its passage and any such business may continue if a permit has been so applied for until it is granted or refused] The fee for every brewery or winery permit issued under the povisions of this act shall be one thousand dollars ($1,000.00) The fee for every permit issued to distilleries shall be one cent per proof gallon on the annual amount authorized by the permit but not less than five thousand dollars ($5,000.00) The fee for all other permits shall be one hundred dollars ($100.00) All fees shall be paid to the board which shall deposit the same in the State Treasury through the Department of Revenue [where they shall be kept apart from all other funds in the State Treasury in a separate fund to be known as the "Permit Fund" The moneys from time to time in the said fund are hereby specifically appropriated to the board for the payment of any and all expenses of every kind and description which may be necessary for the proper administration and enforcement of this act Moneys shall be paid out of the said fund by warrant of the Auditor General upon the State Treasurer after requisition by the Secretary of Welfare]

For the purpose of this section the term "proof gallon" shall mean a gallon of liquid which contains one-half its volume of alcohol of a specific gravity of seven thousand nine hundred thirty-nine thousandths (.7939) at sixty degrees Fahrenheit

Section 17 The board shall have the power to make and promulgate appropriate rules and regulations for carrying into effect the provisions of this act [Provided That as far as practicable the rules and regulations of the board shall conform to the rules and regulations promulgated by the appropriate agency of the government of the United States for carrying into effect the provisions of any act or acts of Congress regulating the manufacture development storage sale or transportation of any alcohol or alcoholic liquid or intoxicating liquor]

Section 18 (a) Any place within this Commonwealth in which any alcohol or alcoholic liquid is manufactured produced distilled developed or used in the process of manufacture denatured redistilled recovered rectified reused stored in bond or stored for hire [or sold at wholesale] by a person without a permit as required by the provisions of this act and any place in which a person holding a permit issued under the provisions of this act shall violate any provisions of this act or any rule or regulation of the board or any provisions of the act to which this is a supplement is hereby declared to be a common nuisance and upon such violation the permit if any held by such person shall be automatically suspended [Any nuisance as in this section defined may be abated under the provisions of the act of the twenty-seventh day of March one thousand nine hundred and twenty-three Pamphlet Laws thirty-four to which this is a supplement]

(b) An action to enjoin any nuisance defined in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General of the State or by the district attorney of the respective county Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases within the county in which the offense occurs If it is made to appear by affidavit or otherwise to the satisfaction of the court that such nuisance exists a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the proceedings If a temporary injunction is prayed for the court may issue an order restraining the defendant and all other persons from removing or in any way intefering with the liquor or other things used in connection with the violation of this act constituting such nuisance No bond shall be required in instituting such proceedings It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing but on finding that the material allegations of the petition are true the court shall order that no alcohol or alcoholic liquid or alcoholic beverage be manufactured produced distilled developed rectified or used in the process of manufacture denatured redistilled recovered reused rectified stored in bond stored for hire or sold at wholesale by a person without a permit as required by the provisions of this act Upon the decree of the court ordering such nuisance to be abated the court may upon proper cause shown order that the room house building structure boat vehicle or place shall not be occupied or used for one year thereafter but the court may in its discretion permit it to be occupied or used if the owner lessee tenant or occupant thereof shall give bond with sufficient surety to be approved by the Court making the order in the penal and liquidated sum of not less than five hundred dollars ($500.00) payable to the Commonwealth of Pennsylvania for use of the county in which said proceedings are instituted and conditioned that no alcohol or alcoholic liquid or alcoholic beverage be manufactured produced distilled developed rectified or used in the process of manufacture denatured redistilled recovered reused rectified stored in bond stored for hire or sold at wholesale by a person without a permit as required by the provisions of this act

Section 19 Whenever any person or persons withdraw or remove any alcohol or alcoholic liquid which has not been denatured from any distillery [industrial alcohol plant] denaturing plant [dealcoholizing plant] brewery winery or bonded warehouse for the purpose of denaturing the same it shall be unlawful for any such person or persons to use sell or conceal or attempt to use sell or conceal or be concerned in the sale use or concealment of any such alcohol or alcoholic liquid unless before such sale or use the said alcohol or alcoholic liquid shall be denatured by adding thereto denaturing material or materials or admixtures thereof which render it unfit for beverage purposes

It shall be unlawful for any person or persons to recover and reuse or attempt to recover and reuse by redistillation or by any other process or means whatsoever any alcohol or alcoholic liquid from denatured alcohol or to knowingly use sell conceal or otherwise dispose of alcohol or alcoholic liquid so recovered or redistilled

Section 21 No property rights shall exist in any alcohol or alcoholic liquid manufactured possessed produced distilled developed or used in the process of manufacture denatured redistilled recovered rectified reused held in bond held in storage as bailee for hire [sold at wholesale] or transported for hire in violation of any of the provisions of this act and the same shall be deemed contraband and forthwith destroyed No alcohol or alcoholic liquid in the custody of any officer of the law shall be seized or taken from him on any writ of replevin injunction or other like process

Section 3 This act shall become effective immediately upon its approval by the Governor except that the increased fees provided by this act shall first become effective for permits issued for the year one thousand nine hundred and thirty-four

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 9, as follows:

An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Spirituous and Vinous Liquor Floor Tax Law"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Container" Any receptacle vessel tank vat cask barrel drum keg can or bottle or other form of package used for the holding storing transferring or shipping of spirituous liquors

"Corporation" A corporation or joint stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Distilled Spirits" Any liquid usable for beverage purposes which contains more than one-half of one per cent alcohol by volume obtained by distillation or any process of evaporation mixed with water and other substances in solution including brandy rum whiskey gin and any other alcoholic beverage obtained as aforesaid by whatever name such beverage may be called All wines containing more than twenty-four per cent absolute alcohol by volume shall be classed as "distilled spirits" for the purpose of this act

"Gallon" A liquid measure containing two hundred thirty-one cubic inches

"Person" Every natural person association or corporation Whenever used in a clause prescribing or imposing a fine or imprisonment or both the term "person" as applied to "association" shall mean the partners or members thereof and as applied to "corporation" shall mean the officers thereof

"Proof Gallon" A gallon of liquid which contains one-half of its volume of alcohol of a specific gravity of seven thousand nine hundred thirty-nine ten thousandths at sixty degrees Fahrenheit

"Rectified Spirits" Any beverage containing more than one-half of one per cent alcohol by volume obtained by rectification redistillation refining or purifying of distilled spirits or wines by any process other than original and continuous distillation from mash wort or wash through continuous closed vessels and pipes until the manufacture thereof is completed or by mixing distilled spirits wines or other liquor with any materials thereby producing any spurious imitation or compound alcoholic liquor

"Spirituous and Vinous Liquors" Distilled spirits rectified spirits and wines as defined in this section

"Wines" Any beverage containing more than one-half of one per cent and not more than twenty-four per cent absolute alcohol by volume obtained by the fermentation of the natural sugar contents of fruits or other agricultural products containing sugar including all natural wines and fortified wines within the above limits but not including any beverage known as beer lager beer ale porter or similar fermented malt liquor obtained by alcoholic fermentation of an infusion or decoction of barley malt and hops in water

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition and Lien of Tax A State floor tax is hereby imposed upon spirituous and vinous liquors lodged or stored in this Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states inclusive Such tax shall be at the rate of two dollars on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon and such tax together with interest thereon as hereinafter set forth shall be a lien upon such spirituous and vinous liquors from the date the tax is herein imposed until paid

Section 4 Tax Reports For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every person having possession or custody either as owner or bailee of spirituous and vinous liquors in this Commonwealth on or before the fifth day after this act shall become effective to transmit to the department upon a form prescribed by the department a report under oath or affirmation of spirituous and vinous liquors in his possession or custody in this Commonwealth on the effective date of this act Such report shall show the number of proof gallons or wine gallons when below proof of spirituous and vinous liquors in his possession or custody on the effective date of this act the exact place or places where such spirituous and vinous liquors are lodged or stored the kinds and quantities thereof and whether such spirituous and vinous liquors are in his possession or custody as owner or bailee thereof together with such further information as the department shall prescribe

It shall also be the duty of such person on or before the fifth day after each successive day following the effective date of this act to and including the date upon which the Twenty-first Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states to transmit to the department upon a form prescribed by the department a supplemental report for such day under oath or affirmation of spirituous and vinous liquors coming into his custody on such day Such report shall show the number of proof gallons or wine gallons when below proof of spirituous and vinous liquors not previously reported which on such day came into his possession or custody and such information regarding the same as was required in the original report

Section 5 Payment of Tax Interest The tax herein imposed shall be due and payable ninety days after the effective date of this act except that when any spirituous and vinous liquors are used or removed within a period of ninety days from the place wherein they are lodged or stored after the effective date of this act the tax thereon shall be due and payable at the time of the use or removal thereof The amount of all taxes imposed under the provisions of this act shall bear interest at the rate of one per centum per month or fractional part of a month from the date they are due and payable until paid The tax herein imposed upon spirituous and vinous liquors shall be paid into the State treasury through the department by the owner of such spirituous and vinous liquors at the time the tax is due and payable as spicified in this act and he shall be liable to the Commonwealth as a taxpayer for the payment of such tax

Section 6 Use or Removal of Spirituous Liquor from Place of Storage before Payment of Tax Prohibited Penalty Any person having in his possession or custody spirituous and vinous liquors between the effective date of this act and the date of the ratification of the Twenty-first Amendment to the Constitution of the United States inclusive who shall thereafter use or remove or cause or permit to be used or removed any of such spirituous and vinous liquors from the place or places in which they are lodged or stored before the tax herein imposed shall have been paid shall be guilty of a misdemeanor and upon conviction thereof be sentenced to suffer imprisonment for a term of not less than one year or more than three years

Any person who shall be convicted of a misdemeanor under this section in addition to the punishment herein described be adjudged to pay to the Commonwealth the tax due upon the spirituous and vinous liquors so used or removed or permitted to be used or removed by him together with interest at the rate of one per centum per month or fraction of a month from the date when such tax was due and payable under the provisions of this act Such adjudication shall be certified to the prothonotary and shall be indexed as and have the effect of a judgment for the amount of such tax and interest

Section 7 Report upon Payment of Tax and Certificate of Payment Any person making payment of the tax imposed herein on spirituous and vinous liquors shall at the time of making payment transmit to the department on a form prescribed by the department a report specifying and identifying the containers in which are contained the spirituous and vinous liquors upon which tax is paid the person in whose possession or custody and the exact place or places where such spirituous and vinous liquors are lodged and stored the amount thereof in proof gallons or wine gallons when below proof and the kinds and quantities thereof together with such further information as the department shall prescribe

Immediately upon receipt of payment of any of the tax herein imposed and the report required by this section it shall be the duty of the department to furnish to the person making such payment a certificate setting forth the amount of tax paid and specifying and identifying the spirituous and vinous liquors upon which tax has been paid and such other information as the department shall deem necessary

Section 8 Labels to be Affixed to Containers Intended for Sale The owner of any spirituous and vinous liquors upon which tax is herein imposed and upon which such tax has been paid and certificate thereof has been issued and is in the possession of such owner shall affix to each container in which such spirituous or vinous liquors are placed for sale a label upon which shall appear the words "Pennsylvania Spirituous and Vinous Liquor Floor Tax Paid" Such label shall be affixed in such manner that its removal shall require the continued application of steam or water

Section 9 Acceptance of Spirituous and Vinous Liquors Not Bearing Labels Required by This Act It shall be unlawful for any retail dealer consumer or any other person to accept delivery of spirituous or vinous liquors taxable under this act upon which the labels herein described do not appear and

upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace he shall be fined twenty-five dollars and in default of payment thereof shall undergo imprisonment for not more than ten days

Section 10 Appointment of Agents The department is hereby authorized to appoint agents who may be located in places where spirituous and vinous liquors are lodged or stored within this Commonwealth and whose duty it shall be to verify the accuracy of any report required to be made by this act or the payment of or liability for the taxes imposed by this act In the furtherance of their duties such agents may at any time examine the books papers invoices or other records pertaining to or stock of spirituous and vinous liquors lodged or stored in this Commonwealth Any person in possession of any such spirituous and vinous liquors is hereby directed and required to give to the Department of Revenue or its duly authorized agent the means facilities and opportunity for such examinations

The department is hereby authorized to furnish any information obtained by it in the exercise of its duties under the provisions of this act concerning spirituous and vinous liquors upon which the tax is imposed by this act to the proper authorities of this or any other state territory or the United States and to obtain similar information from the proper authorities of any other state territory or the United States

Section 11 Violations (a) Any person who shall fail neglect or refuse to make any report required by this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books records invoices or other papers pertaining to or stock of spirituous and vinous liquors in his possession or custody or who shall make any incomplete false or fraudulent report or who shall do anything to avoid a full disclosure of the amount of spirituous and vinous liquors taxable under this act or to avoid payment of the whole or any part of the tax or interest due shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars and costs of prosecution and to undergo imprisonment for not less than six months or more than three years Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

(b) Any person who shall falsely label any container in which spirituous or vinous liquors are placed for sale or use a false or fictitious name or give a false or fictitious address in any application or form required under the provisions of this act or otherwise commit a fraud in any application record or report shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars or more than one thousand dollars and costs of prosecution or undergo imprisonment for not less than six months or more than three years or both in the discretion of the court Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

(c) Upon the conviction of any person of any of the misdemeanors described in this act the Alcohol Permit Board at the request of the department may revoke any permit isued by it to such person

Section 12 Enforcement The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes and interest imposed by this act

Section 13 Disposition of Tax Fines and Interest All taxes fines and interest received collected or accruing under the provisions of this act shall be paid into the General Fund of the State Treasury by and through the department

Section 14 Constitutional Construction The provisions of that act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 15 Effective Date This act shall become effective on the date of its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. WILLIAM L. BROWN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WILLIAM L. BROWN. Mr. Speaker, I rise to a question of personal privilege.

"During the regular Session of 1933 when a motion to discharge a committee from further consideration of the Old Age Pension Constitutional Amendment was before this House on March 28th, the Legislative Journal shows that I did not vote. The fact is, I did vote aye on the motion to discharge and the record of the same day will show that I was present and voted on all other roll calls.

"Futhermore, I voted aye when this legislation passed the House finally on April 4th and am so recorded.

"I request Mr. Speaker that my remarks be spread in full on the Legislative Journal".

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be noted in the Journal.

QUESTION OF PERSONAL PRIVILEGE

Mr. SOWERS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SOWERS. Mr. Speaker, on the roll call mentioned by the gentleman from Allegheny, Mr. Brown, I was in my seat and I recollect that he voted as he stated.

The SPEAKER. The Chair thanks the gentleman from Philadelphia, Mr. Sowers, and his remarks under his question of personal privilege will be noted in the Journal.

BILL RE-REFERRED

Mr. HEFFERNAN returned from the Committee on Public Health and Sanitation with the recommendation that it be re-referred to the Committee on Insurance, House Bill No. 19, entitled:

An Act to amend section three hundred and one of the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination and compensation thereunder;" extending said act to occupational diseases contracted in the course of employment.

The SPEAKER. The bill is now re-referred to the Committee on Insurance.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair again calls the attention of the members to the fact that we are holding a session tomorrow for the purpose of considering bills on third reading and final passage.

The Chair again requests that members arrange their business affairs so that they may be present tomorrow.

ADJOURNMENT

Mr. NOTHNAGLE. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11.30 o'clock.

The motion was agreed to, and (at 11.28 o'clock A. M.) the House adjourned until Thursday, November 16, 1933, at 11.30 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., THURSDAY, NOVEMBER 16, 1933. No. 4.

HOUSE OF REPRESENTATIVES

THURSDAY, November 16, 1933

The House met at 11.30 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner offered the following prayer:

O Lord, our God, incline thine ear to hear our prayer, and give to us the listening ear, that we miss nothing of all Thy counsels this day.

We thank Thee for renewed strength with which to pursue our unfinished tasks.

Help each member of House to keep alive the vision with which he entered first these Legislative Halls, a vision of service to the people of Pennsylvania. Let the glory of the vision be seen through the monotony of routine work, and may it not fade in the heat of battle.

Dear Lord, help each member of the House to be a true knight of humanity, ever ready to stand up for the right, to challenge the wrong, always champions of justice, and humble servants of God. So say we all—Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. John M. Flynn, the further reading was dispensed with and the Journal approved.

COMMUNICATION FROM SECRETARY OF COMMONWEALTH

The SPEAKER laid before the House a communication from the Secretary of the Commonwealth which was read by the Clerk as follows:

To the House of Representatives of Pennsylvania:

Commonwealth of Pennsylvania }
County of Philadelphia } ss:

I, JOHN M. SCOTT, Prothonotary of the Court of Common Pleas in and for said County, do hereby certify, that it appears from the Returns of the General Election, held in said County on the Tuesday next following the first Monday of November, being the seventh day of November, A. D. 1933, as computed in the presence of the judges of the said Court by the proper officer and his sworn assistants, and duly certified and filed by said judges in my office, that the following is the number of votes cast for the several candidates for the office of Representative in the General Assembly, in the Twenty-second Representative District of said county:

REPUBLICAN

Harry L. Duffort had twenty-three thousand sixty-seven votes	23,067

DEMOCRATIC

Joseph W. Flynn had twenty-eight thousand five hundred ninety-one votes	28,591
William Ott had one vote	1
Samuel H. Kahn had one vote	1

(SEAL) In Testimony Whereof, I have hereunto set my hand and caused the Seal of the said Court to be affixed this fourteenth day of November, A. D. 1933.

JOHN M. SCOTT.
Prothonotary.

RESOLUTION

REQUESTING HONORABLE FRANK B. WICKERSHAM TO ADMINISTER OATH

Mr. HABBYSHAW offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, November 15, 1933.

Resolved, That the Honorable Frank Wickersham, a Judge of the Court of Common Pleas of Dauphin County, learned in the law, be requested to administer the oath of office required to be taken by the Members-elect of the House of Representatives.

The oath of office was then administered to Honorable Joseph W. Flynn, member-elect.

RESOLUTION

THANKING HONORABLE FRANK B. WICKERSHAM

Mr. SHREINER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, November 15, 1933.

Resolved, That the Members of the House of Representatives hereby extend their thanks to the Honorable Frank Wickersham of Dauphin County, for his services in administering the oath of office to its new Members.

BILLS INTRODUCED AND REFERRED

By Mr. JOHN J. KANE. HOUSE BILL No. 34.

An Act to repeal the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-six) entitled "An act authorizing the appointment by the Governor of industrial police upon application of certain corporations companies associations and individuals prescribing the powers of such police authorizing the Governor to investigate their work and require periodical reports from them imposing duties upon the Secretary of the Commonwealth and recorders of deeds and imposing penalties.

Referred to the Committee on Corporations.

By Mr. FITZGERALD. HOUSE BILL No. 35.

An Act providing for, requiring and regulating the installation, through the budget secretary of the Commonwealth of budget and accounting systems for certain political subdivisions of the Commonwealth; regulating tax levies, appropriation expenditures, contracts, and purchases by and requiring certain reports from such political subdivisions; imposing duties upon the officers of such political subdivisions and the budget secretary; and prescribing penalties.

Referred to the Committee on Municipal Corporations.

By Mr. THOMAS J. GALLAGHER, HOUSE BILL No. 36.

An Act to amend section thirty-two of the act approved the twenty-ninth day of April, one thousand eight hundred and forty-four, (P. L. 486), entitled "An act to reduce the State debt and to incorporate the Pennsylvania canal and railroad company," as amended, making the real estate of public service companies subject to taxation, and providing certain exceptions.

Referred to the Committee on Municipal Corporations.

By Mr. McCREARY. HOUSE BILL No. 38.

A Joint Resolution proposing an amendment to article eight, section one, of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 3. (HOUSE BILL No. 37.)

An Act to amend sections one four and five of the act approved the sixteenth day of March one thousand nine hundred thirty-three (Act number ten) entitled "An act authorizing the Department of Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges authorizing the construction and maintenance of such bridges approaches and connecting roads to State highways by the Department of Highways providing for the condemnation of property necessary for the construction thereof and the assessment and payment of damages therefor providing for the collection of tolls upon certain terms and conditions and the deposit thereof in the State Treasury in a special fund providing for the payment of toll collection costs maintenance charges and repayments to the Reconstruction Finance Corporation from said funds providing for the cessation of tolls and payments of subsequent maintenance costs from the Motor License Fund and appropriating certain money in the Motor License Fund to carry out the provisions of said act" by authorizing similar arrangements to be made with other agencies of the Federal Government.

Referred to the Committee on Highways.

COMMUNICATIONS

LIQUOR CONTROL BILL

The SPEAKER laid before the House a communication urging careful consideration of Liquor Control Bill.

Referred to the Committee on Juidiciary General.

The SPEAKER laid before the House a communication from the Allegheny County Retail Druggist's Association submitting plan for controlled sale of liquor.

Referred to the Committee on Judiciary General.

LEAVES OF ABSENCE

Mr. SHREINER asked and obtained leave of absence for Mr. Rice.

Mr. HESTER asked and obtained leave of absence for Mr. Rhodes on account of attending a funeral.

RESOLUTION

CONGRATULATING HONORABLE SAMUEL B. HART

Mr. HARRIS offered a resolution which was twice read, as follows:

In the House of Representatives, November 16, 1933.

Whereas, In the General Assembly of the Commonwealth of Pennsylvania, the Sixth Legislative District of Philadelphia is ably represented by the Honorable Samuel Hart; and

Whereas, The emergency which has arisen has necessitated the calling of an extra session has rudely interrupted many activities of the various Members, but who have set aside their personal interests in the attention of their public duties; and

Whereas, The said Honorable Samuel B. Hart has contracted to enter into the bonds of matrimony and has fixed Friday, November 17, 1933, as the date on which this joyous but important event shall be celebrated; therefore be it

Resolved, That we, the Representatives in General Assembly do hereby congratulate our colleague and wish for him all happiness and hereby promise him to so arrange the business of the House of Representatives that no session will be necessary on Friday, November 17th, out of consideration for him, but if, by reason of grave necessity we hold a session that day, leave of absence for the day is hereby granted; and it is further

Resolved, That the acting Chief Clerk transmit to our colleague a copy of this resolution.

On the question,

Will the House adopt the resolution?

Mr. HART. Mr. Speaker, ladies and gentlemen of the House, this is the first time that I have gotten married that I have received a reception of this kind.

I am, however, very deeply appreciative of the good will and confidence of the members of this House, and I think I have retained that good will and confidence during the long number of years that I have served in this House I hope I will continue to have that confidence and good will. I am sure I speak also for the lady who is to be Mrs. Hart.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted.

RESOLUTION

ENDORSING NATIONAL RECOVERY PROGRAM

Mr. FLANAGAN offered the following resolution which was twice read and laid over for printing under the rules:

In the House of Representatives, November 16, 1933.

Whereas, The Government of the United States, under the leadership of the President, has taken many steps and appropriated tremendous amounts of money to bring this country out of the existing economic depression; and

Whereas, While leadership is an important factor in any public movement and in the application of the laws enacted by representatives of the people, its success in the end depends in large measure upon the wholesome cooperation of the people. and

Whereas, The backbone of the whole recovery program is in the National Recovery Act which seeks to provide a maximum amount of work, at reasonable hours and wages; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania in extraordinary session assembled, does hereby extend its sincere well wishes to the Presi-

dent of the United States for the success of his recovery program and extends congratulations for his courage in attempting so comprehensive a program; and calls upon all loyal and patriotic citizens of the Commonwealth to support the recovery program wholeheartedly in all its details to the end that economic recovery may be hastened;

Resolved, That a copy of this resolution be transmitted to the President of the United States.

MOTIONS TO RECOMMIT

HOUSE BILL NO. 8 RECOMMITTED

Mr. WITKIN. Mr. Speaker and members of the House, I move that House Bill No. 8, on page 2 of today's calendar, entitled:

An Act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of spirituous and vinous liquors and providing penalties

be recomitted to the Committee on Ways and Means for the purpose of a public hearing.

With your permission, Mr. Speaker, may I make a statement.

The SPEAKER. The gentleman will proceed.

Mr. WITKIN. May I say that this motion meets with the approval of the Administration,—the Attorney General and the Governor, with a view of granting a public hearing promtply and expeditiously. There has been some criticism directed at the Chairman of the Ways and Means Committee for the speed with which this bill has passed through the Committee. Opportunity, it is contended, has not been given to the merchants who have actual investments and are interested in the bill and affected by the bill. However, in order that time may not be lost and in order that we may continue the speed that this Legislature has shown I wish with your permission, to fix a public hearing for Monday, and immediately after the public hearing will call the Ways and Means Committee together for the purpose of further consideration of the bill, so that the only time that will be lost by this Legislature will be a period of one legislative day in the consideration of this bill.

I trust that all the members of the House will support the motion to recommit, and I reiterate it has the approval of the Attorney General, at whose request I introduced this bill.

On the question,

Will the House agree to motion?

Mr. ANDREWS. Mr. Speaker and members of the House, this motion imposes upon the generosity of the House. We have remained here in session today for no other purpose than to advance this bill upon the calendar. It is the heart of the taxation program.

The gentleman from Philadelphia, His Excellency the Governor and the Attorney General have been in sweet and amicable conference these many weeks. They have had ample opportunity to make up their minds since they were in such sweet agreement as to what they wanted, in time to give us a chance to amend this bill on second reading. The gentleman from Philadelphia knows that he does not expect to get anywhere, and the administration does not expect to get anywhere as a result of a public hearing, which is nothing more than a gesture, and it ties up this bill concerning which there has been so much concern, for another day. If the prelude to a short and businesslike session is to hold this House an extra day to pass upon a bill that does not come before us, then the program needs readjustment. I don't care whether the Governor has agreed, or the Attorney General, or the gentleman from Philadelphia, for my self I desire to vote upon this bill today.

Mr. WITKIN. Mr. Speaker and members of the House, I don't mind the gentleman from Cambria opposing this motion, that is his privilege, but I do mind when he tells this House where I have been during the past three weeks or how many conferences we had with the Governor. The first time that I have seen the Governor or spoken with the Governor of this State during the past month or two months has been today.

I object to the gentleman from Cambria telling me where I have been and with whom I have been in conference. If he wants to tell the House what he thinks I know, he can do so but when he tells me where I was, or how many sweet conferences I had, I would ask him in the future to make sure of his ground before making those statements because he has done it in the last session, and I would suggest to the gentleman from Cambria if he wants to know where I have been, except on some occasions when I might not answer him as to where I have been, I will be glad to let him know.

Mr. SARIG. Mr. Speaker, ladies and gentlemen of the House, I hope that the motion made by the gentleman from Philadelphia to recommit this bill will prevail.

I realize the truth of the statement of the gentleman from Cambria that the Governor, the Attorney General, and all concerned with the framing of this bill have had ample time to consider its provisions, but where do our constituents, the people of Pennsylvania, come in. They have not had enough time to consider the provisions of this bill, and I have never known a bill as important as this to be rushed through pell-mell. I admire the gentleman from Philadelphia, Mr. Witkin, when he agrees to place a bill of this character before the Ways and Means Committee for a public hearing, so that the people back home, our constituents, who are vitally affected, and whose business is vitally affected, by the provisions of this measure, will have a chance to come here and tell us about it. Whether the Committee agrees with them or not may be something else again, but at least I feel that we should show the courtesy to those who are vitally affected. Take the pharmaceutical business, which for many years has been centered in Philadelphia; Philadelphia has long been the center for the pharmaceutical business in this country. This bill places a tax of thirty cents a gallon on rectified spirits which are generally used in that business. Now, if the State of Michigan, the State of Missouri, and other States which compete with our people from Philadelphia are not subjected to this same tax, and they are not, then we are putting our own business in Pennsylvania in jeopardy. In other words, we are giving a chance to their competitors and placing them at a disadvantage.

I hope that this motion will prevail and that our constituents be given a chance to be heard. Whether this Legislature, or the Ways and Means Committee will finally accede to their demands or not is another question, but they have a right to be heard as our constituents and as citizens of Pennsylvania. We are not here merely to take care of what the Administration wants, and they seem to agree to that, but we are here first and primarily to take care of

our constituents and to take care of the people of Pennsylvania, and for that reason I hope this motion will prevail.

Mr. ANDREWS. Mr. Speakear, I desire to interrogate the gentleman from Berks.

The SPEAKER. Will the gentleman from Berks, Mr. Sarig, permit himself to be interrogated?

Mr. SARIG. I will.

Mr. ANDREWS. Mr. Speaker, I would like to know whether the gentleman from Berks is speaking as the minority leader or as the assistant floor leader of the minority party?

Mr. SARIG. I am speaking as the minority leader.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

HOUSE BILL NO. 17 RECOMMITTED

Mr. SARIG. Mr. Speaker, I move that House Bill No. 17, page 3 of today's calendar, entitled:

An Act to amend the title and certain sections of the act approved the nineteenth day of February, one thousand nine hundred twenty-six (Pamphlet Laws, sixteen), entitled "A supplement to the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, thirty-four), entitled 'An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws'; providing for the registering of federal permits; also regulating, under permit, through a Pennsylvania Alcohol Permit Board created in the Department of Welfare, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, recovery, re-use, holding in bond, holding in storage by bailees for hire, sale at wholesale, and transportation for hire, of any alcohol or alcoholic liquid, by certain persons; also providing for fees and the disposition thereof; also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act," by making the act consistent with the repeal of the Eighteenth Amendment, changing definitions and exemptions, bringing rectifiers within the act, providing for the abatement of nuisances, and increasing fees.

be recommitted to the Committee on Ways and Means for a public hearing. If I might make a statement, I would like to make a statement at this time.

The SPEAKER. The gentleman will proceed with his remarks.

Mr. SARIG. My reason for making this motion, ladies and gentlemen of the House, is this:

I had intended not to hold up the proceedings and to wait until it came up for consideration in the Senate, but inasmuch as the other bill has been recommitted there will be no loss of time by sending this bill along with it.

The provision to which a number of my people object is this: We have in Berks county, had before prohibition a number of small wineries. When prohibition came in these automatically passed out of existence. No attempt was made to continue this business after prohibition was adopted.

At the present time, the wineries of New York state are competitors, and they pay five hundred dollars for a permit. Here in Pennsylvania, under this bill, they will have to pay, our own people in Berks county and in Pennsylvania, will have to pay one thousand dollars for a permit. In other words, these small wineries in Pennsylvania, which might be compared to the five and ten cent stores, compared with the big wineries of New York, pay one thousand dollars for a permit, and in New York they only pay five hundred dollars. I feel that at a time like this, when business had an uphill struggle all over our Commonwealth, we should not place the people of Pennsylvania at a disadvantage as compared with their competitors in other states, and for that reason I propose that the bill be sent along back with the other bill to be considered at a public hearing on Monday, to give the Committee a chance to decide whether or not they want to consider the one thousand dollar fee for a permit or whether they wish to give to the small wineries of Pennsylvania the same advantage, and put them on the same level in order to compete with the large wineries in New York State. I hope this motion will prevail.

On the question.

Will the House agree to the motion?

It was agreed to.

MOTION TO RECOMMIT HOUSE BILL NO. 9

Mr. ROOT. Mr. Speaker, I move that House Bill No. 9, on page 3 of today's calendar, Printer's No. 6, entitled:

An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified; describing the method and manner of collection of such tax; conferring powers and imposing duties on certain State officers and departments, and certain individuals, firms and corporations, and imposing penalties.

be recommitted to the Committee on Ways and Means for the purpose of a public hearing.

On the question,

Will the House agree to the motion?

Mr. FITZGERALD. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Root.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Root, permit himself to be interrogated?

Mr. ROOT. I will, Mr. Speaker.

Mr. FITZGERALD. Mr. Speaker, is the gentleman from Philadelphia prepared to state to the members of this House approximately how much revenue is being lost every day now by this law not being enacted?

Mr. ROOT. None whatsoever, so far as I know since the prohibition amendment has not been declared repealed as yet.

Mr. FITZGERALD. That is all, thank you.

Mr. Speaker and members of the House, I am for once in my life not standing on firm ground. I am merely asking in a cautious way. The people who drafted this bill are perhaps in a better position to state the real effect of the bill than I am. However, it has come to my attention that in the event that this bill is referred to a committee we will lose something like two hundred thousand dollars a day; for this reason the people having this liquor on the floor today are making an attempt to remove it, and in that way evade the tax.

If there is any member in the House that can clear up the situation, I would be very glad to have them do so, and I think the membership in general would appreciate it.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, it seems to me to be our very definite duty to defeat the motion to recommit House Bill No. 9.

House Bill No. 9 proposes to levy a floor tax of two dollars per gallon, proof gallon, on spirituous liquor and will bring to the Commonwealth, it is estimated, approximately twenty-five million dollars, which tax is a tax on a commodity which

is very easily moved from one place to another in anticipation of the final passage and approval of this act. It is known that already the commodity which is proposed to be taxed by this act is in motion.

It is true that in some instances it is being moved by those who are manufacturing it as fast as it is being manufactured, but on the other hand it is also true that in a very large proportion of cases it is being moved faster than it is being manufactured. We have in Pennsylvania today about five million gallons of whiskey that will fall subject to this tax on its effective date. We have estimated close to nine million gallons of alcohol.

Mr. Speaker, may I say that I recognize that I am speaking on a motion to recommit, and may digress into the merits of the bill?

The SPEAKER. I am inclined to believe that that point will not be raised on account of the seriousness of the question.

Mr. PHILIP STERLING. Mr. Speaker, the point I want to make is this: We are satisfied that we are facing a very serious exigency, and that exigency justifies the adoption of this measure, because those who are in possession either actually of the commodity, or certificates representing that commodity, have been moving it beyond the bounds of this Commonwealth, so that it will be exonerated from this floor tax. We as true Pennsylvanians know our responsibility, we know our needs, and to what needs this revenue should go. It seems to me that every day that passes is an extravagant waste, unless we move this bill with all the speed with which it can be moved. and I therefore submit to you that the motion made by my friend from Philadelphia deserves defeat at your hands.

Mr. ROOT. Mr. Speaker, and members of the House, this bill is a companion measure to House Bill No. 8, which you have properly recommitted for the purpose of a public hearing.

It was introduced on the 13th, reported out of the Ways and Means Committee on the 14th and is before you now for final passage. A number of people have never seen the contents of this bill, and they are entitled to an opportunity to study it. In all fairness to everybody concerned this important piece of legislation should not be railroaded through the House. The prohibition amendment was railroaded through various Legislatures and it took fifteen years to correct that evil.

There are a number of objections to this bill, and I don't wish to discuss the merits of it now, but one legislative day's delay will not jeopardize or cause one penny of loss. Let us, therefore, be fair. Let us study it over the week-end, and I hope this motion to recommit will prevail.

Mr. PHILIP STERLING. Mr. Speaker, unlike other measures which we have recommitted to the Committee on Ways and Means, this bill imposes a tax from the moment it becomes an effective law. Therefore, the statement made by my friend from Philadelphia that the loss of one legislative day does not mean a substantial loss to the Commonwealth cannot be sound.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

ANNOUNCEMENT BY THE SPEAKER

The Chair desires at this point to make an announcement: The Chair humbly bows to the members of this Legislature but feels that he should set himself straight with the members on account of a Thursday session. It was my understanding and belief that the Republicans of this House of Representatives had agreed on a program day before yesterday, and up until a very few moments ago the Chair was not apprised of the fact that those conditions had been changed. The only reason the Speaker requested your valuable time today was for the purpose of either passing or defeating five bills regarding the control program and the Chair, therefore, apologizes to the members for keeping them here today.

BILL ON SECOND READING

Mr. HUTTON. Mr. Speaker, I have been requested by the sponsor of House Bill No. 9, Printer's No. 1, to state that he does not desire it to be called up.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 14, entitled:

An Act to provide for the expenses of the extraordinary session of the Legislature assembled November thirteenth Anno Domini one thousand nine hundred thirty-three in pursuance of the proclamation of the Governor of the Commonwealth dated the ninth day of November Anno Domini one thousand nine hundred thirty-three.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pas finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—200

Andrews,	Greenstein,	McCreary,	Sheffer,
Baker,	Griffith,	McElwee,	Shellenberger,
Baldi,	Habbyshaw,	McGinnis,	Shenkel,
Barnhardt,	Haines,	McGrail,	Shettel,
Bechtel,	Hamilton,	McGregor,	Shortz,
Beech,	Harmuth,	McHenry,	Shreiner,
Bennett,	Harris,	McKay,	Shugarts,
Bernhard,	Hart,	McKinney,	Simon,
Blumberg,	Hartman,	Melchiorre,	Sinwell,
Boyd,	Heffernan,	Meredith,	Snyder,
Brennan,	Hefferon,	Merrell,	Sowers,
Brown, J. E.,	Heffner,	Mohn,	Spann,
Brown, W. L.,	Hermansen,	Moore,	Stank,
Brownfield,	Hester,	Mumford,	Steedle,
Cannon,	Hewitt,	Munley,	Sterling, P.,
Caputo,	Himes, H. E.,	Murphy,	Sterling, R. B.,
Carey,	Himes, L. R.,	Myers,	Stevens,
Carson,	Hoffman,	Negley,	Stiteler,
Chervenak,	Holmes, J. B.,	Nothnagle,	Stone,
Cohen,	Holmes, J. L.,	O'Connor,	Storb,
Conner,	Hoopes,	O'Keefe,	Stott,
Cooke,	Horst,	O'Neill,	Surface,
Cordier,	Hough,	O'Rourke,	Tahl,
Craig,	Howard,	Patterson,	Terry,
Cramer,	Hutton,	Peelor,	Trout,
Dane,	Jaffe,	Pennock,	Turner,
Davies,	Jones,	Perry, D. R.,	Wade,
DeFrehn,	Kane, J. J.,	Perry, J. J.,	Wagner,
Denning,	Kane, L. P.,	Peters,	Walker, G. E.,
Downey, G. E.,	King,	Powell,	Walker, W. A.,
Downey, J. J.,	Kinney,	Powers,	Wall,
Duffy,	Labar,	Price,	Wasserman,
Dunmire,	Lane,	Quinn,	Way,
Ederer,	Laubach,	Raub,	Weidemann,
Embardt,	Lenahan,	Rectenwald,	Welsh,
Eroe,	Lewis,	Reed,	Westrick,
Evans,	Long,	Reilly,	White,
Fitzgerald,	Lord,	Roan,	Williams, G. W.,
Flanagan,	Lovett, J. E.,	Root,	Williams, J. J.,
Fleisher,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Ruby,	Wilson, T. B.,
Flynn, J. M.,	Lynch, M.,	Ruth,	Witkin,
Flynn, J. W.,	Male,	Sarig,	Wood,
Forrest,	Malina,	Sautter,	Woodside,
Furman,	Maloney,	Schrock,	Wright,
Gallagher, T. J.,	Marcks,	Schrope,	Yeakel,

Gallagher, W. J.	Mason,	Schwab,	Yourishin,
Gartner,	McBride,	Schwartz,	Zimmerman,
Gillette,	McCandless,	Scorza,	Talbot,
Gorman,	McClure,	Scott,	Speaker.
Green,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 13, entitled:

An Act to amend certain sections of the act, approved the fifth day of May, one thousand nine hundred thirty-three (Act number one hundred four), entitled: "An act imposing a State Tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties," by restricting the provisions of the act to malt liquors, as defined therein.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—200

Andrews,	Griffith,	McGinnis,	Shellenberger,
Baker,	Habbyshaw,	McGrail,	Shenkel,
Baldi,	Haines,	McGregor	Shettel,
Barnhardt,	Hamilton,	McHenry,	Shortz,
Bechtel,	Harmuth,	McKay,	Shreiner,
Beech,	Harris,	McKinney,	Shugarts,
Bennett,	Hart,	Melchiorre,	Simon,
Bernhard,	Hartman,	Meredith,	Sinwell,
Boyd,	Heffernan,	Merrell,	Snyder,
Brennan,	Hefferon,	Mohn,	Sowers,
Brown, J. E.,	Heffner,	Moore,	Spann,
Brown, W. L.,	Hermansen,	Mumford,	Stank,
Brownfield,	Hester,	Munley,	Steedle,
Cannon,	Hewitt,	Murphy,	Sterling, P.,
Caputo,	Himes, H. E.,	Myers,	Sterling, R. B.,
Carey,	Himes, L. R.,	Negley,	Stevens,
Carson,	Hoffman,	Nothnagle,	Stiteler,
Chervenak,	Holmes, J. B.,	O'Connor,	Stone,
Cohen,	Holmes, J. L.,	O'Keefe,	Storb,
Conner,	Hoopes,	O'Neill,	Stott,
Cooke,	Horst,	O'Rourke,	Surface,
Cordier,	Hough,	Patterson,	Tahl,
Craig,	Howard,	Peelor,	Terry,
Cramer,	Hutton,	Pennock,	Trout,
Dane,	Jaffe,	Perry, D. R.,	Turner,
Davies,	Jones,	Perry, J. J.,	Wade,
DeFrehn,	Kane, J. J.,	Peters,	Wagner,
Denning,	Kane, L. P.,	Powell,	Walker, G. E.,
Downey, G. E.,	King,	Powers,	Walker, W. A.,
Downey, J. J.,	Kinney,	Price,	Wall,
Duffy,	Labar,	Quinn,	Wasserman,
Dunmire,	Lane,	Raub,	Way,
Ederer,	Laubach,	Rectenwald,	Weidemann,
Emhardt,	Lenahan,	Reed,	Welsh,
Eroe,	Lewis,	Reilly	Westrick,
Evans,	Long,	Roan,	White,
Fitzgerald,	Lord,	Root,	Wike,
Flanagan,	Lovett, J. E.,	Roth,	Williams, G. W.
Fleisher,	Lovett, W. S.,	Royle,	Williams, J. J.,
Flinchbaugh,	Lynch, J. R.,	Ruby,	Wilson, L. M.,
Flynn, J. M.,	Lynch, M.,	Ruth,	Wilson, T. B.,
Flynn, J. W.,	Male,	Sarig,	Witkin,
Forrest,	Maloney,	Sautter,	Wood,
Furman,	Marcks,	Schrock,	Woodside,
Gallagher, T. J.,	Mason,	Schrope,	Wright,
Gallagher, W. J.,	McBride,	Schwab,	Yeakel,
Gartner,	McCandless,	Schwartz,	Yourishin,
Gillette,	McClure,	Scorza,	Zimmerman,
Gorman,	McCreary,	Scott,	Talbot,
Green,	McElwee,	Sheffer,	Speaker.
Greenstein,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 15, as follows:

An Act to amend the title and certain sections of the act approved the third day of May one thousand nine hundred thirty-three (Act number ninety-one) entitled "An act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter session courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by limiting the provisions of the act to malt liquors as defined therein

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title and sections one two three four five six eight nine ten eleven twelve thirteen fourteen sixteen eighteen nineteen twenty twenty-one twenty-two twenty-three twenty-four twenty-five twenty-six twenty-seven twenty-eight twenty-nine and thirty-one of the act approved the third day of May one thousand nine hundred thirty-three (Act number ninety-one) entitled "An act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter session courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" be and the same are hereby amended to read as follows:

AN ACT

To regulate and restrain the traffic in malt [brewed and vinous and fruit juice beverages] liquors as herein defined providing for the licensing of the sale and distribution of such [beverages] liquors imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such [beverages] liquors may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Short Title This act shall be known and may be cited as the ["Beverage] "Malt Liquor License Law"

Section 2 Definitions The following words and terms as used in this act shall be construed as defined in this section

(a) The [word "beverages"] term "malt liquor" means any beer lager beer ale porter [wine] or similar fermented malt [or vinous] liquor [and fruit juice] containing one-half of one per centum or more of alcohol by volume [and not exceeding three and two-tenths per centum of alcohol by weight] by whatever name such liquors [or fruit juices] may be called [the manufacture and sale of which for beverage purposes is not prohibited by the laws of the United States]

(b) The word "person" means and includes natural persons associations partnerships and corporations

(c) The word "manufacturer" means and includes all persons holding permits issued by the Alcohol Permit Board of this Commonwealth

(d) The word "distributor" means and includes persons licensed to engage in the purchase and resale of [beverages] malt liquors in the original sealed packages as prepared for the market by the manufacturer but not for consumption on the premises where sold

(e) The term "retailer" means and includes persons licensed to engage in the retail sale of [beverages] malt liquors where the consumption thereof is upon the premises of such vendor with the privilege of selling [beverages] malt liquors to be carried from the premises by the purchaser thereof only however in the original containers

(f) The term "original containers" means and includes bottles casks kegs or other containers that have been securely capped or corked by the manufacturer with the name and address of the manufacturer permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing same

(g) The term "license" means and includes both the person making the application therefor and the premises upon which the privileges of the license are to be exercised and includes [distributors' retailers' and public service] licenses issued under the provisions of this act

(h) "Eating place" means a room having an area of not less than three hundred square feet and equipped with tables and chairs accommodating forty persons at one time

(i) "Treasurer" means the county treasurer of the county in which is located any place specified in an application as the place for which a license is desired

(j) As used in this act the singular shall include the plural and the masculine gender shall include the feminine and neuter

Section 3 Sales for Consumption on the Premises It shall be unlawful for any person to sell to another for consumption upon the premises where sold or to permit another to consume upon the premises where sold any [beverage] malt liquor unless such person holds a valid [retailer's] malt liquor retail license issued under this act by the treasurer or a valid license issued under any other act authorizing the sale of spirituous vinous and malt liquors for consumption upon such premises

Section 4 Sales not for Consumption on the Premises It shall be unlawful for any person to sell to another any [beverage] malt liquor not for consumption upon the premises where sold unless such person holds a valid manufacturer's permit issued by the Alcohol Permit Board or a valid distributor's or retailer's malt liquor license issued by the treasurer

Section 5 Malt Liquor Distributors' Licenses The Treasurer shall issue to any person who applies therefor pays the license fee hereinafter prescribed and files the bond hereinafter required a [distributor's] malt liquor distributor license for the place at which such person desires to sell [beverages] malt liquors not for consumption on the premises where sold

Section 6 Malt Liquor Retailers' Licenses Subject to the restrictions hereinafter provided the treasurer shall issue to a person who conducts a reputable hotel or any incorporated club whatsoever or a reputable bona fide eating place where food is regularly and customarily prepared and sold and who makes application upon a form as hereinafter prescribed pays the license fee hereinafter prescribed and files the bond hereinafter required a [retailer's] malt liquor retailer license for such place

[Such licenses shall be issued only to reputable individuals who are citizens of the United States and have for one year been residents of the municipality or township wherein the place of business is located at the date of their applications or to reputable corporations organized or duly registered under the laws of Pennsylvania]

No [retailer's] malt liquor retailer license shall be granted for the sale of [beverages] malt liquors for consumption on the premises in any municipality or township in which the electors shall as hereinafter provided have voted against the licensing therein of places where [beverages] malt liquors may be sold for consumption on the premises where sold

Section 8 Public Service Malt Liquor License The Department of Revenue may issue [special retailers'] public service malt liquor licenses to a railroad pullman or steamship company permitting [beverages] malt liquors to be sold at retail in dining club or buffet cars or the dining compartments of steamships or vessels for consumption on the trains steamships or vessels wherever operated in the State except when standing in stations or terminals within a municipality wherein retail sales are prohibited Such licenses shall only be granted to reputable persons and for fit places The Department of Revenue shall have the power to suspend or revoke any such licenses for cause after granting a hearing thereon to the licensee Any person aggrieved by the decision of the Department of Revenue in refusing suspending or revoking any such license may within thirty days thereafter appeal to the court of common pleas of Dauphin County which shall fix a time for hearing of which notice shall be given to the Department of Revenue as the court may provide The court shall hear the appeal de novo and shall make such order affirming modifying or reversing the order of the department as to it shall appear just The action of the court shall be final

Section 9 [Distributors' and Retailers' Licenses] Malt Liquor License Year Mercantile License Exemption Licenses issued under this act to distributors [and] retailers and public service companies shall unless revoked in the manner provided in this act be [granted by the treasurer and shall be] valid for [one] the malt liquor license year for which they are issued The malt liquor license year [in each county] shall begin on June first in each calendar year Licenses may be issued at any time during a malt liquor license year

No licensee under this act shall be required to obtain any mercantile license whatsoever to sell malt liquors and every licensee under this act who is also the holder of a mercantile license may deduct the gross income received from sales of malt liquors from his gross income from all sources in making his returns for mercantile license tax purposes

Section 10 Filing of Applications for Distributors' and Retailers' Licenses Every person intending to apply for a distributor's or retailer's license as aforesaid in any municipality or township of this Commonwealth shall file with the treasurer his or its application [at least one week before the first day of June] and [shall] at the same time pay said treasurer a filing fee of ten dollars for the use of the county

Section 11 Application for Distributors' and Retailers' Licenses Application for distributors' and retailers' malt liquor licenses shall contain

(a) The name and residence of the applicant and how long he has resided there and if an individual the residence of such applicant and if an association partnership or corporation the residences of the members officers and directors for the period of two years next preceding the date of such application

(b) The particular place for which the license is desired and a detailed description thereof

(c) Place of birth of applicant and if a naturalized citizen where and when naturalized and if a corporation when and where incorporated with the names and addresses of each officer and director

(d) Name of owner of premises and his residence

(e) That the applicant is not or in case of a partnership or association that the members or partners are not and in the case of a corporation that the officers and directors are not in any manner pecuniarily interested either directly or indirectly in the profits of any other class of business regulated under this act except as hereinafter temporarily permitted

(f) That applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person shall be in any manner pecuniarily interested therein during the continuance of the license except as hereinafter temporarily permitted

(g) Whether applicant or in case of a partnership or association any member or partner thereof or in case of a corporation any officer or director thereof has during the three years immediately preceding the date of said application had

a license for the sale of [beverages] malt liquors or spirituous and vinous liquors revoked or has during the same period been convicted of any criminal offense and if so a detailed history thereof

(h) A full description of that portion of the premises for which license is asked and if any other business is to be conducted concurrently with the sale and distribution of [beverages] malt liquors a full history of such business relating the nature thereof the length of time it has so previously been conducted by the applicant or his predecessor at such location

There shall be annexed to such application a certificate signed by at least twelve reputable qualified electors of the ward borough or township in which such [beverages] malt liquors are to be sold setting forth that they have been acquainted with the applicant or applicants or the members of the association or partnership or the directors and officers of the corporation where the applicant is a corporation that they have good reason to believe that each and all the statements contained in the petition are true and they therefore believe that the application should be granted and that the license should issue

The application must be verified by affidavit of applicant and if any false statement is made in any part of the application the affiant shall be deemed guilty of the crime of perjury. A license shall not be granted by the treasurer unless the application contains the information herein required

Section 12 Prohibitions Against the Grant of Licenses Any retailer may be granted licenses to maintain operate or conduct any number of places for the sale of [beverages] malt liquors but a separate license must be secured for each place where [beverages] malt liquors are sold or where orders are taken

No person shall possess or be issued more than one distributor's license in any one municipality or township nor shall any distributor maintain or operate any place or places other than that for which the license is granted where [beverages] malt liquors are sold or where orders are taken

Licenses shall be granted by the treasurer only to reputable individuals or to associations partnerships and corporations whose members or officers and directors are reputable individuals

Licenses shall be granted by the treasurer only to individual citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding or to corporations organized in or duly authorized to transact business in this Commonwealth and all of whose officers and directors shall be citizens of the United States who have also been residents of this Commonwealth for at least three years immediately preceding the applications for license

A malt liquor retail license shall not be issued to any individual unless such individual for one year immediately preceding the date of his application has been a resident of the county or of a county adjoining the county wherein his place of business is or is to be located

Section 13 Revocation and Suspension of Licenses by Court of Quarter Sessions After a license has been granted upon petition of the Attorney General the treasurer the district attorney or fifteen or more taxpayers residents of the ward borough or township where the place of business is located to the court of quarter sessions and upon sufficient cause being shown or proof being made to the court that the licensee holding a license or any partners members officers or directors of the licensee has or have violated any of the laws of this Commonwealth relating to the sale of [beverages] malt liquors or relating to the manufacture sale or transportation of alcohol [or/and] or other alcoholic beverages it may upon due notice and proper hearing being given to the person so licensed suspend or revoke the said license issued by the treasurer The court shall assess or remit the costs in its discretion The action of the court in suspending or revoking a license shall be final

Any licensee whose license is revoked shall be ineligible to have a license or permit under this act or under another act relating to the manufacture sale or distribution of malt liquor or other alcoholic liquors until the expiration of five years from the date his license was revoked

Section 14 Licenses Not Assignable Transfers Licenses issued under this act may not be assigned The treasurer is hereby authorized to transfer any distributor's or retailer's malt liquor license from one person to another or from one place to another within the same municipality or township as the treasurer may determine but no transfer shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not lawfully have been issued originally Any such transfer of a license may be made at any time From any refusal to grant a transfer the person aggrieved shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to grant licenses

Section 16 Renewal of Licenses Renewals of licenses shall be granted annually by the treasurer upon the filing of an application as hereinbefore provided [at least one week before the first day of June] and the payment of a fee of ten dollars for the use of the county and the payment of the license fee and the filing of a bond as in the case of an original license

Section 18 All Licensees to Furnish Bond No license shall be issued to any distributor or retailer or railroad pullman or steamship company until the licensee shall have first executed a bond to the Commonwealth of Pennsylvania and a warrant of attorney to confess judgment in the penal sum hereinafter prescribed and with sufficient sureties either personal or a surety company authorized to do business in this Commonwealth Such [bond] bonds shall not be accepted until approved by the treasurer in the case of licenses issued to retailers and distributors and by the Department of Revenue in the case of licenses issued to railroad pullman or steamship companies All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to the sale of beverages or relating to the manufacture sale or transportation of alcohol or any other alcoholic beverages Such [bond] bonds shall be filed with and retained by the treasurer in the case of licenses issued to retailers and distributors and by the Department of Revenue in the case of licenses issued to railroad pullman or steamship companies The penal sum of such bonds filed by a distributor or retailer shall be one thousand dollars for each place at which the licensee is authorized to sell beverages The penal sums of such bonds filed by railroad pullman or steamship companies shall be one thousand dollars irrespective of the number of licensed cars or ships operated by such companies Every such bond shall be turned over to the district attorney or the Attorney General as the case may be to be sued out if and when the licensee's license shall have been revoked as herein provided

Section 19 License Fees Distribution of Revenues No license shall be issued to any distributor or retailer until the licensee shall have first paid an annual license fee for such grant as follows

(a) In the case of a distributor the license fee shall be graduated according to the population of the municipality or township in which the place of business is located as follows and shall be paid to the treasurer

I In municipalities or townships having a population of less than one thousand five hundred inhabitants thirty-seven dollars and fifty cents

II In those having a population of one thousand five hundred and more but less than ten thousand inhabitants fifty dollars

III In those having a population of ten thousand and more but less than fifty thousand inhabitants seventy-five dollars

IV In those having a population of fifty thousand and more but less than one hundred thousand inhabitants one hundred dollars

V In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants one hundred and twenty-five dollars

VI In those having a population of one hundred fifty thousand and more one hundred and fifty dollars

(b) In the case of a retailer the license fee shall be graduated according to the population of the municipal unit in which the place of business is located as follows and shall be paid to the treasurer

I In municipalities or townships having a population of less than one thousand five hundred inhabitants seventy-five dollars

II In those having a population of one thousand five hundred and more but less than ten thousand inhabitants one hundred dollars

III In those having a population of ten thousand and more but less than fifty thousand inhabitants one hundred and fifty dollars

IV In those having a population of fifty thousand and more but less than one hundred thousand inhabitants two hundred dollars

V In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants two hundred and fifty dollars

VI In those having a population of one hundred fifty thousand and more three hundred dollars

(c) In the case of an incorporated club the fee shall be twenty-five dollars in all cases

(d) In the case of a public service license for the sale of [beverages] malt liquors in dining club and buffet cars the fee shall be ten dollars for each car on which [beverages] malt liquors are sold and shall be paid to the State Treasurer through the Department of Revenue

(e) In the case of a public service license for the sale of [beverages] malt liquors on a boat or vessel the fee shall be fifty dollars for each such vessel or boat which shall be paid to the State Treasurer through the Department of Revenue

(f) The fees for distributor retail and public service company malt liquor licenses when applied for and issued on or after

September first but prior to December first shall be three-fourths of the annual fee

December first but prior to March first of the succeeding year shall be one-half of the annual fee

March first but prior to June first one-fourth of the annual fee

The license fees fixed by this section shall be paid before the license or renewal is issued

The fees for distributors' and retailers' malt liquor licenses shall be paid by the treasurer to the municipalities and townships of the first class in which the licensed places are located for the use of such municipalities and townships The fees for licenses of places located in townships of the second class shall be paid into the county treasury for the use of the county The fees for public service malt liquor licenses shall be for the use of the Commonwealth

Remittances shall be made by the treasurer to municipalities and townships within thirty days of the receipt of any license fee

Section 20 Sales by Manufacturers Minimum Quantities No manufacturer shall sell any [beverages] malt liquors for consumption on the premises where sold nor sell or deliver any such [beverages] malt liquors in other than original containers nor in quantities of less than two hundred and eighty-eight (288) fluid ounces nor shall any manufacturer maintain or operate any place or places other than the place or places covered by his or its permit where [beverages] malt liquors are sold or where orders are taken

Section 21 Sales by Distributors No distributor shall purchase receive or resell any [beverages] malt liquors except in the original containers Provided That no [such beverage] malt liquors sold or delivered shall be consumed upon the premises of the distributor or in any place provided for such purpose by such distributor

Section 22 Sales by Retailers No retailer shall purchase or receive any [beverages] malt liquors except in original containers and thereafter may break the bulk upon the licensed premises and sell or dispense the same for use and consumption only however in and upon the premises so licensed Provided however That such retailer may sell such [beverages] malt liquors in the original containers to be carried from the premises by the purchaser thereof

No retailer shall maintain any bar at which [beverages] malt liquors are served to customers or sell any [beverages] malt liquors for consumption on the licensed premises except in a room or rooms or place on the licensed premises at all times visible and accessible to the use and accommodation of the general public but this section shall not interpreted to prohibit the sale of [beverages] malt liquors at a lunch counter with seats or chairs permanently fastened thereto if such counter is in an eating place as herein defined A retailer licensed to sell [beverages] malt liquors in a hotel or club house may however sell and deliver such [beverages] malt liquors in any room of such hotel or [club-house] club house occupied by a bona fide registered guest or member entitled to purchase the same

Section 23 Unlawful Sales It shall be unlawful for any licensee or his or its servants agents or employes

(a) To sell trade or barter in [beverages] malt liquors between the hours of twelve o'clock midnight of any Saturday and six o'clock in the forenoon of the following Monday

(b) To sell furnish or give any [beverages] malt liquors to any person visibly intoxicated or to any insane person or to any minor

(c) To sell furnish or give any [beverages] malt liquors to any person on any day on which a general municipial special or primary election is being held

(d) In the case of retailers to sell or offer to sell any [beverages] malt liquors for consumption on the premises where sold to any person on credit excepting credits extended by [an] a hotel or club to a bona fide registered guest or member No right of action shall exist to collect any claims for credit extended contrary to the provisions of this clause

(e) To sell offer to sell or furnish any [beverage] malt liquor to any person on a pass-book or store order or to receive from any person any goods wares merchandise or other articles in exchange for [beverages] malt liquors

(f) To hawk or peddle any [beverages] malt liquors in this Commonwealth

(g) To manufacture import sell trade or barter in any spiritous vinous or other alcoholic liquors except malt liquors

Section 24 Things of Value Not to Be Offered for the Return of Certain Articles It shall be unlawful for any person licensed to sell [beverages] malt liquors to offer or give anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing such [beverages] malt liquors or to offer or give anything of value as a premium or present to induce the purchase of such [beverages] malt liquors or for any other purpose whatsoever in connection with the sale of such [beverages] malt liquors Provided however That this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof

Section 25 Unlawful to Fortify Adulterate or Contaminate [Beverages] Malt Liquors It shall be unlawful to fortify adulterate contaminate or in any wise to change the character or purity of the [beverages] malt liquors from that as originally marketed by the manufacturer

Section 26 Transportation in Original Packages It shall be unlawful to transport any [beverages] malt liquors except in the original containers

Section 27 Delivery Vehicles to Bear Name and Address of Distributor or Manufacturer It shall be unlawful for a manufacturer or distributor to deliver any [beverages] malt liquors excepting in vehicles bearing the name and address of such distributor or manufacturer on each side of such vehicles in letters no smaller than four inches in height

Section 28 Interlocking Business Prohibited (a) No manufacturer and no officer or director of any manufacturer shall at the same time be a distributor or retailer or an officer director or stockholder or creditor of any distributor or to any retailer nor be the owner proprietor or lessor of any place covered by any [distributor's] malt liquor distributor or [retailer's] malt liquor retail license

(b) No distributor and no officer or director of any distributor shall at the same time be a manufacturer or retailer or be an officer director stockholder or creditor of a manufacturer or retailer or be the owner proprietor or lessor of any place covered by any [retailer's] malt liquor retail license

(c) No manufacturer or distributor or retailer licensed under this act shall own any stock of or have any financial interest in any other class of business licensed under this act

(d) Excepting as hereinafter provided no manufacturer or distributor shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or in any mortgage lien against the same for which a [retailer's] malt liquor retail license is granted nor shall a manufacturer or distributor either directly or indirectly lend any moneys credit or equivalent thereof to any retailer in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where [such beverages] malt liquors are licensed for sale and consumption upon the premises excepting only the usual and customary commercial credits for [beverages] malt liquors sold and delivered

(e) Excepting as hereinafter provided no manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a [distributor's] malt liquor distributor license is granted nor shall a manufacturer either

directly or indirectly lend any moneys credit or their equivalent to any distributor in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where [such beverages] malt liquors are licensed for sale by a distributor excepting only the usual and customery commercial credits for [beverages] malt liquors sold and delivered

The purpose of this section is to require a separation of the financial and business interests between the various classes of business regulated by this act and no person or corporation shall by any device whatsoever directly or indirectly evade the provisions of this section But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest until January first one thousand nine hundred and thirty-six by a manufacturer of any place occupied by a distributor or retailer if the manufacturer has continuously owned or had a conflicting interest in such place for a period of at least three years prior to the effective date of this act

The term "manufacturer" as used in this section shall include manufacturers as defined in this act and any person manufacturing any [beverage] malt liquor outside of this Commonwealth

Section 29 Penalty Any person copartnership association or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding three hundred dollars ($300) for the first offense and for any second or subsequent offense shall be sentenced upon conviction to pay a fine not exceeding five hundred dollars ($500) Any such person or the members agents servants or employes of any [partnerships] such partnership or association or the officers directors agents servants or employes of any such corporation responsible for any violation of any of the provisions of this act in addition to the fines hereinbefore prescribed [may] shall upon a first conviction be sentenced to imprisonment for a term not exceeding six months and upon a second or subsequent conviction be sentenced to imprisonment for a term not [exceeding six months or by both such fine and imprisonment in the discretion of the court] less than six months or more than one year

Section 31 Local Option In any municipality or township an election may be held but not oftener than once in four years on the date of any municipal election to determine the will of the electors with respect to the granting of licenses to retailers of [beverages] malt liquors under the provisions of this act Whenever electors equal to at least ten per centum of the highest vote cast for any office in the municipality or township at the last preceding general election shall petition the corporate authorities of the municipality or township for a referendum on the question of granting such licenses the said corporate authorities shall cause a question to be submitted at the municipal election occurring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners for submission of such question on the ballot or on voting machines at such election in the manner provided by the election laws of the Commonwealth

Such question shall be in the following form

Do you favor the granting of malt liquor retail [beverage] licenses in the of ?	Yes No	

If a majority of the persons voting on such question vote "yes" then [retailers'] malt liquor retail licenses shall be granted by the treasurer in such municipality or township under the provisions of this act but if a majority of the persons voting on such question vote "no" then the treasurer shall thereafter have no power to grant or to renew upon their expiration any [retailer's] malt liquor retail licenses in such municipality or township under the provisions of this act

No retail malt liquor licenses shall be granted under the provisions of this act as amended in any municipality or township wherein the electors under the provisions of the Beverage License Law of May third One thousand nine hundred and thirty-three (Pamphlet Laws two hundred fifty-two) voted prior to the adoption of this amendment against the granting of retail beverage licenses unless in accordance with the provisions of this act as amended the action of the electors is hereafter reversed

Section 2 All licenses issued to distributors retailers and railroad pullman or steamship companies prior to the effective date of this act and which were unrevoked on that date shall continue in full force and effect until the first day of June one thousand nine hundred thirty-four (unless revoked prior thereto for cause) except that such licenses shall after the effective date of this act authorize the licensees to sell only malt liquors in the manner provided in this act

Section 3 This act shall become effective on the day after the day the Twenty-First Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. RUTH. Mr. Speaker, ladies and gentlemen of the House, I don't know that there is such a great hurry to put this bill through in its present form. It is merely an amendment to the beer law of today. You will notice that the amendment in there as to the requirement of United States citizenship to hold a license has been eliminated from the bill, and I feel that we don't want that. We ought to have at least United States citizenship to hold a retail beverage license to sell beer. Unless we have a definite assurance that this is taken care of in the Senate I feel that we should not allow this bill to go out of our hands until the requirement of citizenship in the United States is brought back into the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—135

Andrews,	Green,	McElwee,	Shreiner,
Baker,	Greenstein,	McGregor,	Snyder,
Baldi,	Griffith,	McHenry,	Sowers,
Barnhardt,	Habbyshaw,	McKay,	Spann,
Bechtel,	Haines,	McKinney,	Steedle,
Bennett,	Hamilton,	Meredith,	Sterling, P.,
Bernhard,	Hart,	Merrell,	Stevens,
Blumberg,	Heffernan,	Mumford,	Stiteler,
Boyd,	Hefferon,	Murphy,	Stott,
Brennan,	Heffner,	Myers,	Surface,
Brown, W. L.,	Hermansen,	Negley,	Tahl,
Carey,	Hewitt,	Nothnagle,	Terry,
Cooke,	Himes, H. E.	O'Neill	Trout,
Cordier,	Hoffman,	Patterson,	Turner,
Craig,	Holmes, J. L.,	Peelor,	Wade,
Cramer,	Hoopes,	Pennock,	Walker, W. A.,
Dane,	Horst,	Perry, D. R.,	Wall,
Davies,	Hough,	Perry, J. J.,	Way,
DeFrehn,	Hutton,	Peters,	Weidemann,
Denning,	Jaffe,	Powell,	White,
Downey, J.,	Kane, L. P.	Powers,	Wike,
Duffy,	King,	Rectenwald,	Williams, G. W.
Dunmire,	Lenahan,	Reed,	Williams, J. J.,
Ederer,	Lewis,	Roan,	Wilson, L. M.,
Emhardt,	Long,	Root,	Wilson, T. B.
Eroe,	Lord,	Roth,	Witkin,
Evans,	Lovett, W. S.	Ruby,	Wood,
Flanagan,	Lynch, J. R.	Sautter,	Woodside,
Fleisher,	Male,	Schrock,	Wright,
Flynn, J. M.,	Maloney,	Schrope,	Yeakel,
Forrest,	Mason,	Schwartz,	Yourishin,
Gallagher, T. J.	McBride,	Scott,	Zimmerman,
Gartner,	McCandless,	Sheffer,	Talbot,
Gillette,	McClure,	Shellenberger,	Speaker
Gorman,	McCreary,	Shortz,	

NAYS—40

Beech	Furman,	Lovett, J. E.,	Ruth,
Brown, J. E.	Harmuth,	Lynch, M.,	Schwab,
Brownfield,	Harris,	Marcks,	Shugarts,

Cannon,	Hartman,	McGrail,	Stank,
Caputo,	Hester,	Mohn,	Sterling, R. B.,
Carson,	Himes, L. R.,	O'Connor,	Wagner,
Chervenak	Howard,	O'Keefe,	Welsh,
Conner,	Kane, J. J.,	O'Rourke,	Westrick,
Fitzgerald,	Lane,	Price,	
Flynn, J. W.	Laubach,	Reilly,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 9 entitled:

An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified; describing the method and manner of collection of such tax; conferring powers and imposing duties on certain State officers and departments, and certain individuals, firms and corporations, and imposing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WITKIN. Mr. Speaker and members of the House, the passage of this bill is of vital importance to the Commonwealth of Pennsylvania. It is estimated that there will accrue to the treasury the sum of $5,000,000 as a result of the enactment into law of this bill. It imposes a two dollar floor tax on all spiritous and vinous liquor lodged or stored in this Commonwealth, and that tax, to answer the query of the gentleman from Erie, goes into effect upon this bill becoming a law, and continues in effect until December 5th. It is most important for every relief measure that we have passed through this House in the prior session and for the finances of the Commonwealth, for those liquors that are now within the Commonwealth of Pennsylvania to pay two dollars.

The gentleman from Philadelphia, Mr. Sterling, has told you, and correctly so, that the liquor dealers are fast removing from the Commonwealth of Pennsylvania such liquors as would be taxed by this bill, and therefore, endeavoring to deprive the Commonwealth of Pennsylvania from the revenue to which it is justly entitled. Therefore, any delay would be a detriment to the Commonwealth and the quick dispatch of this bill, and I feel certain it will be quickly passed in the Senate, will stop those who are seeking to take from the Commonwealth of Pennsylvania the much needed and proper revenue that the Commonwealth is entitled to. I ask you to vote aye on this measure.

Mr. TAHL. Mr. Speaker, may I interrogate the sponsor of this bill?

The SPEAKER. Will the gentleman from Lackawanna Mr. Cordier, permit himself to be interrogated?

Mr. CORDIER. Mr. Speaker, I will.

Mr. TAHL. Mr. Speaker, I would like the gentleman to explain that in the event that this bill passes, what will be the cost of the tax on a quart of liquor considering that the government of United States is going to put on an additional tax?

The SPEAKER. Will the gentleman repeat his question?

Mr. TAHL. I would like to know what, in the judgment, of my friend from Lackawanna would be the cost of a quart of liquor if this bill passes—the tax on a quart of liquor.

Mr. CORDIER. The cost of the tax?

Mr. TAHL. Yes.

Mr. CORDIER. The cost of the tax as I understand it under this bill will be two dollars per gallon and that the Federal tax will be about a dollar and ten cents.

Mr. TAHL. It does not take into consideration the additional tax that the government will pass.

Mr. CORDIER. That has nothing to do with this bill.

Mr. TAHL. Does not the gentleman from Lackawanna think it is to the best interest of the Commonwealth that liquor be made so cheap as to discourage bootlegging.

Mr. Speaker and members of the House, I am obliged to oppose the passage of this bill. I believe that the people of Pennsylvania on November last voted overwhelmingly to repeal the present prohibition act. I think they did more than that. I think they also voted to eliminate bootlegging and racketeering as well as graft and corruption in government.

Now, ladies and gentlemen of the House, I am not opposed to any tax, but it must be a reasonable tax. It must be a tax that will not increase the cost of liquor to such an extent that the people will be buying it from bootleggers. If this act is enacted into law and the tax of two dollars imposed, and it is figured that there is going to be an additional tax of three dollars by the federal government or possibly four dollars, then you are going to have a tax of nearly five or six dollars per gallon, which is about one dollar and fifty cents per quart, and that is going to make liquor so high that the bootleggers will thrive as they did heretofore. That is one thing that the people in Pennsylvania don't want. That is why the people in Pennsylvania have voted unquestionably against bootlegging and racketeering. Now, I want to read to you ladies and gentlemen what the man who I think has been in the forefront against the prohibition amendment, what he says about it. Mr. Pitcairn:

"The tax rates proposed are so high as to render the continuance of the old evils inevitable." That is referring now to the bill before the House. "The anticipated federal taxes together with the proposed Pennsylvania taxes and license fees without counting the cost of manufacturing and distributing will exceed a sum for which new illicit liquor can be purchased today. With all my heart I hope the Commonwealth can be spared the moral, political and racketeering evil that such excessive taxes will inevitably perpetuate."

Ladies and gentlemen, I don't subscribe to the proposition or to the thought that we should pass these bills on to the Senate and let the Senate amend them. I think that we have a responsibility right here, and I think it is our duty to decide, in the first instance, whether or not these bills are proper bills. I don't think that you or any of you can go back to your homes and tell your people out there that the Senate is going to take care of it. That is not what I propose to do. My people in my neighborhood and in my district want me to vote for a tax to make liquor within the reach of the poor man, and that is why I am going to vote against this bill. I think that all of you here now will have to answer to your own people in your respective districts. I am in favor of a quick and prompt enactment of laws governing liquor control and taxes, but I am not in favor of putting it through in such a way that it will frustrate the will of the people, and it is for that reason, ladies and gentlemen of the House, that I think this bill ought to be defeated.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, we all admire our friend from Philadelphia, in his sincerity of approach to this question, but the remarks that he has made have simply drawn a red herring across the question.

I am going to try to clarify the atmosphere with your indulgence. In the first place answering the question which he asked the sponsor of the measure, it is very definitely estimated, even with this liquor tax imposed, that liquor will be saleable in this Commonwealth at a figure substantially less than the price that the bootlegger must get for his liquor to survive. The Commonwealth recognizes this obligation in the control of liquor that it can succeed only if the bootlegger or illicit seller is put out of business.

My friend from Philadelphia has said that Congress may increase the per gallon excise from one dollar ten cents to some figure greater than that. That is true, but he forgets that Congress cannot meet until January, and he forgets that this floor tax is a floor tax that will fall only upon this commodity between the effective date and the revocation of the 21st amendment. It is estimated that we have in Pennsylvania approximately ten million gallons ready for consumption. It is estimated with some degree of certainty that the national consumption is one hundred five million gallons. Pennsylvania has always been standardized in the past on the one-tenth fraction, and that is true in this case, and there is no reason to doubt it. It can be concluded as certainly as the sun will rise tomorrow that all of the liquor that will be taxable under this act will be long since consumed before the federal government imposes an increase on the tax which now exists. Therefore, members you may, without any qualms so far as concerns the bootlegger, vote for the approval of this measure.

It has been estimated with great care, taking into consideration all of the taxes that exist on liquor even with the floor tax, the profit to the commonwealth for the liquor which will be sold—if we approve the state stores plan—will be sold at about twenty-four dollars a case. The bootlegger cannot sell and survive at less than twenty-six and probably twenty-eight dollars a case. For these reasons, members of the House, and for the reason that I stated when I opposed the motion to recommit, I urge that this measure have your approval this morning.

Mr. O'CONNOR. Mr. Speaker and members of the House, on November 7th the people of this Commonwealth very definitely decided what they wanted, that is, the abolition of prohibition and the return of liquor so that the people may get it plentifully and cheaply.

I had thought from the returns that I had read in the newspapers that there was no such thing as Republicanism left in Philadelphia and for that reason I am surprised to find Philadelphia attorneys take the position that they do on the floor today——

The SPEAKER. The gentleman will avoid personalities.

Mr. O'CONNOR. However, it is true to tradition.

The question here is whether we shall support the old system that went out of date with the new deal of placing the state above the individual or whether we shall follow the leadership of our peerless President, and legislate in favor of the individual and against the state. We all know the curses suffered under prohibition; we all know that our great leader has inaugurated what is known as the new deal and done everything that is possible for the forgotten man. We all need to be supporters of that principle, we must support the President, we must do something for the common man, for the forgotten man. We must reduce the price of liquor so that the poor man can get it. If this bill becomes a law it will be absolutely impossible for the legalized liquor dealer to compete with the bootlegger. I don't agree with the statement of my friend from Philadelphia. I know in my section of the country the bootlegger can compete and does compete with the price of the government. Now, if we are going to support the policies of the President, if we are going to aid the poor working man we are, ladies and gentlemen, in my humble opinion compelled to give that poor man a chance to buy a drink of good liquor, government tested, government inspected for the price of ten cents, the same as before. We have legislated here on the price of beer, and we have brought the price of beer down to a nickel a glass. We must legislate to bring the price of good liquor down where it will abolish bootlegging. This bill proposes to continue the bootlegger in business. The state is going to protect him. Now, I am opposed to that, and I appeal to all the supporters of the President to vote against this bill. I don't see how we can support it. I give no quarter in my loyalty or support of the President. I am going to vote against this bill and ask my fellow democrats to do the same

Mr. PHILIP STERLING. Mr. Speaker and members of the House, I recognize that that which I am about to say may not be to the point on this bill, but a reference has been made by the gentleman who last spoke to the President of the United States and our duty to support him. There is no question that many Republican members of this House have in the past and will in the future give due credit where it is deserved, and join with me in saying that it is the duty of everyone, whether democrat or republican, to support that person who becomes president of the United States. I cannot refrain however from calling my friend's attention to one thing, that when Mr. Roosevelt became president of the United States he was threatened with the necessity of balancing the budget. To do that it was necessary for him to impose what was then called nuisance taxes and among those nuisance taxes was one for one-half a cent on gasoline. I am asking my friend who asks us to support the president of the United States why in that emergency which then confronted him did not choose gasoline, a commodity used for a different purpose, but one almost universally in use and place the burden upon the poor man. Pennsylvania is today in the same position as the president was then. We need this revenue, and this is, gentlemen, a means of acquiring it. This is your opportunity and you should grasp it.

Mr. BENNETT. Mr. Speaker and members of the House, like my collegue from Philadelphia, Mr. Sterling, I had hoped in discussing the liquor measures that apply to this state that a kind of feeling of impeachment or disloyalty to our president of the United States was out of the discussion.

The parties that are at present attacking the president of the United States are the democrats. The Bryans of Nebraska, the Norris, Harrises and Brisbanes are not Republicans. There is not an unadulterated unequivocal American that will not go along and support, every representative Republican in and out of the United States Congress, the President of the United States. I as an humble member of the Republican party who is out of power at present nationally do hope that they will continue whether it is the new deal, the square deal, the upper deal or the lower deal. Let us at least have common respect for each other to leave these indirect insinuations directly or by implication that there is disloyalty in everything that a republican says or does in

this body. We are back of the President of the United States, and his critics and those who are loudest in annoying him including that brilliant statesman Mr. Glass of Virginia don't happen to be Republican. This is a Pennsylvania measure and every word that my friend, our brilliant collegue on the right, Mr. Sterling, has said, I enthusiastically support and subscribe to as should every other member here. The president of the United States and the Congress is at present satisfying the needs and not laying awake at night to relieve the common man from taxation when the necessity exists for the United States Government. We are legislating for Pennsylvania, as Pennsylvanians and let us leave discussions relative to the President out of our considerations here.

Mr. STEEDLE. Mr. Speaker and members of the House, it is not my intent whatever to delay the progress of voting on this bill. We all want to get home and attend to our respective businesses, but I cannot sit idly by and allow the proposition of my friend from Philadelphia, Mr. Sterling, to go unchallenged. I think he is perfectly familiar with this act, but to have him blind you with painting a picture or throwing a smoke screen, that Congress doesn't meet until January, and that during the time from December 5th to January, whatever time Congress may meet and pass a new revenue measure, that the State of Pennsylvania would collect $2, I agree with him, but he failed to tell you that the next session of the Legislature doesn't meet until 1935. During that time, from December 5th till January of 1935, till the next session convenes in 1935, which may be a period of twelve, thirteen, fourteen or fifteen months, we would have this excise tax of $2 in Pennsylvania. If the gentleman from Philadelphia will write into that act that upon the immediate passage of a tax raising measure by the Federal Government that $1 will be discounted from the State tax, I can heartily support the measure to give to Pennsylvania every dollar that it receives from now until Congress passes its new measure.

It has been conceded that the tax possibly will be not less than three dollars, Federal Tax, and possibly as high as four dollars. We all certainly will agree that if two dollars is the tax in Pennsylvania and three to four dollars is the Federal Tax, I am sure that Mr. Sterling, who seems to be very familiar with the manufacture and price of liquor, must agree there is not going to be anything such as twenty-four dollar a case whiskey.

He also warns us that bootlegging will be placed at a disadvantage with liquor at twenty-four dollars a case. I wish I could look through the same smoke screen that he does. If anything, that will only encourage bootlegging and Pennsylvania will become the haven of all of the illicit manufacturers and sellers of liquor in the country, and I think shooting will be at a premium and the consequent destruction of many of the people who may engage in the illicit business. He talked about bootlegging. I don't know whether he drinks bootleg liquor or not. I don't know the price he pays for it, and I have not bought any myself and do not know the price of it, but I am told out in my part of the State you can buy it for a dollar and a half a gallon. How true that may be, I don't know, because I never purchased any. They tell me that you can buy it for twenty cents a half pint. That may be true and it may not be true. I don't know because I have not bought any myself. I cannot see anything else but that if we insists on this tax of two dollars plus the Federal Tax that we will certainly be encouraging the fellow now in business, and it is only a stimulation to him to make as much as he can out of it. If the State Highway Patrol and the State Police and the local municipal officers were unable to cope with the situation in the past, in the days that have just gone by, I don't know how in the name of God we are going to stop it now. I believe with my friend, Mr. O'Connor, and I think the people of the Nation have spoken plainly when they said they do not want prohibition, but what they want is the return of the sale of that commodity at a price within the ordinary means of the average citizen.

My good friend from Philadelphia goes on and makes the statement in regard to the emergency tax of one-half of one cent on gasoline, and he qualifies that statement by saying that the poor man purchases it. That statement is misleading, because there are no poor men in the State of Pennsylvania who are purchasing gasoline, their cars are in the garage and they are wearing out the soles of their shoes, and the white collar man's car is in the garage awaiting until the time when he may have employment and enough money to meet his needs, because today he has nothing in his pocket to buy gasoline with, the poor people are unable to buy bread and are not purchasing gasoline to ride through the streets.

Nobody knows better than I do how badly the State needs money. I tried in the last session to save this State six or seven million dollars, but the gentleman across the road said we cut too heavily and restored back practically all that we had originally cut. Pennsylvania needs every nickel that she can get. I am unofficially informed that the Department of Education will come here before us for the restoration of five millions of dollars to help out the badly embarassed school districts. If Pennsylvania needs five millions of dollars for schools, we will have to get it some place. If this is the avenue to get it, then right and good, but I remember in years past that people resented the use of money from the sales of liquor for the education of their children. They didn't want their children educated on the revenue from rum. However at the present time everything is changed. Now we will accept anything. We are willing to take anything that we can get, whether it comes from this source or from that source. The answer is to get it. Of course, twenty-five million dollars is not a piker's bet. That is a nice bit of money, in these days especially, but I cannot see why the State of Pennsylvania should place a tax of two dollars a gallon, and by doing so, encourage bootlegging. I appeal to you and ask that this bill should not pass in its present form.

Mr. ROOT. Mr. Speaker and members of the House, this bill should be defeated for a number of reasons. In the first place this bill was sponsored by and introduced at the request of His Excellency, the Governor. We all know that he has been a dry, that he is a dry, and will remain a dry, regardless of the mandate of the people of this State.

In the second place, the economic law of diminishing returns will surely operate if you adopt this measure. The higher the taxes the less the income. You cannot legislate temperance into people. We have learned that after fifteen years of blundering, and I repeat that you cannot and will not tax temperance into the people.

In the third place, this bill as at present drawn will mean the removal of many men from this State to more available States. It means more men will be thrown out of work and the people of Pennsylvania will suffer from the loss of revenue. Finally, regardless of the sponsorship of this bill, and regardless of the economic law of diminishing returns, and regardless of the loss to Pennsylvania, or either one of these reasons, fifteen years ago under a war hysteria the prohibition amendment was railroaded through the various legislatures and in that fifteen years millions of dollars and hun-

dreds of lives were sacrificed in the vain attempt to enforce this noble experiment. Under the courageous leadership of our distinguished President, Franklin D. Roosevelt—and may I pay my respects now to the democratic collegues of this House for having that courageous leadership—this noble experiment has been discontinued in the repeal of the 18th amendment. The effort to clear this country of illicit liquor and to set up reasonable and effective control can be hindered or advanced by the kind of tax we adopt.

I realize there is a temptation to load on the liquor trade all of our governmental deficits, but high taxes will produce high prices and this will make inevitable the continuance of bootlegging and the whole system of corruption.

The Pitcairn statement was read to you today. He is one of the leaders of the wet forces of the State, and knows more than I can possibly state to you, and his judgment should be followed rather than the judgment of the chief executive. Let me read: "We cannot operate with such taxes, and it will mean many men will be thrown out of work in addition to farmers in Pennsylvania suffering from the loss of rye sales." And again, "I don't think the members of the Legislature comprehend the grave dangers of the straight floor taxes on all liquor manufactured in the State." And again, "The combined State and Federal taxes will average $6 per gallon, and when considered that smugglers pay no cost at it becomes obvious at once that the bootlegger will continue to undersell the legitimate distributors even if as proposed the distributor is the State itself."

If, therefore, you represent a constituency that is wet, or if it is dry, if you are interested in the discontinuance of racketeering and bootlegging and corruption, you will vote "no" on this bill until the entire program is revised in accordance with the mandate of the people.

Mr. JOHN J. KANE. Mr. Speaker and members of the House, I have listened to the debate, and the only thing I have heard discussed is the manufacturer and the man who drinks whiskey.

I am interested in, and I think every Democrat should be concerned in the unemployed man who has no money to buy bread, let alone liquor, and as I understand the enactment of this bill will immediately bring into Pennsylvania twenty-five to fifty millions of dollars which we can use for the man who has no bread. We went through the Legislature with our juggling of the beer bill when thousands of our people were starving. Insofar as the Democrats are concerned, I believe that we should take into consideration first the unemployed citizens of Pennsylvania and help by our votes to provide the food that he needs, and we should pass this bill here today rather than delay for the interests of the people who are interested in liquor.

On the question recurring,

Shall the bill pass finally?

Mr. HERMANSEN. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Nothnagle, Weidemann, Woodside, Habbyshaw, Wood, Shreiner, John L. Holmes, DeFrehn, Yeakel, McElwee, Hutton, McKay, Baldi, Bennett, Witkin, Brennan, Peters, Forest, Zimmerman, Craig, Stiteler and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150

Andrews,	Habbyshaw,	McCandless,	Scorza,
Baker,	Haines,	McClure,	Scott,
Baldi,	Hamilton,	McCreary,	Sheffer,
Barnhardt,	Harris,	McElwee,	Shellenberger,
Bechtel,	Hart,	McGrail,	Shenkel
Beech,	Hartman,	McHenry,	Shettel,
Bennett,	Hefferon,	McKay,	Shortz,
Bernhard,	Heffner,	McKinney,	Shreiner,
Boyd,	Hermansen,	Melchiorre,	Snyder,
Brennan,	Hester,	Mohn,	Stank,
Brown, J. E.,	Hewitt,	Moore,	Sterling, P.,
Brown, W. L.,	Himes, H. E.,	Mumford,	Sterling, R. B.,
Brownfield,	Himes, L. R.,	Munley,	Stevens,
Cannon,	Hoffman,	Myers,	Surface,
Caputo,	Holmes, J. B.,	Negley,	Terry,
Carson,	Holmes, J. L.,	Nothnagle,	Trout,
Cooke,	Hoopes,	O'Keefe,	Turner,
Cordier,	Horst,	O'Neill,	Wade,
Craig,	Hough,	O'Rourke,	Wagner,
Cramer,	Howard,	Patterson,	Walker, G. E.,
Dane,	Hutton,	Peelor,	Walker, W. A.,
Davies,	Jaffe,	Pennock,	Wall,
DeFrehn,	Kane, J. J.,	Perry, D. R.,	Wasserman,
Downey, G. E.,	King,	Perry, J. J.,	Way,
Downey, J.,	Lane,	Peters,	Weidemann,
Dunmire,	Laubach,	Powell,	Welsh,
Eroe,	Lenahan,	Powers,	White,
Evans,	Lewis,	Quinn,	Williams, J. J.,
Fitzgerald,	Long,	Rectenwald,	Wilson, L. M.,
Flinchbaugh,	Lord,	Reed,	Witkin,
Flynn, J. M.,	Lovett, J. E.,	Reilly,	Wood,
Forrest,	Lovett, W. S.,	Roan,	Woodside,
Furman,	Lynch, J. R.,	Ruby,	Wright,
Gallagher, T. J.,	Lynch, M.,	Sarig,	Yeakel,
Gartner,	Male,	Schrock,	Zimmerman,
Gillette,	Marcks,	Schrope,	Talbot,
Green,	Mason,	Schwab,	Speaker.
Griffith,	McBride,		

NAYS—13

Chervenak,	Price,	Sautter,	Stiteler,
Conner,	Root,	Shugarts,	Tahl,
Flynn, J. W.,	Ruth,	Steedle,	Westrick,
O'Connor,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

STATEMENT BY MR. ZIMMERMAN

Mr. ZIMMERMAN. Mr. Speaker, I ask unanimous consent of the House to make a statement.

The SPEAKER. Will the House give its unanimous consent for the gentleman to make a statement? Are there objections? The chair hears none and the gentleman will proceed.

Mr. ZIMMERMAN. Mr. Speaker, ladies and gentlemen of the House, I wish to refer again to House Bill No. 15, Printer's No. 5, on page 2 of today's calendar and address you more especially in connection with the argument made with reference to this bill by the gentleman from Berks, Mr. Ruth, a few moments ago, in which he called to your attention a certain section of the original bill which was passed at the regular session, and which has been omitted in the bill you voted on a few moments ago. I want to state at this time that I am in hearty accord with the arguments made by the gentleman from Berks, Mr. Ruth, and will see to it that this clause is put back into the bill before it is acted on by the Senate.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement.

At the request of the Resident Clerk, the Chair desires to state to the members that the pamphlet laws are now being released and if the members will stop at his office and notify him where they are to be sent it will expedite the disposition of them.

He further desires the Chair to ask that the sergeant-of-arms of the House meet in his office immediately after adjournment.

QUESTION OF PERSONAL PRIVILEGE

Mr. STEVENS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. STEVENS. Mr. Speaker and members of the House, on April 12, 1933, this body passed House Bill No. 737, and I note that I was recorded as voting "no," but on which I voted "yes", and I wish that this statement be placed in the Legislative Journal to correct that error. It was probably due to a typographic error or some other unknown reason.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be noted upon the Journal.

QUESTION OF PERSONAL PRIVILEGE

Mr. BERNHARD. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. BERNHARD. Mr. Speaker and members of the House, I introduced House Bill No. 737, and naturally was very much interested in it, and I very distinctly remember the strong stentarian voice of my good friend Sam saying "yes".

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be noted upon the Journal.

QUESTION OF PERSONAL PRIVILEGE

Mr. THOMAS J. GALLAGHER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. THOMAS J. GALLAGHER. Mr. Speaker, I want to verify the statement made by my friend from Carbon, Mr. Bernhard relative to the vote of Mr. Stevens on House Bill No. 737.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be noted upon the Journal.

HALL OF HOUSE GRANTED FOR PUBLIC HEARING BEFORE WAYS AND MEANS COMMITTEE

Mr. WITKIN. Mr. Speaker, I desire to move that the use of the Hall of the House be granted the Ways and Means Committee on Monday afternoon, November 20, 1933, at 1.00 as I am apprised that the number of persons who desire to attend that hearing will crowd the Caucus Room.

The motion is agreed to.

ADJOURNMENT

Mr. TROUT. Mr. Speaker, I move that this House do now adjourn until Monday evening, November 20, 1933, at 9.00 o'clock.

The motion was agreed to, and (at 1.22 P. M.) the House adjourned until Monday, November 20, 1933, at 9.00 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., MONDAY, NOVEMBER 20, 1933. No. 5.

SENATE

MONDAY, November 20, 1933

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Edward G. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Oh Thou Infinite and Eternal Creator of all things, we thank Thee for this beautiful starlit night; and as we look into the heavens may we remember that He Who is back of all things is the One Whom we call Father. Wilt Thou this night bless all those for whom we as individuals should pray, and in whom we are interested. Be with our loved ones tonight wherever they are. Be with the members of this Senate in their homes. Be with those who are sick, those who are in sorrow. Grant that they all may realize that the law of the Lord is perfect, that a thousand years in Thy sight are but as yesterday when it is passed, and as a watch in the night. Keep us in Thy fear and in Thy love and under Thy law. Help us to do our duty while we have the opportunity for service. We ask in Thy Name, and for Christ's sake. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HUNSICKER, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

The CHAIR asked and obtained an extension for one week of the leave of absence granted to the Senator from Philadelphia, Dr. Woodward.

The CHAIR also asked and obtained an extension of one week of the leave of absence granted to the Senator from Delaware, Mr. McClure.

Mr. COYNE asked and obtained leave of absence for the Senator from Berks, Mr. Norton, for today's session.

PETITION

RELATIVE TO REPEAL LEGISLATION

The Chair cleared his table and laid before the Senate resolutions adopted at Town Meeting held in Lansdowne, Pa., on November 16, 1933, relative to the repeal of the Eighteenth Amendment.

Which were referred to the Committee on Law and Order.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 9, (Senate Bill No. 11), entitled:

An Act imposing a Sate floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-First Amendment to the Constitution of the United States is ratified; describing the method and manner of collection of such tax; conferring powers and imposing duties on certain State officers and departments, and certain individuals, forms and corporations, and imposing penalties.

Which was committed to the Committee on Finance.

House Bill No. 13 (Senate Bill No. 12), entitled:

An Act to amend certain sections of the act approved the fifth day of May, one thousand nine hundred thirty-three (Act number one hundred four), entitled "An act imposing a State Tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties," by restricting the provisions of the act to malt liquors, as defined therein.

Which was committed to the Committee on Finance.

House Bill No. 14, (Senate Bill No. 13) entitled:

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled November thirteenth, Anno Domini one thousand nine hundred thirty-three, in pursuance of the proclamation of the Governor of the Commonwealth dated the ninth day of November, Anno Domini one thousand nine hundred thirty-three.

Which was committed to the Committee on Appropriations.

House Bill No. 15, (Senate Bill No. 14), entitled:

An Act to amend the title and certain sections of the act approved the third day of May, one thousand nine hundred and thirty-three (Act No. 91), entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political sub-

divisions of the State, and election officers; providing penalties; and repealing existing acts," by limiting the provisions of the act to malt liquors, as defined therein.

Which was committed to the Committee on Law and Order.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

MEMBER OF THE BOARD OF TRUSTEES OF THE MOTHERS' ASSISTANCE FUND OF PHILADELPHIA COUNTY

Miss Florence Sibley, of Philadelphia, Philadelphia County, until June 1, 1939, and until her successor is duly appointed and qualified (reappointment).

MEMBER OF THE BOARD OF TRUSTEES OF STATE INDUSTRIAL HOME FOR WOMEN

Miss Helen L. McFarland, of Harrisburg, Dauphin County, vice P. M. Newman, deceased, for the term of four years, and until her successor is qualified.

ALDERMEN

J. L. Madden, Jr., of Harrisburg, Dauphin County, as Alderman of the 2nd Ward of the City of Harrisburg, Dauphin County, vice William H. Charters, deceased, until the first Monday in January, 1934.

C. H. Stuck, of Oil City, Venango County, as Alderman of the 3rd Ward of the City of Oil City, Venango County, vice William J. Brown, resigned, until the first Monday in January, 1936.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BUCKS COUNTY

Thomas Strawn, Quakertown.

CLEARFIELD COUNTY

Lloyd Hoover, Karthaus.

LANCASTER COUNTY

Roy M. Lehman, Millersville.
Mrs. Maude M. Shirk, Leaman Place.

LUZERNE COUNTY

Mrs. Julia Casterline, Wyoming.

PHILADELPHIA COUNTY

Miss Anne C. Heath, Philadelphia, Girard Trust Building.
Miss Blanche Lerer, Philadelphia, Real Estate Trust Building.

GIFFORD PINCHOT.

BILLS INTRODUCED

Mr. SCOTT read in his place and presented to the Chair, Senate Bill No. 15, entitled:

An Act to enable city, county, poor, ward, school, borough, and township tax collectors, their executors and administrators if they are deceased, or either surety or sureties, to collect taxes, for the payment of which they have become personally liable without having collected the same, by the expiration of the authority of their respective bonds, or by the expiration of the authority of their respective warrants, or by the expiration of their terms of office, and to extend the time for the collection of the same for a period of two years from the passage of this act.

Which was committed to the Committee on Municipal Affairs.

Mr. BELL read in his place and presented to the Chair, Senate Bill No. 16, entitled:

A supplement to Act No. 300-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An Act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," making an appropriation for the payment of certain expenses of the General Assembly convened in Extraordinary Session of the thirteenth day of November, one thousand nine hundred thirty-three.

Which was committed to the Committee on Appropriations.

Mr. COYNE read in his place and presented to the Chair, Senate Bill No. 17, entitled:

An Act to amend section seventeen of the act, approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws, five hundred seven), entitled "An Act to provide revenue for State and county purposes, and, in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by excluding interest bearing accounts in any bank or banking institution, savings institution, or trust company from the provisions thereof.

Which was committed to the Committee on Finance.

Mr. REED read in his place and presented to the Chair, Senate Bill No. 18, entitled:

An Act authorizing banks, banking institutions, savings institutions, building and loan associations, guardians, trustees and other fiduciaries to invest moneys and funds in bonds issued by the Federal Home Owners' Loan Corporation; and exempting such bonds from taxation for certain purposes.

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. HOWELL read in his place and presented to the Chair Senate Bill No. 19, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of

electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

Which was committed to the Committee on Elections.

Mr. Harris read in his place and presented to the Chair Senate Bill No. 20, entitled:

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, assistance to and the burial of certain aged indigent persons, and the administration of this act by the Department of Welfare, the trustees, who administer mothers' assistance in the several counties and others; making counties liable for certain expenses; providing penalties; and making an appropriation.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 21, entitled:

An Act making an appropriation out of the State Stores Fund to the Department of Welfare for old age assistance.

Which was committed to the Committee on Appropriations.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 22, entitled:

An Act to amend section one of the act, approved the seventh day of April, one thousand nine hundred and thirty-three (P. L. 26), entitled "An act empowering counties, cities, boroughs, towns and townships to borrow money from the Reconstruction Finance Corporation to finance certain projects, and prescribing the manner of such borrowing," authorizing such political subdivisions to borrow money and accept grants from other federal agencies.

Which was committed to the Committee on Municipal Affairs.

Mr. BUCKMAN (by request) read in his place and presented to the Chair Senate Bill No. 23, entitled:

An Act authorizing cities, counties, boroughs, incorporated towns, townships, school districts and poor districts and other public or quasi public corporations to accept loans and direct grants from agencies of the Federal government for public projects, and to issue their bonds or other obligations in a certain manner; authorizing levy of taxes and pledges of particular funds for payment thereof and prescribing terms which may be included therein; authorizing the collection of rents, tolls and other charges for use of or services rendered by such projects, providing the methods and times for holding elections to obtain the assent of the electors to certain loans under this act; providing for certain proceedings on default in bond payments; and authorizing such municipalities to contract with Federal agencies concerning the construction of such projects, to convey real estate and such projects to Federal agencies, and to lease or purchase such projects from Federal agencies on certain terms.

Which was committed to the Commtitee on Municipal Affairs.

Also read in his place and presented to the Chair, Senate Bill No. 24, entitled:

An Act requiring certain public contracts made by the Commonwealth or by municipal subdivisions of the Commonwealth to be let only to persons, firms or corporations who shall be parties to or shall agree to abide by and conform to a code of fair competition, agreement or license, approved, prescribed or issued under the terms of the National Industrial Recovery Act, and who agree to use or supply only articles, materials and supplies purchased under such codes, agreements or licenses.

Which was committed to the Committee on Judiciary General.

Also (by request) read in his place and presented to the Chair Senate Bill No. 25, entitled:

An Act declaring the existence of a State-wide economic emergency and providing for cooperation with the National Recovery Administration of the Federal government; forbidding violations of any code of fair competition, agreement or license under the National Industrial Recovery Act, declaring such violations to be unfair methods of competition and misdemeanors, prescribing penalties and providing for proceedings to restrain such violations.

Which was committed to the Committee on Judiciary General.

Also (by request) read in his place and presented to the Chair Senate Bill No. 26, entitled:

An Act accepting the provisions of an Act of Congress for the establishment of a national employment system and authorizing the Department of Labor and Industry to cooperate with the Federal Employment Service under that act, and providing for the custody and disbursement of funds granted to the Commonwealth by the Federal government thereunder.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 27, entitled:

An Act providing for the construction of a tunnel or tunnels between the State of New Jersey and the Commonwealth of Pennsylvania under the Delaware River and the issuance of permits therefor.

Which was committed to the Committee on Public Roads and Highways.

Mr. PETHICK read in his place and presented to the Chair Senate Bill No. 28, entitled:

An Act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotives trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotives trains and other self propelled engines or machines to provide the qualification of certain employes and to provide a penalty for the violation thereof.

Which was committed to the Committee on Railroads.

Mr. FRAZIER read in his place and presented to the Chair Senate Bill No. 29, entitled:

An Act to amend paragraph (a) of section nine of article three of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages re-

sulting from such construction, alteration, relocation, or abolition, and for the payment of such expenses and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals; and an act, entitled "To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" by authorizing the commission in special cases to grant relief to common carriers from the long and short haul and the aggregate of intermediate rates provisions.

Which was committed to the Committee on Railroads.

Mr. MANSFIELD read in his place and presented to the Chair, Senate Bill No. 30, entitled:

An Act providing for the organization by municipalities of certain quasi-public corporations for the construction, maintenance and operation of public works projects; providing for the conduct of the affairs of the corporations by directors appointed by municipal authorities; prescribing the powers of such corporations, including power to construct, operate, maintain or lease public work projects, to collect rents, tolls, and fees for use and service thereof, to borrow money and to issue bonds therefor, to pledge revenues for the payment thereof, and to exercise the power of eminent domain; providing that bonds of such corporations shall be legal investments for certain fiduciaries, corporations and institutions; authorizing banks, bank and trust companies and trust companies to act as treasurers of and depositories for such corporations and to pledge assets or give security for proper performance of such duties; prescribing remedies for holders of bonds of defaulting corporations and conferring jurisdiction on courts with respect thereto, limiting the taxability of such corporations and their property, rights and franchises, and providing for their dissolution and winding up.

Which was committed to the Committee on Municipal Affairs.

Mr. SHAPIRO read in his place and presented to the Chair, Senate Bill No. 31, entitled:

An Act authorizing the Department of Property Supplies to act as purchasing agency for certain Federal agencies and making an appropriation of moneys received to reimburse the department for the cost of so acting.

Which was committed to the Committee on Appropriations.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 4 as follows:

An Act authorizing officers departments boards and commissions of the Commonwealth and also cities counties boroughs incorporated towns townships school districts and poor districts to cancel certain supply contracts and to relieve contractors of obligations thereunder under certain circumstances and validating like cancellations made heretofore.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any officer department board or commission of the Commonwealth and any city county borough incorporated town township school district or poor district hereinafter called the purchaser which has heretofore made any contract for the purchase of furniture stationery food-stuffs fuel or other materials or supplies of any kind whatsoever may subject to the limitations prescribed by this act cancel all or any part of such contract at any time if all other parties to the contract and their sureties consent thereto in writing Upon such cancellation all obligations of the seller to deliver and of the buyer to accept any articles under the contract shall terminate and it shall be no ground for surcharge of any official that such cancellation made necessary the payment of higher prices for the same articles under new contracts

Section 2 The provisions of this act shall appy only to contracts for purchases amounting to more than five hundred dollars ($500.00) and which require or permit the purchaser to require the seller to deliver goods thereunder at more than one time and over a period exceeding thirty days It shall not apply to single lot purchases or to contracts requiring full delivery within thirty days of the date of the contract

Section 3 The permission to cancel contracts provided by this act shall apply only in cases where the seller is a party to or is conducting its business in accordance with an applicable code of fair competition agreement or license approved prescribed or issued under the National Industrial Recovery Act approved the sixteenth day of June one thousand nine hundred thirty-three and any amendments thereof or supplements thereto and where the seller shall show to the satisfaction of the public officers who signed and approved or who were by law required to sign or approve the contract that by reason of the operation of any such agreement code or license or increased costs of materials purchased from others subject to similar agreements codes or licenses the seller's costs have been so increased that it would be inequitable to require him to comply with his contract

Section 4 If any public officer board commission or body prior to the effective date of this act has cancelled any contract for the cancellation of which this act would have provided express authority if it had then been in effect such prior cancellation is hereby ratified and validated

Section 5 Upon the cancellation of any contract under the provisions of this act the proper public officers shall have authority to enter into new contracts for similar materials or supplies in substantially the same manner as was required for awarding and execution of the original contract

Section 6 This act shall become effective immediately upon its final enactment and shall remain in force only until the President by proclamation or the Congress by joint resolution shall declare the emergency recognized by the National Industrial Recovery Act to be at an end as provided in section two (c) of that act or until the sixteenth day of June one thousand nine hundred thirty-five whichever shall first occur

Section 7 All acts or parts of acts inconsistent herewith are hereby suspended for the period during which this act shall be in effect

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. EALY. Mr. President, I move that Senate Bill No. 4, the bill just read, be recommitted to the Committee on Judiciary General.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. SALUS. Mr. President, I move that the Senate do now take a recess until 10:30 P. M.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

APPOINTMENT BY THE PRESIDENT.

The PRESIDENT. The Chair announces the following appointment:

PAGE TO THE PRESIDENT.

Walter Appley, Columbia, Lancaster County.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE.

The PRESIDENT. The Chair on behalf of the President Pro Tempore announces the following appointment:

CLERK TO THE PRESIDENT PRO TEMPORE.

Miss Mildred L. Runkle, Harrisburg, Dauphin County.

REPORT FROM COMMITTEES

Mr. SONES. Mr. President, I ask unanimous consent to make report from the committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SONES, from the Committee on Appropriations, reported as committed, Senate Bill No. 13 (House Bill No. 14), entitled:

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled November thirteenth Anno Domini one thousand nine hundred thirty-three in pursuance of the proclamation of the Governor of the Commonwealth dated the ninth day of November Anno Domini one thousand nine hundred thirty-three.

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Finance reported as amended, Senate Bill No. 11 (House Bill No. 9) entitled:

An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties.

Mr. WILLIAMSON, Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WILLIAMSON, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 30, entitled:

An Act providing for the organization by municipalities of certain quasi-public corporations for the construction, maintenance and operation of public works projects; providing for the conduct of the affairs of the corporations by directors appointed by municipal authorities; prescribing the powers of such corporations, including the power to construct, operate, maintain or lease public works projects, to collect rents, tolls, and fees for use and service thereof, to borrow money and to issue bonds therefor, to pledge revenues for the payment thereof, and to exercise the power of eminent domain; providing that bonds of such corporations shall be legal investments for certain fiduciaries, corporations and institutions; authorizing banks, bank and trust companies and trust copmanies to act as treasurers of and depositories for such corporations and to pledge assets or give security for proper performance of such duties, prescribing remedies for holders of bonds of defaulting corporations and conferring jurisdiction on courts with respect thereto, limiting the taxability of such corporations and their property, rights and franchises, and providing for their dissolution and winding up.

Mr. HOMSHER, Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 23, entitled:

An Act authorizing cities, counties, boroughs, incorporated towns, townships, school districts and poor districts and other public or quasi public corporations to accept loans and direct grants from agencies of the Federal government for public projects, and to issue their bonds or other obligations in a certain manner; authorizing levy of taxes and pledges of particular funds for payment thereof and prescribing terms which may be included therein; authorizing the collection of rents, tolls and other charges for use of or services rendered by such projects, providing the methods and times for holding elections to obtain the assent of the electors to certain loans under this act; providing for certain proceedings on default in bond payments; and authorizing such municipalities to contract with Federal agencies concerning the construction of such projects, to convey real estate and such projects to Federal agencies, and to lease or purchase such projects from Federal agencies on certain terms.

Mr. REED. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED, from the Committee on Municipal Affairs, reported as committed, Senate Bill No.22, entitled:

An Act to amend section one of the act, approved the seventh day of April, one thousand nine hundred and thirty-three (P. L. 26), entitled "An act empowering counties, cities, boroughs, towns and townships to borrow money from the Reconstruction Finance Corporation to finance certain projects, and prescribing the manner of such borrowings," authorizing such political subdivisions to borrow moneys and accept grants from other Federal agencies.

Mr. HUNSICKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUNSICKER, from the Committee on Municipal Affairs, reported as amended, Senate Bill No. 7, entitled:

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 16, entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," making an appropriation for the payment of certain expenses of the General Assembly convened in Extraordinary Session on the thirteenth day of November, one thousand nine hundred thirty-three.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD. From the Committee on Municipal Affairs, reported as committed, Senate Bill No. 15, entitled:

An Act to enable city, county, poor, ward, school, borough and township tax collectors, their executors and administrators if they are deceased, or either surety or sureties, to collect taxes, for the payment of which they have become personally liable without having collected the same, by the expiration of the authority of their respective bonds, or by the expiration of the authority of their respective warrants, or by the expiration of their terms of office, and to extend the time for the collection of the same for a period of two years from the passage of this act.

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Railroads reported as committed, Senate Bill No. 29, entitled:

An Act to amend paragraph (a) of section nine of article three of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entiled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" by authorizing the commission in special cases to grant relief to common carriers from the long and short haul and the aggregate of intermediate rates provisions.

Mr. ARMSTRONG. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARMSTRONG, from the Committee on Elections reported as committed, Senate Bill No. 19, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recomendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 20, 1933.

To the Honorable, the Senate of the Comonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BUCKS COUNTY

Thomas Strawn, Quakertown.

CLEARFIELD COUNTY

Lloyd Hoover, Karthaus.

LANCASTER COUNTY

Roy M. Lehman, Millersville.
Mrs. Maude M. Shirk, Leaman Place.

LUZERNE COUNTY

Mrs. Julia Casterline, Wyoming.

PHILADELPHIA COUNTY

Miss Anne C. Heath, Philadelphia, Girard Trust Bldg.
Miss Blanche Lerer, Philadelphia, Real Estate Trust Bldg.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations re-ported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Ealy,	Lanius,	Salus,
Aron,	Fay,	Mansfield,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SCOTT. Mr. President, I move that the Executive Session do now rise.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

REPORT OF JOINT COMMITTEE TO INVESTIGATE WAGES AND LABOR CONDITIONS OF CHILDREN IN THE COMMONWEALTH.

Mr. OWLETT presented the following report of the joint committee appointed at the last session of the Legislature to investigate wages and labor conditions of children in the State of Pennsylvania:

To the General Assembly of Pennsylvania:

The Joint Committee to investigate wages and labor conditions of children in the Commonwealth, appointed in accordance with a resolution of your Honorable Bodies (H. R. Resolution No. 91) adopted in the Session of 1933, begs to report as follows:

The Committee held hearings at Philadelphia, Scranton, Shamokin, Lebanon, Doylestown, Norristown, Pittsburgh and Harrisburg, during the period from June 6 to July 18, 1933. Voluminous testimony was taken dealing with so-called "sweatshop" conditions in certain industries in the Commonwealth. These industries included the three chief needle trades, (men's clothing, women's and children's clothing and shirts) and also silk, cotton and woolen textile manufacturing, hosiery, candy, cigars, shoes, paper-boxes, 5 and 10 cent stores, restaurants, and beauty parlors. Testimony was received from both employes and employers, and also from social workers, investigators, representatives of labor unions, and employes of the Department of Labor and Industry. Previous surveys made by the Bureau of Women and Children of the Department of Labor and Industry and by the United States Department of Labor were studied. The Committee was aided throughout by representatives of the Department of Labor and Industry, as provided in the resolution creating the Committee.

All the testimony taken is a matter of record and is available for examination by your Honorable Bodies. It is of such volume that any comprehensive analysis of it would exceed the reasonable limits of this report. In general, however, it was clearly shown that employment standards deteriorated badly during the depression, that there were some industrial establishments which paid oppressively low and even what might be fairly characterized as flagrantly indecent wages, that it was sometimes necessary to provide state relief funds to eke out the cost of living of employes and their families, that women and children were obliged to work excessive hours in order to earn enough to provide the bare necessities of life, and that there were establishments which had many other undesirable features characteristic of sweatshops.

Of more than 10,000 women employed in 111 establishments as to which the Committee heard testimony and the payrolls of which were subsequently checked by the Department of Labor and Industry, it appeared that 20% earned less than $5. for a full time week, and 68% under $10. Earnings were disclosed as low as $1.49 for a week of 53¾ hours work. Half of the women in one dress factory working 54 hours earned less than $3.72 a week. The median weekly earnings of 10,550 women in these establishments working full time amounted to $8.02. Nearly one-half of the plants employed children under 16 years of age, many of whom earned for a full time week less than $3., and half of them earned less than $4.66. One girl under 16 years of age worked 50 hours for $1.48 in a dress factory, another under 16 worked 5 days in a shirt factory for $1.02. Further instances of such economic atrocities could be cited in great number.

Previous surveys of the clothing industry in Pennsylvania (not including men's clothing) had shown 14 and 15 year old minors averaging $3.31 a week, with 78% getting under $5. a week, and more than 20% earning less than $2. a week. The average for women was $7.54 (in Philadelphia $9.09), with 71% getting under $10. a week. More than 3/4 of the children worked 49 or more hours per week, including the day in continuation school for those who attended; almost 85% of the children worked at least a 9 hour day. In factories surveyed which manufactured pajamas, underwear, shirts and ladies dresses, women working a full time week of 48 hours or longer received an average wage of $6.37, but many earned less than $4. a week. In the textile industry to the extent surveyed, it was found that over 1/3 of the women worked 33 or more hours per week.

A survey of the shirt industry by the United States Department of Labor in June, 1933, revealed that the workers were mainly women and girls, that in Pennsylvania the scheduled hours were longer (50 or more a week) and the hourly wages lower than in the other states studied, which included among others Massachusetts, Connecticut, New York and New Jersey, that 50% of the female wage earners in the Pennsylvania establishments surveyed received less than 15c an hour, that 35% of all the workers in such establishments earned less than $5 a week, and that even with the longer hours the median weekly wage in Pennsylvania was only $6.10 compared with $9. in New York, $8. in Massachusetts, $7.90 in New Jersey, and $7.80 in Connecticut.

Testimony taken before the Committee revealed that in typical sweatshops in the needle trades employers would sometimes deduct from the meagre wages paid to employes various alleged charges for ice water, "hold-up" insurance, check taxes, and the like. It also was a practice sometimes resorted to that girls be employed as learners for a week or two without pay, and thereupon or shortly thereafter be dis-

charged. Occasionally a concern would come into a community under an arrangement to secure free rent for a time, would conduct what amounted to a sweatshop, exploiting women and children employes, and would then disappear without paying the wages due the employes. In fact there was considerable testimony complaining of unpaid and apparently uncollectible wages.

Having thus briefly set forth the undoubted fact of the existence of sweatshops in Pennsylvania as revealed by the evidence presented to the Committee, it cannot be too emphatically asserted that these conditions were not at any time typical of industry in Pennsylvania as a whole. On the contrary, it must be carefully borne in mind that they are merely an unworthy and wholly unrepresentative section of our industrial life, but constitute, however limited in extent, a disease or cancer antagonistic to reputable and responsible industry, and requiring therefore, in the opinion of the Committee, remedial and preventive legislation to make the existence of such sweatshops or any future continuation or revival of them impossible.

Thus far the legislation in our State has been wholly inadequate to meet the conditions presented by these sweatshop establishments. It is quite shocking to note, for example, that, as far as child labor is concerned, Pennsylvania is outranked by 38 States which provide for a shorter working day, by 36 States which set apart a longer night period during which work is prohibited, by 11 States which have a higher minimum age for entering employment, and by 16 States which have minimum wage laws. Indeed Pennsylvania is one of the very few northern States that permit children over 14 to work a 54-hour week.

The Committee recommends to your Honorable Bodies the enactment of laws which will serve to remove future possibility of the evils which have been enumerated, and which will thus furnish an answer to the charge that Pennsylvania is backward in labor and social legislation worthy of the economic and ethical standards of the age in which we live. The legislation which the Committee recommends is not in any sense designed to lay, nor will it lay, additional burdens upon Pennsylvania industry in these troubled times. On the contrary, it has only two purposes: (1) to protect the womanhood and childhood of the Commonwealth; and (2) to protect legitimate industry against unscrupulous and disreputable competition.

With these objects in view, the Committee recommends as follows:

(1) The enactment of a minimum wage law for woman and children employes, substantially as provided in Bill No. 925, House of Representatives, introduced in the Session of 1933, by Mr. Fitzgerald. This bill is the standard minimum wage act recently adopted in New Hampshire, New Jersey, New York, Connecticut, Ohio and other States.

There is nothing new or radical about minimum wage legislation. It goes back to the year 1896 in the State of Victoria, (Australia), to 1909 in Great Britain, and to 1912 in Massachusetts. It is in operation in some form or another in most of the industrial countries of Europe. In this country, because of constitutional limitations, it has been made applicable only to women and children. It exists in 16 commonwealths.

A minimum wage law is the expression of the sentiment of the community that the wages of human labor, especially the labor of women and children, are not to be left entirely to the uncontrolled operation of the law of supply and demand which is more properly applicable to property values, and that there are limits below which the wage scale cannot be regarded merely as an item in the cost of production, but where social and human factors must be given paramount consideration. As a matter of fact the testimony presented to the Commonwealth clearly showed that many of the proprietors of sweatshops were not manufactures at all in the true sense of that term, but merely contractors of labor, having no investment of their own, owning neither the machines nor the plant nor even the raw material, migrating constantly to places where they believed labor to be least organized, and being more or less irresponsible from every standpoint.

It must be borne in mind that the proposed minimum wage law does not itself fix a minimum wage nor give to any governmental authority the right to do so. The act merely established a machinery by which the minimum wage can be set up by the industry itself. It is further to be noted that the act provides that a special license may be issued to learners, apprentices and persons whose earning capacity is limited by age or physical or mental deficiencies, authorizing the employment of such persons at wages less than the minimum rate, and thus overcoming the objection that minimum wage laws may tend to deprive aged and otherwise handicapped persons of employment.

(2) The amendment of Section 3 of the Act of July 25, 1913 (P. L. 1024), as amended by the Act of June 1, 1915 (P. L. 709), by reducing the maximum hours of work permitted to women from 10 to 8 a day, and from 54 to 44 a week, as provided in Bill No. 132. House of Representatives, introduced in the session of 1933, by Mr. Yourishin.

The 8 hour day and 44 hour week, at least for women, are in harmony with present-day thought, and are even more conservative than the provisions of the N. R. A. codes. Moreover maximum limits on hours and minimum limits on wages must go hand in hand if either is to be effective. A minimum wage alone might lead to the employment of fewer people at longer hours, and if the work were to be spread without a minimum wage provision it might result in greatly reduced earnings for individual workers.

(3) The amendment of section 1 of the Act of July 25, 1913, (P. L. 1024) by making the act regulating the employment of women apply to so-called industrial "home-work" (not, however, to domestic service in private homes).

One of the saddest features of industrial conditions revealed in the testimony taken by the Committee was the "home-work" done by women and children. The turning of a home into a factory is at best unfortunate, because it deprives the home of its proper function as a place of social companionship of parents and children. Sub-standard working conditions and night work are commonly associated with industrial "home-work," and the practice of taking work home from the plant and having the women and children labor half the night for a few dollars a week is one of the easiest ways to create a sweatshop, especially as the rates paid home-workers are invariably lower than those for factory employes. If the women's employment act were extended to make its applicable provisions cover work done at home the more flagrant abuses of the system would tend to be minimized.

(4) The amendment of section 4 of the Act of May 13, 1915 (P. L. 286), by reducing the maximum hours of work permitted to minors under 16 years of age from 9 to 8 a day and from 51 to 44 a week (leaving the restrictions as to night work as at present), and by extending those restrictions to minors under the age of 18, as provided in bill No. 341, Senate, introduced in the Session of 1933 by Mr. Salus.

What has been said above in regard to the reduction in the maximum hours of work for women is equally pertinent in regard to minors. A reason why we should not permit children to work excessive hours is because the speed and tension of present-day industry make overly long hours injurious to the health and development of adolescent boys and girls. The testimony taken by the Committee showed young girls and boys working as many as 51 hours a week, or even more, and their strained faces and frail bodies furnished mute evidence of the inadequacy of the law which permits such conditions. It is almost incredible, but nevertheless a fact, that under our present laws a boy 16 years of age is allowed to work any number of hours a day or week whatsoever, there being absolutely no limitation in this regard.

(5) The amendment of section 2 of the Act of May 13, 1915 (P. L. 286), by prohibiting the employment of minors between the ages of 14 and 16 during the period when the public schools are in session (leaving the present exceptions as to newsboys, bootblacks, etc.), as provided in bill No. 1475 H. of R. introduced in the session of 1933 by Mr. Shugarts.

The N. R. A. codes have raised the minimum age of employment to 16 years, and the general sentiment of the nation has shown itself to be in favor of the change. It is obvious that by taking children under 16 out of industry more places are created for adults, and certainly in these days of extended unemployment there is no need or reason for young children to take industrial jobs. The conditions of modern industry demand of youth more and more preparation, physical and educational. Moreover, employment open to 14 and 15 year old children consists for the most part of blind-alley jobs, furnishing no vocational training and leading nowhere. The testimony taken by the Committee showed the average earnings of the children to be $4.86 a week, while many of them received less than 3. a week,—surely not compensatory returns to coun-

terbalance the devastating impairment of the health and educational development of American childhood.

There is less reason for objection to children between 14 and 16 working during vacation periods, and that is why it is suggested that the employment of children between 14 and 16 should be prohibited only during the period when the public schools are in session.

(6) The passage of a resolution ratifying the federal child labor amendment, as provided in No. 213 H. of R., introduced in the Session of 1933 by Mrs. Lilith M. Wilson.

Fifteen states have already ratified this amendment. Even those who oppose child labor legislation in individual states admit that they would have no objection if such legislation were made uniform by federal law. The amendment merely gives to Congress the power to regulate and prohibit the labor of persons under 18 years of age, leaving actual legislation to the discretion of Congress from time to time as economic and social conditions and the sentiment of the people may demand.

(7) The enactment of a law providing more effective remedies for the collection of unpaid wages, and enabling the Department of Labor and Industry to assist for that purpose, substantially as provided in bill No. 768 H. of R., introduced in the Session of 1933 by Mr. Shortz.

There was testimony presented to the Committee covering cases where girl employes had been unable to collect large accumulations of unpaid wages, sometimes because of employers' insolvency, sometimes because of actual absconding of employers. The girls who were the victims of such situations were usually helpless, having neither the funds, the knowledge, nor the aggressiveness necessary to assert their rights before legal tribunals. A law providing penalties in such cases, and enabling the Department of Labor and Industry to assist employes in the collection of unpaid wage claims exists in several states, notably in California, where it has proved highly efficient. It is said that under the California law that state has collected over a million dollars of unpaid wages a year, most of the claims being settled without resort to court action, and no fees of any kind being charged to the wage-earners. The proposed act for Pennsylvania is similar to the California statute.

(8) The enactment of a law providing for the registration in the Department of Labor and Industry of industrial establishments before they start operations in Pennsylvania, and also annually thereafter.

This is recommended as an auxiliary measure intended to enable the Department of Labor and Industry better to enforce the labor laws of the Commonwealth. At present there is nothing to prevent fly-by-night concerns opening up in Pennsylvania, disregarding every standard set up by the State to provide safe and healthful working conditions, and the Labor Department has no way of checking such establishments unless by chance an inspector learns of their existence.

It is submitted that these eight recommendations constitute a comprehensive program for legislation by your Honorable Bodies governing the employment of women and children in Pennsylvania and designed to prevent the existence, continuance or revival of sweatshops which exploit their labor. There is nothing "radical" in these suggestions, on the contrary they are essentially conservative, and represent the judgment of the American people today as evidenced in many ways.

Before closing this report it is proper to comment upon the views of the minority of the Committee who are submitting a separate report dissenting from the recommendations herein made. The minority, while not disapproving of these recommendations as abstract propositions, believe that the legislation proposed is unnecessary at this time because to a great extent the N.R.A. has ameliorated the sweatshop evil and has already established several of the reform measures recommended in this report. It is contended, therefore that the subject is, for present purposes, an academic one.

It is submitted that such a point of view is erroneous for several reasons. It would be idle to deny that the N.R.A. has, at least for the time being, corrected many of the evils which had existed, and that, if another survey were now to be made by the Committee similar to that which it made in the summer months, a quite different picture would be presented. But the N.R.A., the constitutionality of which has not yet been determined, is at best necessarily restricted to interstate commerce. Moreover, by its express terms, it is merely a temporary expedient designed to meet a national economic emergency. Its duration is limited to two years from the date of its enactment, or it may be terminated at any time sooner at the will of the President of Congress if the emergency shall meanwhile have ended. Obviously, therefore, the ephemeral, casual and uncertain status of the N.R.A. cannot be accepted as a substitute for laws of the Commonwealth of Pennsylvania which would express the definite and permanent policy of the State governing the industrial employment of women and children within the State, and treating the subject from both the soical and economic standpoint. The Committee's recommendations are aimed not merely for the temporary abatement of past or existing abuses, but for the establishment of legal barriers against sweatshops in the future. If we had had such laws on the statute book when the depression occurred the conditions which the testimony taken by the Committee revealed would not have been possible, and preventive measures are always preferable to remedial relief.

As a matter of fact, the legislation herein recommended would supplement the provisions of the N.R.A. and aid in their enforcement. Where state and federal lasw are in harmony they naturally serve to re-enforce one another. The Federal administration itself has several times expressed its approval of such state legislation.

Respectfully submitted,

THE JOINT COMMITTEE TO INVESTIGATE WAGES AND LABOR CONDITIONS OF CHILDREN IN THE COMMONWEALTH, By its following members:

THOMAS J. GALLAGHER
CLARENCE J. MOSER
HORACE STERN
BERTRAM G. FRAZIER
CORNELIA BRYCE PINCHOT

MINORITY REPORT OF JOINT COMMITTEE TO INVESTIGATE WAGES AND LABOR CONDITIONS OF CHILDREN IN THE COMMONWEALTH.

Mr. OWLETT presented the following minority report of the joint committee appointed at the last session of the Legislature to investigate wages and labor conditions of children in the State of Pennsylvania:

MINORITY REPORT OF JOINT COMMITTEE TO INVESTIGATE WAGES AND LABOR CONDITIONS OF CHILDREN IN THE COMMONWEALTH

To the General Assembly of Pennsylvania:

The undersigned dissent from the recommendations contained in the report filed by our colleagues on the Joint Committee to Investigate Wages and Labor Conditions of Children in the Commonwealth, and respectfully offer these statements of fact as the reasons for such dissent.

The Committee held eight public hearings, each widely advertised in advance by the public press, at places suggested by the Department of Labor and Industry, namely, Philadelphia, Scranton, Shamokin, Lebanon, Doylestown, Norristown, Pittsbrugh and Harrisburg.

These hearings were held at about the time that the very bottom had been reached in a continuous, country-wide, four-year depression. Admittedly, conditions in industry were far below par; worse than they possibly could have been in any normal or even partially normal period. This was not the fault of industry itself, for in some degree the same disorganization and disruption prevailed in every phase of business enterprise in this country.

Nevertheless, and in spite of these wholly sub-normal conditions, the best efforts of the Department of Labor and Industry produced these results, which we ask be considered impartially.

The total number of complaints received in these eight widely advertised public hearings was 288 for the entire State of Pennsylvania, and many of those were not presented by the complainants themselves but were in the form of unsworn statements admittedly prepared by representatives of the Department of Labor and Industry, the signers of which never appeared before the Committee.

These 288 complaints involved 171 out of the approximately 15,000 manufacturing establishments in Pennsylvania; and of

these 171 factories, at least seven could not be found by the Department of Labor and Industry upon subsequent investigation.

That brought the number of plants to 164, of which about 90 were charged with paying one or more of their employees what might be considered abnormally low wages, in the light of the conditions prevailing. Assuming that all the complaints were valid, these 90 plants constituted about six-tenths of one per cent of the manufacturing establishments in Pennsylvania.

But even the relatively small number of 288 complaints filed for the entire State were not all valid. In at least 17 cases—and how many more we do not know, because each individual complaint could not be followed out—the complaints were either deliberately misleading, or related to alleged conditions in places where the complainants had not worked for a year or more.

If we assume that all the others were valid, the total number for the whole State was only 271; and many of these were isolated cases and not representative, as, for example, the incompetent, the inexperienced beginners, and the part-time workers who would have made a reasonable weekly wage, had full-time employment been available. If pressed, the signers of the majority report would have to admit that a very large percentage of all the complaints related to violations of the labor laws, to enforce which the Department of Labor and Industry was created and is maintained.

What we have set forth here is a statement of facts. It gives you a picture of the foundation on which our fellow members have made their recommendations for legislation which would apply not only to this less than six-tenths of one per cent of the industry of this Commonwealth, but to the other more than ninety-nine and four-tenths per cent as well.

Looking at the facts candidly, we do not suppose that six-tenths of one per cent is greater than the so-called "outlaw fringe" that will exist in almost any human activity—not because of a lack of adequate legislation, but in spite of any legislation that may be devised, at whatever cost.

But conditions are not now what they were at the time the Committee made its investigation and held its public hearings, at the very depth of a four-year depression. Nor are they anything like what they were then. Conclusive proof of that fact is revealed in the figures of per capita weekly earnings in the four major branches of the apparel industry in Pennsylvania, which, by direction of the General Assembly, was the chief subject of our investigation.

We assume it will be granted that the Federal Reserve Bank for the Philadelphia District is wholly impartial in this matter. We give the figures of the Research Division of that Bank for average weekly earnings in January, 1933, and in August, 1933, for the four major branches of the apparel industry in Pennsylvania.

> Men's Clothing: $11.32 in January; $15.68 in August; an increase of 38½%.
> Women's Clothing: $8.87 in January; $11.02 in August; an increase of 25%.
> Millinery and Lace: $13.31 in January; $18.37 in August; an increase of 38%.
> Shirts: $6.56 in January; $11.77 in August; an increase of 79½%.

In the men's clothing industry the average or per capita weekly earning in Pennsylvania in August was 7½% above the average for the country as a whole for the same time. In millinery and lace the Pennsylvania earning was 30% higher than the United States average. And in shirts the Pennsylvania figure was 20% above the national average.

To that statement we need merely add that more than 95% of all the complaints lodged with the Committee related to those industries.

Those very substantial increases in per capita earnings are in large part the results of Federal legislation which we all know has established minimum wage rates throughout all industry; which has practically abolished all child labor under the age of 16 years; which has rigidly restricted the hours of labor in every branch of enterprise; and which, according to the very highest authorities, has likewise eliminated the sweatshop, which was the subject of our investigation and is the ostensible excuse advanced for the legislative proposals by our fellow members of the Committee.

On June 17th, President Roosevelt laid down the principle and objective of that legislation in these words:

> "No business which depends for existence on paying less than living wages to its workers has any right to continue in this country. By 'business' I mean the whole of commerce as well as the whole of industry; by 'workers' I mean all workers—the white collar class as well as the men in overalls; and by 'living wages' I mean more than a bare subsistence level—I mean the wages of decent living.

On the same day, Miss Frances Perkins, Secretary of the U. S. Department of Labor, said:

> "The new Industrial Recovery Bill contains minimum wage and labor standard requirements."

The American Federation of Labor said officially:

> "The Bill includes broad provisions for securing higher wages, shorter hours, improved working conditions for all workers."

Nine days later, Governor Pinchot, speaking over a national radio hook-up, made this unqualified statement:

> "Under this law . . . all industry can be controlled in the matter of wages, hours of work, and regulating production.'

And on August 4th, General Hugh Johnson said:

> "One of the greatest things they (the codes and the President's Re-employment Agreement) have tackled is the wiping out of the sweatshop and many other terrible things.

But we need not go to those relatively remote dates for our more definite and conclusive facts. In a prepared speech delivered in Chicago on November 6th, General Johnson said:

> "All that it (the National Industrial Recovery Act) has done is to put no less than 4,000,000 hopeless, destitute people back to work and raise the wages of millions more to something more than a subsistence level. It has wiped out the sweatshop and child labor."

And on November 14th, addressing the Pennsylvania Council of Republican Women, here in Harrisburg, Governor Pinchot said emphatically that this Federal legislation had raised wages, completely abolished child labor, eliminated the sweatshop, regulated the hours of labor, and established minimum wages. His exact language is important. I quote from a copy of his speech, sent out by his office:

> "But this necessary but slow and cumbersome means of preventing children from working long hours in factories (State legislation) has been outdistanced by one quick stroke. At the last session of Congress, child labor was legislated out of existence in the National Recovery Act. . . .
> "Not so long ago the idea that labor should have a right to a voice about its hours, working conditions and wages, was regarded as absurd. Today our National Government guarantees to labor the right of collective bargaining.
> "Not so long ago sweated labor was almost the rule. Now, under the provisions of N. R. A., minimum wages have actually been established."

There need be no speculation as to the extent that Pennsylvania is operating under those principles, and with those results, stated by Governor Pinchot. In response to an inquiry on November 16th, the Pennsylvania headquarters of N. R. A. stated:

> "More than 206,000 employers in Pennsylvania have signed up, either under specific codes or the President's Re-employment Agreement. Our official estimate is that at least 95% of all industry in Pennsylvania is now under the Blue Eagle.'"

Some of our colleagues on the Committee have asserted that there are violators of this Federal legislation. We do not doubt it. But to argue that there should be State laws, prac-

tically duplicating Federal laws, with all their additional costs upon the taxpayers of this Commonwealth, for no better reason than that they might serve to capture the relatively few violators of the Federal laws and regulations, seems to us to be specious reasoning which exposes the weakness of their whole case.

There is not a legislative proposal offered by our colleagues on the Committee that does not seek to do what the Federal Government already is doing or has done. There is not a one of those proposals but would add to the burden upon the taxpayers of this State.

Why litter the statute books of Pennsylvania with laws designed to do what already is being done? Why saddle upon the taxpayers of Pennsylvania more jobholders to duplicate the work that the Federal Government is now doing? Why, for example, enact a Minimum Wage Law in this State, and set up the inevitable staff to administer it, when the Federal Government has established minimum wage rates that have rendered Minimum Wage Laws inoperative in those States which have them, because the Federal Government has done and is doing a better job than any State could hope to do?

You can't justify such procedure, and you haven't the right, especially in these times, to put upon the overloaded taxpayers of this State a single additional dollar that you cannot justify.

The same is true, and with equal force, in respect of the various other proposals relating to child labor which doesn't exist, regulation of hours which already are regulated, registration of business enterprises which already are registered—more than 95% of our industry, according to N. R. A.—and so on, throughout their program.

There is neither need nor excuse for a single one of these proposals. Each is based upon conditions which either no longer exist or speedily are being put out of existence more effectively than the State itself could do it. All involve duplicated and therefore unnecessary work. The only purpose they would serve would be to load more employees into the Department of Labor and Industry, the result of which would add wholly unwaranted costs to the tax bill of this Commonwealth.

Upon the indisputable fact that there is no need for the enactment of any of these proposals at this time, and that the purposes designed to be served by each are now being met, fully and effectively, we record our vigorous dissent from the recommendations contained in the majority report.

We recommend that this Committee be continued until the next Regular Session of the General Assembly, by which time the permanency of N.R.A. will be determined.

G. Mason Owlett, Chairman,
Richard S. Quigley
Roy W. Shreiner
Eugene J. Gorman, Secretary.

MOTION TO READ BILLS THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 7, entitled:

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 11 (House Bill No. 9), entitled:

An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 13 (House Bill No. 14), entitled:

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled November thirteenth Anno Domini one thousand nine hundred thirty-three in pursuance of the proclamation of the Governor of the Commonwealth dated the ninth day of November Anno Domini one thousand nine hundred thirty-three.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 15, entitled:

An Act to enable city, county, poor, ward, school, borough and township tax collectors, their executors and administrators if they are deceased, or either surety or sureties, to collect taxes, for the payment of which they have become personally liable without having collected the same, by the expiration of the authority of their respective bonds, or by the expiration of the authority of their respective warrants, or by the expiration of their terms of office, and to extend the time for the collections of the same for a period of two years from the passage of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 16, entitled:

A Supplement to act number three hundred—A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," making an appropriation for the payment of certain expenses of the General Assembly convened in Extraordinary Session on the thirteenth day of November, one thousand nine hundred thirty-three.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 19, entitled:

An Act to provide for the permanet personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments

and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 22, entitled:

An Act to amend section one of the act approved the seventh day of April, one thousand nine hundred and thirty-three (P. L. 26), entitled "An act empowering counties, cities, boroughs, towns and townships to borrow money from the Reconstruction Finance Corporation to finance certain projects, and prescribing the manner of such borrowing," authorizing such political subdivisions to borrow moneys and accept grants from other federal agencies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 29, entitled.

An Act to amend paragraph (a) of section nine of article three of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the Commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said Commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals; and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of caluse seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" by authorizing the Commission in special cases to grant relief to common carriers from the long and short haul and the aggregate of intermediate rates provisions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 23, entitled:

An Act authorzing cities, counties, boroughs, incorporated towns, townships, school districts and poor districts and other public or quasi public corporations to accept loans and direct grants from agencies of the Federal government for public projects, and to issue their bonds or other obligations in a certain manner; authorizing levy of taxes and pledges of particular funds for payment thereof and prescribing terms which may be included therein; authorizing the collection of rents, tolls and other charges for use of or services rendered by such projects, providing the methods and times for holding elections to obtain the assent of the electors to certain loans under this act; providing for certain proceedings on default in bond payments; and authorizing such municipalities to contract with Federal agencies concerning the construction of such projects, to convey real estate and such projects to Federal agencies, and to lease or purchase such projects from Federal agencies on certain terms.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 30, entitled:

An Act providing for the organization by municipalities of certain quasi-public corporations for the construction, maintenance and operation of public works projects; providing for the conduct of the affairs of the corporations by directors appointed by municipal authorities; prescribing the powers of such corporations, including the power to construct, operate, maintain or lease public works projects, to collect rents, tolls, and fees for use and service thereof, to borrow money and to issue bonds therefor, to pledge revenues for the payment thereof, and to exercise the power of eminent domain; providing that bonds of such corporations shall be legal investments for certain fiduciaries, corporations and institutions; authorizing banks, bank and trust companies and trust companies to act as treasurers of and depositories for such corporations and to pledge assets or give security for proper performance of such duties; prescribing remedies for holders of bonds of defaulting corporations and conferring jurisdiction on courts with respect thereto, limiting the taxability of such corporations and their property, rights and franchises, and providing for their dissolution and winding up.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 10:30 o'clock.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:35 P. M. until Tuesday, November 21, 1933, at 10:30 o'clock A. M.

HOUSE OF REPRESENTATIVES

MONDAY, November 20, 1933

The House met at 9:00 o'clock, p. m.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Dear Lord we thank Thee for the wonder and beauty of life, for the gladness of the morning, the beauty of the day and the grandeur of the night. Thou art the Lord of life. Yesterday we went our various ways to Cathedral, Church or Synagogue, we felt thy presence there. Today we meet on common ground in this Temple of Legislature, may we feel thy presence and power here.

Mighty issues confront Thy servants. In other days of battle, the Father of our Country said, "Let none but Americans be put on guard this night.'

O God, help the Speaker and members of the House to be on guard this night, with mind honestly seeking the truth, with clear vision, with unwarped judgment, and courage to stand for the hard right against the easy wrong.

For the glory of God and the welfare of the Commonwealth. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, November 16, 1933.

The Clerk proceeded to read the Journal of Thursday, November 16, 1933, when, on motion of Mr. Schrock, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. MYERS. HOUSE BILL No. 39.

An Act authorizing the sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund; defining the powers and duties of the Governor, The Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; and providing for the payment of interest on, and the redemption of, such bonds.

Referred to the Committee on Military Affairs.

By Mr. MYERS. HOUSE BILL No. 40.

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War, the war between the United States and Spain, the China Relief Expedition, or in the Philippines or Guam; imposing certain duties on the Adjutant General; making an appropriation; and repealing inconsistent legislation.

Referred to the Committee on Military Affairs.

By Mr. MYERS. HOUSE BILL No. 41.

An Act making an appropriation for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three.

Referred to the Committee on Appropriations.

By Mrs. WILSON. HOUSE BILL No. 42.

An Act providing for the granting of relief by the Commonwealth to certain aged poor persons, creating a Commission for the Relief of the Aged Poor, defining its powers and duties; providing for the appointment of a superintendent and necessary investigators and assistants; providing penalties, and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. HOOPES. HOUSE BILL No. 43.

An Act to protect the lives and secure the safety and health of the people by making it unlawful to evict persons from dwellings under certain conditions, or to levy upon and sell household goods of such persons.

Referred to the Committee on Judiciary General.

By Mr. HOOPES. HOUSE BILL No. 44.

An Act regulating the payment of compensation of deputy sheriffs for the performance of certain services, and prescribing penalties.

Referred to the Committee on Counties.

By Mr. HOOPES. HOUSE BILL No. 45.

An Act making home loan bonds, issued by the United States Government, legal investments for trust funds.

Referred to the Committee on Judiciary General.

By Mr. HOOPES. HOUSE BILL No. 46.

An Act to amend section two hundred and two, as amended, article four and article twenty-two of the act approved the ninth day of April, one thousand nine hundred and twenty-nine, (P. L. 177), entitled "An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating an Unemployment Indemnity Board, and prescribing its duties.

Referred to the Committee on State Government.

By Mr. HOOPES. HOUSE BILL No. 47.

An Act relating to unemployed persons, establishing an unemployment fund and providing for contributions thereto by employers and by the Commonwealth; providing for the management of such funds and for the payment therefrom to certain unemployed persons for sums of money during periods of unemployment; imposing additional duties and powers upon the Department of Labor and Industry; imposing duties upon employers; providing penalties, and making an appropriation.

Referred to the Committee on State Government.

By Mr. THOMAS J. GALLAGHER. HOUSE BILL No. 48.

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

Referred to the Committee on Constitutional Amendments.

By Mr. NOTHNAGLE. HOUSE BILL No. 49.

An Act defining and regulating painting contractors, providing for the licensing and supervision of persons, copartnerships, associations and corporations engaged in such business; imposing certain duties upon the Department of Public Instruction; and providing penalties.

Referred to the Committee on Education.

By Mr. YOURISHIN. HOUSE BILL No. 50.

An Act to amend section three hundred and one and to further amend section three hundred and six clause five of section three hundred and seven section four hundred and thirteen and section four hundred and twenty-six of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" further defining the terms "injury" and "personal injury" reducing the waiting period providing additional compensation for total disability providing methods for the determination of partial disability providing for payment of compensation for partial disability in certain cases after termination of total disability and for additional compensation in certain cases of partial disability further defining loss of the use of an eye providing for compensation for parents of minor children and for those parents substantially dependent eliminating the definition of hernia eliminating the provision which limits reviews modifications and reinstatements and agreements and awards and eliminating the provision which limits rehearings.

Referred to the Committee on Judiciary General.

By Mr. McCREARY. HOUSE BILL No. 51.

An Act to amend section five of the act approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled, "An act to provide revnue for State and county purposes, and in cities coextensive with counties for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended; prohibiting the negotiation, sale, assignment, transfer, satisfaction or collection of instruments taxable under section one of this act, or their acceptance for sale or negotiation by brokers and dealers in securities, unless the tax has been paid; providing how payment of the tax shall be evidences; and providing penalties.

Referred to the Committee on Counties.

By Mr. WOODSIDE. HOUSE BILL No. 52.

An Act to amend sections one, two, four, five, six and seven of the act, approved the sixteenth day of March, one thousand nine hundred and thirty-three (P. L. 12), entitled "An act authorizing the Department of Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges; authorizing the construction and maintenance of such bridges, approaches and connecting roads to State highways, by the Department of Highways; providing for the condemnation of property necessary for the constuction thereof, and the assessment and payment of damages therefor; providing for the collection of tolls upon certain terms and conditions, and the deposit thereof in the State Treasury in a special fund; providing for the payment of toll collection, costs, maintenance charges and repayments to the Reconstruction Finance Corporation from said fund; providing for the cessation of tolls, and payment of subsequent maintenance costs from the Motor License Fund; and appropriating certain money in the Motor License Fund to carry out the provisions of said act;" authorizing arrangements with the Federal Emergency Administration of Public Works, the Federal Emergency Administrator of Public Works and other Federal agencies for the advancement and grant of moneys, and authorizing expenditures and appropriations for the acquisition of property.

Referred to the Committee on Highways.

By Mr. O'CONNOR. HOUSE BILL No. 53.

An Act to amend section one of the act approved the thirty-first day of May, one thousand nine hundred and thirty-three, (P. L. 1134), entitled "An act adjourning county treasurers sales of seated and unseated lands in counties of the fourth class to be held in the year one thousand nine hundred thirty-three until the time fixed by law for such sales in the year one thousand nine hundred and thirty-four or any later date to which such sales may be adjourned; and suspending existing laws;" limiting sales for a certain period of time to delinquent taxes for one tax year, and preserving the lien of delinquent taxes.

Referred to the Committee on Counties.

COMMUNICATIONS

The SPEAKER laid before the House the following communications which were read by the Clerk.

PROTESTING TAX ON RECTIFIED ALCOHOL.

Hostetter's Stomach Bitters, Pittsburgh.
Clarence K. Englehart, Norwood.
Edward A. Miller.
Miss I. Megill, Glenolden.
Elizabeth Megill, Glenolden.

Referred to the Committee on Ways and Means.

URGING ADOPTION OF CERTAIN PROVISIONS IN LIQUOR CONTROL LEGISLATION.

Resolutions adopted at Town Meeting held in Lansdowne, November 16, 1933.

Referred to the Committee on Judiciary General.

PROTESTING PASSAGE OF HOUSE BILL NO. 10.

Pennsylvania Pharmaceutical Association.
Referred to the Committee on Judiciary General.

FAVORING DRUGGISTS AS DISTRIBUTORS OF DISTILLED SPIRITS.

Louis K. Liggett Company.

Referred to the Committee on Judiciary General.

COMMUNICATION

The SPEAKER laid before the House a telegram which was read by the Clerk as follows:

Uniontown, Pa., November 16, 1933.

Reuben Howard, House of Representatives, Harrisburg, Pa.

Forty families South Union township refused relief today because they were five minutes late reaching relief station. Local board say such action taken on order Stroud, Harrisburg. The remarks of local distributors to the needy not only humiliating but insulting. I live in this township and offer this protest.

John W. Rankin, County Commissioner, Fayette County.

The SPEAKER. The communication will be spread upon the Journal.

RESOLUTION

COMMITTEE TO INVESTIGATE CHARGES MADE BEFORE WAYS AND MEANS COMMITTEE.

Mr. WITKIN offered a resolution from the Committee on Rules which was twice read, considered and adopted as follows:

In the House of Representatives, November 20th, 1933.

Whereas, At a hearing this afternoon before the Ways and Means Committee of the House of Representatives, statements were made by A. Leo Weil, Esq., as follows:

"Don't misunderstand me, we are perfectly willing to pay our full share of the taxes. We don't object to that at all. We are today, we always have been, and we always will be willing to stand up with the other citizens

of the Commonwealth and carry our share of the burden, but we are not going to be treated as an outlaw, we are not going to be treated as an organization engaged in that business that when they want the money they feel that you can go to them and get it, and they used to get it, and not legitimately and properly, but by devious and various means, and we have already had application for payment of certain amounts, so that when you pass your control bill and put it in the hands of the State Control Stores, parties who say they can control things, and if we would pay them a certain amount they will see that we get five-sixths of the business;" and

Whereas, Such statements cannot go unchallenged by this House, but the Members thereof and the people of this Commonwealth are entitled to know the truth or falsity of such charges; therefore be it

Resolved, That the Speaker of the House of Representatives is hereby authorized to appoint a committee of five Members of this House whose duty it shall be to fully and impartially investigate the charges set forth in the preamble hereof, and make report thereof to the House as early as possible;

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to adminster oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

MORTON WITKIN,
A. J. WHITE HUTTON,
JOSEPH G. STEEDLE,
GROVER C. TALBOT,
THOMAS B. WILSON.

RESOLUTION

URGING RECONSTRUCTION FINANCE CORPORATION TO CARRY OUT PRESIDENT'S PROGRAM

Mr. CANNON offered the following resolution which was twice read and laid over under rules:

In the House of Representatives, November 20th, 1933.

Whereas, the administration of the Honorable Franklin Delano Roosevelt has set forth a program containing the only hope for the improvement of existing conditions and the bringing back of domestic happiness by restoring employment and affording permanent relief to the people; and

Whereas, the program has already advanced to success by the creation of employment for those desiring and seeking the same; and

Whereas, the program of the Federal Civil Works Administration promises work for three hundred thousand wage earners within this Commonwealth; and

Whereas, in order to bring about a complete return to work of the unemployed it is necessary for the Commonwealth and municipal authorities to cooperate with the Federal recovery program; and

Whereas, complete recovery within the Commonwealth must necessarily include the opening and full operation of our coal mines, iron and steel mills and all other industries which are now idle; and

Whereas, Philadelphia, the workshop of the world, is filled with non-operating industries which can be made to function by a full cooperation with those having in charge the program of our President; and

Whereas, the safety, happiness and contentment of our people demand this cooperation in order to continue rapidly on the road to complete recovery, therefore be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania hereby calls upon the Reconstruction Finance Corporation and other agencies of the National Government having in charge the carrying out of the President's program to give consideration to the rehabilitation of the closed industries of the city of Philadelphia, and be it further

Resolved, That a copy of this resolution be forwarded to the Reconstruction Finance Corporation at Washington and to the Mayor of the City of Philadelphia.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 10.30 o'clock P. M. Are there objections? The Chair hears none and (at 9.21 P. M.) a recess is declared until 10:30 o'clock P. M.

AFTER RECESS

The House reconvened at 10:30 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

LEAVES OF ABSENCE

Mr. MUMFORD asked and obtained leave of absence for Mr. Wheeler.

Mr. McKAY asked and obtained leave of absence for Mr. Stevenson.

REPORTS OF COMMITTEES

Mr. ZIMMERMAN, from the Committee on Military Affairs, reported as committed, House Bill No. 39, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund; defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; and providing for the payment of interest on, and the redemption of, such bonds.

Mr. JAFFE, from the Committee on Military Affairs, reported as committed, House Bill No. 40, entitled:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War, the war between the United States and Spain, the China Relief Expedition, or in the Philippines or Guam; imposing certain duties on the Adjutant General; making an appropriation; and repealing inconsistent legislation.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make the following announcement:

There will be a meeting of the Republican members of the House to-morrow morning at 10.00 o'clock in the House Caucus Room.

The Chair makes this announcement at the request of General Martin, State Chairman of the Republican Committee, and further requests that all the Republican members attend this meeting.

ADJOURNMENT

Mr. WOODSIDE. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11.00 o'clock.

The motion was agreed to, and (at 10.50 P. M.) the House adjourned until Tuesday, November 21, 1933 at 11.00 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., TUESDAY, NOVEMBER 21, 1933. No. 6.

SENATE

TUESDAY, November 21, 1933

The Senate met at 10.30 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Our Heavenly Father, we thank thee for the light of another day. Give unto us health and strength to enable us to do our daily duty, and be with the members of this Senate and the members and their families who may be sick. Restore them to health and strength and bring them back to meet again with us. Give unto us wisdom to carry out in accordance with Thy will the best interests of our Commonwealth, and in all our plans and purposes to pass laws that are better and more fitting than the laws we have had. Guide us by Thy Spirit in all that we do and in all that we say. We ask in Thy name and for the sake of Thy Truth. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. FAY, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. SCOTT asked and obtain leave of absence for the Senator from Cumberland, Mr. Prince.

REPORT FROM COMMITTEE

Mr. EALY, from the Committee on Judiciary General, reported as committed, Senate Bill No. 4, entitled:

An Act authorizing officers, departments, boards, and commissions of the Commonwealth, and also cities, counties, boroughs, incorporated towns, townships, school districts and poor districts to cancel certain supply contracts and to relieve contractors of obligations thereunder, under certain circumstances, and validating like cancellations made heretofore.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 7, as follows:

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties and interest imposed on delinquent city and school taxes in cities of the first class and due on taxes and other charges including costs for the tax year one thousand nine hundred and thirty-one or any previous tax year may be abated by the council of any city if such taxes are paid in full on or before the thirtieth day of June one thousand nine hundred thirty-four All penalties and other charges not including interest due on such delinquent city and school taxes for the tax year one thousand nine hundred and thirtytwo may be abated by the council of any such city if such taxes and the interest due thereon are paid in full on or before the thirtieth day of September one thousand nine hundred and thirty-four

This act shall be construed to apply to all city and school taxes whether or not liens for such taxes have been filed in the office of the prothonotary of the county

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 11 (House Bill No. 9) as follows:

An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Spirituous and Vinous Liquor Floor Tax Law"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Container" Any receptacle vessel tank vat cask barrel drum keg can or bottle or other form of package used for the holding storing transferring or shipping of spirituous liquors

"Corporation" A corporation or joint stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Distilled Spirits" Any liquid usable for beverage purposes which contains more than one-half of one per cent alcohol by volume obtained by distillation or any process of evaporation mixed with water and other substances in solution including brandy rum whiskey gin and any other alcoholic beverage obtained as aforesaid by whatever name such beverage may be called All wines containing more than twenty-four per cent absolute alcohol by volume shall be classed as "distilled spirits" for the purpose of this act

"Gallon" A liquid measure containing two hundred thirty-one cubic inches

"Person" Every natural person association or corporation Whenever used in a clause prescribing or imposing a fine or imprisonment or both the term "person" as applied to "association" shall mean the partners or members thereof and as applied to "corporation" shall mean the officers thereof

"Proof Gallon" A gallon of liquid which contains one-half of its volume of alcohol of a specific gravity of seven thousand nine hundred thirty-nine ten thousandths at sixty degrees Fahrenheit

"Rectified Spirits" Any beverage containing more than one-half of one per cent alcohol by volume obtained by rectification redistillation refining or purifying of distilled spirits or wines by any process other than original and continuous distillation from mash wort or wash through continuous closed vessels and pipes until the manufacture thereof is completed or by mixing distilled spirits wines or other liquor with any materials thereby producing any spurious imitation or compound alcoholic liquor

"Spirituous and Vinous Liquors" Distilled spirits rectified spirits and wines as defined in this section and alcohol other than denatured alcohol unfit for beverage purposes

"Wines" Any beverage containing more than one-half of one per cent and not more than twenty-four per cent absolute alcohol by volume obtained by the fermentation of the natural sugar contents of fruits or other agricultural products containing sugar including all natural wines and fortified wines within the above limits but not including any beverage known as beer lager beer ale porter or similar fermented malt liquor obtained by alcoholic fermentation of an infusion or decoction of barley malt and hops in water

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition and Lien of Tax A State floor tax is hereby imposed upon spirituous and vinous liquors lodged or stored in this Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states inclusive Such tax shall be at the rate of two dollars on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon and such tax together with interest thereon as hereinafter set forth shall be a lien upon such spirituous and vinous liquors from the date the tax is herein imposed until paid

Section 4 Tax Reports For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every person having possession or custody either as owner or bailee of spirituous and vinous liquors in this Commonwealth on or before the fifth day after this act shall become effective to transmit to the department upon a form prescribed by the department a report under oath or affirmation of spirituous and vinous liquors in his possession or custody in this Commonwealth on the effective date of this act Such report shall show the number of proof gallons or wine gallons when below proof of spirituous and vinous liquors in his possession or custody on the effective date of this act the exact place or places where such spirituous and vinous liquors are lodged or stored the kinds and quantities thereof and whether such spirituous and vinous liquors are in his possession or custody as owner or bailee thereof together with such further information as the department shall prescribe

It shall also be the duty of such person on or before the fifth day after each successive day following the effective date of this act to and including the date upon which the Twenty-first Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states to transmit to the department upon a form prescribed by the department a supplemental report for such day under oath or affirmation of spirituous and vinous liquors coming into his custody on such day Such report shall show the number of proof gallons or wine gallons when below proof of spirituous and vinous liquors not previously reported which on such day came into his possession or custody and such information regarding the same as was required in the original report

Section 5 Payment of Tax Interest The tax herein imposed shall be due and payable ninety days after the effective date of this act except that when any spirituous and vinous liquors are used or removed within a period of ninety days from the place wherein they are lodged or stored after the effective date of this act the tax thereon shall be due and payable at the time of the use or removal thereof The amount of all taxes imposed under the provisions of this act shall bear interest at the rate of one per centum per month or fractional part of a month from the date they are due and payable until paid The tax herein imposed upon spirituous and vinous liquors shall be paid into the State treasury through the department by the owner of such spirituous and vinous liquors at the time the tax is due and payable as specified in this act and he shall be liable to the Commonwealth as a taxpayer for the payment of such tax

Section 6 Use or Removal of Spirituous Liquor from Place of Storage before Payment of Tax Prohibited Penalty Any person having in his possession or custody spirituous and vinous liquors between the effective date of this act and the date of the ratification of the Twenty-first Amendment to the Constitution of the United States inclusive who shall thereafter use or remove or cause or permit to be used or removed any of such spirituous and vinous liquors from the place or places in which they are lodged or stored before the tax herein imposed shall have been paid shall be guilty of a misdemeanor and upon conviction thereof be sentenced to suffer imprisonment for a term of not less than one year or more than three years

Any person who shall be convicted of a misdemeanor under this section in addition to the punishment herein described be adjudged to pay to the Commonwealth the tax due upon the spirituous and vinous liquors so used or removed or permitted to be used or removed by him together with interest at the rate of one per centum per month or fraction of a month from the date when such tax was due and payable under the provisions of this act Such adjudication shall be certified to the prothonotary and shall be indexed as and have the effect of a judgment for the amount of such tax and interest

Section 7 Report upon Payment of Tax and Certificate of Payment Any person making payment of the tax imposed herein on spirituous and vinous liquors shall at the time of making payment transmit to the department on a form prescribed by the department a report specifying and identifying the containers in which are contained the spirituous and vinous liquors upon which tax is paid the person in whose possession or custody and the exact place or places where such spirituous and vinous liquors are lodged and stored the amount thereof in proof gallons or wine gallons when below proof and the kinds and quantities thereof together with such further information as the department shall prescribe

Immediately upon receipt of payment of any of the tax herein imposed and the report required by this section it shall be the duty of the department to furnish to the person making such payment a certificate setting forth the amount of tax paid and specifying and identifying the spirituous and vinous liquors upon which tax has been paid and such other information as the department shall deem necessary

Section 8 Labels to be Affixed to Containers Intended for Sale The owner of any spirituous and vinous liquors upon which tax is herein imposed and upon which such tax has been paid and certificate thereof has been issued and is in the possession of such owner shall affix to each container in which such spirituous or vinous liquors are placed for sale a label upon which shall appear the words "Pennsylvania Spirituous and Vinous Liquor Floor Tax Paid" Such label shall be affixed in such manner that its removal shall require the continued application of steam or water

Section 9 Acceptance of Spirituous and Vinous Liquors Not Bearing Labels Required by This Act It shall be unlawful for any retail dealer consumer or any other person to accept delivery of spirituous or vinous liquors taxable under this act upon which the labels herein described do not appear and upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace he shall be fined twenty-five dollars and in default of payment thereof shall undergo imprisonment for not more than ten days

Section 10 Appointment of Agents The department is hereby authorized to appoint agents who may be located in places where spirituous and vinous liquors are lodged or stored within this Commonwealth and whose duty it shall be to verify the accuracy of any report required to be made by this act or the payment of or liability for the taxes imposed by this act In the furtherance of their duties such agents may at any time examine the books papers invoices or other records pertaining to or stock of spirituous and vinous liquors lodged or stored in this Commonwealth Any person in possession of any such spirituous and vinous liquors is hereby directed and required to give to the Department of Revenue or its duly authorized agent the means facilities and opportunity for such examinations

The department is hereby authorized to furnish any information obtained by it in the exercise of its duties under the provisions of this act concerning spirituous and vinous liquors upon which the tax is imposed by this act to the proper authorities of this or any other state territory or the United States and to obtain similar information from the proper authorities of any other state territory or the United States

Section 11 Violations (a) Any person who shall fail neglect or refuse to make any report required by this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books records invoices or other papers pertaining to or stock of spirituous and vinous liquors in his possession or custody or who shall make any incomplete false or fraudulent report or who shall do anything to avoid a full disclosure of the amount of spirituous and vinous liquors taxable under this act or to avoid payment of the whole or any part of the tax or interest due shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars and costs of prosecution and to undergo imprisonment for not less than six months or more than three years Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

(b) Any person who shall falsely label any container in which spirituous or vinous liquors are placed for sale or use a false or fictitious name or give a false or fictitious address in any application or form required under the provisions of this act or otherwise commit a fraud in any application record or report shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars or more than one thousand dollars and costs of prosecution or undergo imprisonment for not less than six months or more than three years or both in the discretion of the court Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

(c) Upon the conviction of any person of any of the misdemeanors described in this act the Alcohol Permit Board at the request of the department may revoke any permit issued by it to such person

Section 12 Enforcement The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes and interest imposed by this act

Section 13 Disposition of Tax Fines and Interest All taxes fines and interest received collected or accruing under the provisions of this act shall be paid into the General Fund of the State Treasury by and through the department

Section 14 Constitutional Construction The provisions of that act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 15 Effective Date This act shall become effective on the date of its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 13 (House Bill No. 14), entitled:

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled November thirteenth Anno Domini one thousand nine hundred thirty-three in pursuance of the proclamation of the Governor of the Commonwealth dated the ninth day of November Anno Domini one thousand nine hundred thirty-three.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 15 as follows:

An Act To enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of the authority of their respective warrants or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases in which the period of the limitation of the warrants of the duplicates of the county State dog poor road city township ward school and borough tax collectors have expired and in case where the power and authority of said tax collectors have expired or shall expire during the year one thousand nine hundred and thirty-three by virtue of the expiration of their terms of office and said tax collector or collectors have or shall become personally liable for the taxes contained in said duplicates and warrants or any part thereof by reason of the personal payment or otherwise by the said tax collector or collectors of the said taxes or any part thereof without having recovered or collected the same from the person or persons against whom they have been levied and assessed or without having recovered or collected the same from the person or persons owning the property against which the said taxes have been levied and assessed or without having recovered or collected the same from the person or persons owning the property against which the said taxes have been levied and assessed the said duplicates and warrants and the power and authority of the said tax collectors in all such cases are hereby revived and extended for a period of two years after the passage of this act and the said tax collector or collectors their executors and administrators if they are deceased or either surety or sureties are hereby empowered to proceed and collect said taxes from all such persons who have not paid them residing in said district within which said taxes are assessed as well as from all persons who may remove or have removed from said city ward township or townships or boroughs and have neglected to pay the taxes as aforesaid assessed with the like effect as if said warrant or warrants have not expired or the term of office of said tax collector had not expired Provided That the provisions of this act shall not apply to warrants issued prior to the year one thousand eight hundred and ninety-four and that nothing in this act shall release any bondsman or security Provided That this act shall not apply to cities having special laws on this subject Providing also That no collector or the sureties thereof who take advantage of this act shall be permitted to plead the statute of limitations in any action brought to recover the amount of any duplicate or warrant so extended or renewed Provided further That no statute of limitations shall prevent the collection of any tax for which the warrants and powers

and authorities of the said tax collectors have been so as aforesaid extended renewed and revived

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 16, as follows:

A Supplement to act number three hundred-A approved the third day of June one thousand nine hundred thirty-three (One thousand nine hundred thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" making an appropriation for the payment of certain expenses of the General Assembly convened in Extraordinary Session on the thirteenth day of November one thousand nine hundred thirty-three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the cost of printing including printing processes such as binding ruling and engraving for the payment of telephone toll charges and telegrams and for the purchase of paper envelopes stationery supplies and equipment required for the General Assembly convened in Extraordinary Session on the thirteenth day of November one thousand nine hundred thirty-three is pursuance of the proclamation of the Governor dated the ninth day of November one thousand nine hundred thirty-three

Section 2 This act shall become effective upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

The PRESIDENT. Senate Bill No. 19, on second reading, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

is not up from the printer and will go over in its order.

BILLS RECOMMITTED

Mr. CHAPMAN. Mr. President, I move that the Senate Bill No. 22, on second reading, entitled:

An Act to amend section one of the act, approved the seventh day of April, one thousand nine hundred and thirty-three (P. L. 26), entitled "An act empowering counties, cities, boroughs, towns and townships to borrow money from the Reconstruction Finance Corporation to finance certain projects, and prescribing the manner of such borrowings," authorizing such political subdivisions to borrow moneys and accept grants from other Federal agencies.

be recommitted to the Committee on Municipal Affairs.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

Mr. SCOTT. Mr. President, I move that Senate Bill No. 23, on second reading, entitled:

An Act authorizing cities, counties, boroughs, incorporated towns, townships, school districts and poor districts and other public or quasi public corporations to accept loans and direct grants from agencies of the Federal government for public projects, and to issue their bonds or other obligations in a certain manner; authorizing levy of taxes and pledges of particular funds for payment thereof and prescribing terms which may be included therein; authorizing the collection of rents, tolls and other charges for use of or services rendered by such projects, providing the methods and times for holding elections to obtain the assent of the electors to certain loans under this act; providing for certain proceedings on default in bond payments; and authorizing such municipalities to contract with Federal agencies concerning the construction of such projects, to convey real estate and such projects to Federal agencies, and to lease or purchase such projects from Federal agencies on certain terms.

be recommitted to the Committee on Municipal Affairs.

Mr. ZIESENHEIM. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 29, as follows:

An Act to amend paragraph (a) of section nine of article three of an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court pre-

scribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved the twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" by authorizing the commission in special cases to grant relief to common carriers from the long and short haul and the aggregate of intermediate rates provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph (a) of section nine of article three of an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred seventy-four) entitled "An act defining public service companies and providing for the regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks of other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocatio or abolition and for the payment of such expence and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" is hereby amended to read as follows

Section 9 It shall be unlawful for any common carrier

(a) To charge or receive any greater compensation in the aggregate for the conveyance of passengers or property of the same class for a shorter than for a longer distance over the same line in the same direction the shorter being included within the longer distance or unless specially authorized by the commission to charge any greater compensation as a through rate than the aggregate of the intermediate rates but this shall not be construed as authorizing any common carrier to charge and receive as great a compensation for a shorter as for a longer distance provided however upon application the commission may in special cases after investigation grant exceptions to the foregoing prohibitions [Provided however That nothing] Nothing in this section contained shall prohibit common carriers from establishing reasonable zone systems of charges

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

The PRESIDENT. Senate Bill No. 30, on second reading entitled:

An Act providing for the organization by municipalities of certain quasi-public corporations for the construction, maintenance and operation of public works projects; providing for the conduct of the affairs of the corporations by directors appointed by municipal authorities; prescribing the powers of such corporations, including the power to construct, operate, maintain or lease public works projects, to collect rents, tolls, and fees for use and service thereof, to borrow money and to issue bonds therefor, to pledge revenues for the payment thereof, and to exercise the power of eminent domain; providing that bonds of such corporations shall be legal investments for certain fiduciaries, corporations and institutions; authorizing banks, bank and trust companies and trust copmanies to act as treasurers of and depositories for such corporations and to pledge assets or give security for proper performance of such duties, prescribing remedies for holders of bonds of defaulting corporations and conferring jurisdiction on courts with respect thereto, limiting the taxability of such corporations, and their property, rights and franchises, and providing for their dissolution and winding up.

is not up from the printer and will go over in its order.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until 4:30 this afternoon.

Mr. BOYD. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT PRO TEMPORE (Mr. Harry B. Scott) in the Chair. The time of recess having elapsed the Senate will be in order.

BILLS ON SECOND READING

The PRESIDENT. The Senate will now proceed to the second reading and consideration of the bills which went over in their order this morning.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 19, as follows:

An Act To provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judge prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties

SHORT TITLE CITATION

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Permanent Registration Act in Cities of the Second Class "A"

Section 2 Definitions a The word "Commission" shall mean any registration commission having jurisdiction in any city of the second class A

b "Commissioner" shall mean a member of a registration commission

c "Oath" shall include affirmation and "Swear" shall include affirm

d "Election" shall mean any general special or municipal election unless otherwise specified

e "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

f "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

g "November election" shall mean either the general or the municipal election or both according to the context

h "Party" shall mean any political party or body of electors one of whose candidates either at the last general or at the last municipal election shall have polled at least five per centum of the largest entire vote cast for any elected candidate in any city of the second class A although such percentage of said vote may not have been attained in any particular election district thereof

i "Body of electors" shall mean any political body not recognized as a political party but entitled to make nominations of candidates for any public office by nomination papers on whose behalf proper affidavits shall have been filed with the prothonotary or elsewhere as required by law to obtain the exclusive right to use a party name or appellation for any election or primary

j "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

k "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commissions as hereinafter provided

l "County" shall mean any county of this Commonwealth within which is located a city of the second class A

m "City" shall mean only a city of the second class A

n All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the second class A or to those of any county within which such city is located or to any school district within such city

o "Public office" shall mean and include any national state judicial county city schools distrist poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

p Wherever a term in the masculine form is used in this act it shall refer alike to men and women

Section 3 Registration Commission Membership Bipartisan Term of Office Vacancies Removal Compensation Oath of Office Organization Chairman Secretary Action by Vote of Majority of Members Record of Proceedings Annual Report a Three shall be a registration commission in and for each city of the second class A which commission shall have jurisdiction over the registration of electors of such city under the provisions of this act

b The registration commission shall consist of three commissioners who shall be qualified electors of the city not more than two of whom shall be enrolled members of the same political party who shall be appointed by the Governor with the advice and consent of the Senate and shall hold office for terms of four years or until their successors qualify unless sooner removed or otherwise disqualified Provided however That the terms of office of the commissioners first appointed by the Governor under this act shall commence on the first day of February one thousand nine hundred thirty-four and shall expire on the first Monday of January one thousand nine hundred thirty-eight Upon the appointment by the Goveronor of the registration commission for any such city the terms of office of the existing registration commission or commissioners of any such city shall terminate

c The Governor shall fill any vacancy in any such commission within ten days after the vacancy shall occur by appointing a qualified elector of the city to hold office during the remainder of the term of the commissioner whose place shall have become vacant

d The Governor may at any time remove any commissioner for cause and may appoint a duly qualified elector of the city as his successor for the remainder of his term

e Each commissioner shall receive compensation at the rate of three thousand dollars per annum

f As soon after their appointment or election as may be the members of each commission shall take the oath of office required by the Constitution of this Commonwealth and shall organize by selection from their number a chairman and a secretary who shall not be members of the same party

g All actions of a commission shall be decided by a majority vote of all members except as may be otherwise provided herein

h Each commission shall keep a record in permanent form of all its proceedings and shall make an annual written report to the Goveronor

Section 4 Powers of Commission Regulations Enforcement correction of Errors or Irregularities Cancellation of Registration Powers of Commissioners a The commission may make regulations not inconsitent with this act or the laws of this Commonwealth (1) to govern the public sessions of such commission and (2) for the performance of the duties imposed by this act and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the court of common pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

b The commission shall have the power to correct any error or any irregularity in registration and to cancel the registration of any person whom it may find to be improperly registered subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration is cancelled

c The commission and any commissioner shall have power on its or his own motion (1) to summon and interrogate any

person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses (4) to require the production of any relevant books and papers

d Each commissioner shall have power to administer oaths and affirmations Each person testifying before a commission shall be first duly sworn or affirmed

Section 5 Employes Registrars Inspectors of Registration Duties Appointment Appointment of Clerks or Secretaries as Registrars Incompatible Officers a The commission shall have power to appoint such assistants and employes as from time to time it may deem necessary to carry out the provilions of this act and may at any time remove the same The commission may with the consent of the county commissioners appoint employes of the county commissioners to act as such for the registration commission without any additional compensation as such

b The employes to be appointed by the commission shall include (1) registrars who shall be empowered to register the qualified electors of such cities and in so doing to administer oaths and affirmations and (2) inspectors of resignation who shall have and may exercise the powers conferred upon them by this act

c Registrars and inspectors of registration shall be qualified electors of the city An election officer may be appointed as a registrar or inspector of registration but no other person who holds or is a candidate for public or party office shall be appointed to or hold any office or employment under any commission except as otherwise provided by this act Registrars and inspectors of registration shall receive such compensation either on a per diem basis for time actually employed or on the basis of work actually done by them as shall be fixed by the salary board of the county

d No registrar or inspector of registration shall exercise any power of his office until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and address the date of his appointment and the length of time for which he shall have been appointed

e Each commission may appoint a chief clerk who shall have authority to administer oaths and to sign vouchers

f Any inspector of registration on his own motion or on complaint of any person known to him may and when directed by the commission shall

(1) Investigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling building inn lodging-house or hotel within such city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment

(2) Inspect in like manner and copy any register of lodgers in any lodging-house in or hotel relating to or affecting the right of any person to vote or to be registered in such city

(3) Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

(4) Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest

Section 6 COUNSEL COMPENSATION DUTIES The commisison may employ special counsel at a compensation not exceeding two thousand dollars per annum Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent the commission on all appeals taken from its decisions or orders to a court of common pleas as herein provided

Section 7 Appropriations by County Commissioners Unexpended Balances of Appropriations Heretofore Made Additional Appropriations a The county commissioners shall appropriate annually and from time to time the funds that shall be necessary for the maintenance and operation of the commission and the carrying out of the provisions of this act therein including the payment of the compensation of the commissioners registrars inspectors of registration counsel and other assistants and employes and the fees of witnesses as herein provided and likewise for preparing in accordance with the direction of the commission securing and distributing or receiving and preserving all street lists registration cards affidavits vouchers notices account books stationery and other supplies which the commission shall consider necessary for the purpose of this act and for all other necessary expenses

b The county commissioners shall provide the commission with suitable and adequate offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties

c Any unexpended balances of any appropriations heretofore made by the county commissioners for the purpose of carrying out any provision of any existing registration act or the amendments thereto shall be transferred to and made available for the commission hereby created or constituted for the expenses of carrying out the provisions of this act immediately after the passage of this act All moneys required in addition to any original appropriation in the current year or any other year shall be appropriated from time to time as soon as it shall appear what extra sums are needed.

Section 8 Acts of Employes Any insertion or removal of names or other information in registers or the amending of any records done by any employe of the commission by order of the commission shall be construed to have been done by the commission itself which shall likewise be responsible for the correction of any errors in the doing thereof

Section 9 Commissioners may act as Registrars and Inspectors A commissioner may act at any time as registrar or inspector of registration and when so acting shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with law upon registrars and inspectors of registration respectively

Section 10 Immunity from Arrest Commissioners registrars and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrant of a court of record or judge therefor for felony for wanton breach of the peace or for a criminal violation of this act

Section 11 Acts to be done of Legal Holidays and Sundays No part of any day fixed for the performance of any duties by any person or official under this act shall be deemed a Sunday or a legal holiday so as to affect the legality of any work done for the purpose of carrying out the provisions hereof or the right of any person to any compensation herein provided for rendering any service required hereby or so as to relieve any person from doing on such day whatever is necessary for such purposes and such services are hereby declared to be necessary public services

Section 12 Records and Documents to be open to Public Inspection The records of such commission and all district registers street lists lists of voters voter's certificates affidavits petitions appeals witness lists accounts contracts reports and other document in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the county during ordinary business hours at any time when they are not necessarily being used by the commission or its employes having duties to perform in reference thereto Such public inspection thereof shall only be in the presence of a commissioner or authorized employe of a commission, and shall be subject to proper regulation for safe-keeping of the records and documents and subject to the further provisions of this act

Section 13 Watchers at Places of Registration Privileges a Any party or body of electors which now is or hereafter may be entitled to have watchers at any election as well as any organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds may recommend not more than three electors to act as watchers without expense to the county at any place of registration during the time when it shall remain open for the registration of electors The commission shall appoint all such persons as watchers and shall provide them with proper certificates stating their names and the party or policy or citizens' organization which they represent respectively unless any be shown to have previously been convicted of any crime

b Any watcher shall be entitled to remain at any place of registration during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registra-

tion and to interrogate or challenge any person regarding his right to be registered and to inspect any papers produced by such person The registrars commissions and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided That a registrar commission or commissioner may at any time require any watcher to show his certificate of appointment and Provided That not more than one watcher for any party or body of electors or citizens' organization represented shall be allowed in a place of registration at any one time

Section 14 Watchers or Attorneys at Sessions of Commission Any party or body of electors or body of citizens which now is or hereafter may be entitled to have watchers at any place of registration or at any election shall also be entitled to appoint any watchers who are qualified electors of the city or attorneys to represent such party or body of electors or body of citizens at any public session or sessions of the commission Such watchers or attorneys may exercise the same rights as watchers at places of registration but the number who may be present at any one time may be limited by the commission to not less than three for any party or body of electors

Section 15 Candidates may be Present at Proceedings Every candidate for nomination or election to any office shall be entitled to be present in person or by attorney in fact duly authorized and to participate in any proceeding before any commission whenever any matters which may affect his candidacy are being heard

Section 16 Days and hours of Registration Places of Registration Use of Polling Places Payments of Rentals Use of School Buildings Public Notice a From and after the first days of February one thousand nine hundred and thirty-four each commission or any commissioner or a registrar shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sunday holidays the day of each election and each primary the thirty days next preceeding each election and each primary and the five days next following each election and each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration Provided however That in the year one thousand nine hundred and thirty-four applications for personal registration may be received up to and including the fifth day of May anything in this section to the contrary nothwithstanding and Provided further That in the year one thousand nine hundred and thirty-four each commission shall arrange to have a registrar present to receive applications for the personal registration of electors at the polling place or some other suitable place in each election district of the city on at least three separate days prior to May fifth (one of them being in March and another in May) and one day in the period beginning September twenty-fourth and ending October sixth

b The county commissioners shall cause any polling place to be open in proper order for use as a place of registration on each day when such polling place may be desired by the registration and the said county commissioners shall provide for the payment of all rentals for such polling places upon proper vouchers by the treasurer of the county

c The board of school directors of each school district shall furnish a room or rooms in any public school building under its jurisdiction or control and shall cause the room or rooms to be open and in proper order for use as a place of registration on each day when such room or rooms may be desired by the registration commission for use as a place of registration Provided That such use shall not interfere with instruction for the conduct of which such board of school directors shall be responsible

d The proper city authorities shall furnish a room or rooms in the city hall or other municipal building under their jurisdiction or control and shall cause the room or rooms to be opened and in proper order for use as a place of registration on each day when such room or rooms may be desired by the commission for use as a place of registration Provided That such use shall not interfere with the use for which such room or rooms is primarily designed

e The commission shall publicly announce the address of each place of registration other than the office of the commission and the days and hours when the place shall be open for the registration of electors by posting a notice thereof at its office and at least one placard or notice thereof in a conspicuous place in the neighborhood of such place of registration at least three days prior to the date when the place shall be so open and by such newspaper publication as it deems desirable

Section 17 Registration Cards Preparation and Distribution a For the purpose of registering the qualified electors of each county the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section eighteen of this act and the following affidavit

REGISTRATION AFFIDAVIT

State of Pennsylvania }
County of } ss:

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before
me this day of 19

.....
Signature of Voter

.....
Signature of Registrar

b Subject to the foregoing provisions of this section the Secretary of the Commonwealth shall prescribe the form of such registration cards

c Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate for each applicant for registration The commission shall provide suitable binders for filing and indexing the registration cards

d The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar

e Before 10 o'clock ante meridian on the day following the last day for registration before an election or primary and at such other times as the commission may prescribe each registrar shall return to the commission at its office all registration cards used or unused in his possession and shall account fully in writing for each missing card

f Unused registration cards may be reissued by the commission but the commission shall preserve all other papers records and memoranda as a part of its record

Section 18 Manner of Registration a Every person claiming the right to be registered as an elector must appear in person before the commission or a commissioner or a registrar at the office of the commission or at such other place as the commission shall have designated and answer the questions required to be asked in accordance with this act

b He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with other information herein required shall be recorded in his presence by the registrar or commissioner in permanent writing or typewriting in duplicate in the proper spaces on the registration cards as follows

c (1) The surname of the apllicant (2) his Christian name or names (3) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the rooms apartment flat or floor wnich he occupies (6 date his residence in the district began (7) his residence address when he last registered and the year of such registration (8) the sex of the applicant (9) the color of the applicant (10) the state or territory of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of the naturalization certificate (12) if not naturalized personally the name of father or husband through whom naturalized (13) whether he has a physical disability which will render him unable to see or mark the ballot or operate

the voting machine or to enter the voting compartment or voting machine booth without assistance at the ensuing election and if so his declaration of that fact and his statement of the exact nature of such disability (14) the designation of the political party of the elector for the purpose of voting at primaries (15) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar and dated by him If the elector is unable to sign his name there shall also be recorded on the registration card (16) his height in feet and inches (17) the color of his hair (18) the color of his eyes and (19) the date of his birth Each registration card shall also have a sufficient number of spaces thereon for the insertion of (20) the ward and election district in which the elector resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal (21) the date of each election and primary at which the elector votes and (22) the signature or initials of the election officer who enters the record of voting on the card

d The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed for the whole city the registration affidavits will be known as the General Registers when filed by election districts as the District Registers

e If the applicant shall allege inability to sign his name the registrar shall require him to present the affidavits subscribed in person before a registrar or commissioner of two electors who are personally acquainted with the applicant and who know his qualifications as an elector Each of said two electors shall state in his affidavit the applicant's residence his own residence his knowledge of the statements made by the applicant under oath or affirmation in applying for registration and his belief that they are true Upon the filing thereof the applicant shall be permitted to subscribe to his oath or affirmation by making his mark except that if the applicants inability to sign his name is not due to some apparent physical infirmity he shall first also be required to make and file with the registrar an affidavit of his inability to sign his name Every affidavit required because of an applicant's inability to sign his name shall be filed with the duplicate registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

f When the registration of an elector has been completed the registrar or commissioner shall deliver to the registered elector upon his request a written statement signed by such registrar or commissioner setting forth the name and address of the elector the fact of registration and the date thereof

Section 19 Who May Register Who May Vote Electors Need Register Only Once Exception Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered as herein provided From and after the fifth day of May one thousand nine hundred and thirty-four no person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered except by order of a court of common pleas as hereinafter provided and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address unless his registration is cancelled by reason of his failure to vote during a period of four years as hereinafter provided

Section 20 Applicants to Register May be Challenged Procedure Challenge Affidavit a Any person claiming the right to register may be challenged by a registrar or by any commissioner or by a qualified elector of the city Any person so challenged shall answer the questions of the challenge affidavit as herein specified and after his answers have been recorded he shall subscribe to them his signature or mark and swear to their truth

b The affidavits of all persons so registered shall be filed with the duplicate registration affidavits and shall be returned with them to the office of the registration commission

c The challenge affidavit shall be in form prescribed by the Secretary of the Commonwealth and shall contain spaces for the following information (1) serial number (2) place and date of execution (3) full name of challenged applicant (4) whether he is married or single (5) if married where his family resides (6) if single where his parents reside (7) where applicant actually resided immediately before he took up his present residence (8) his residences for the four months immediately preceding date of execution (9) the name of his present employer (10) the street and number of his place of business (11) the name of his last employer and the year in which he left his employ (12) the city street and number of said last employer's place of business (13) sex of the applicant (14) his color (15) the date of his birth and (16) such distinguishing marks peculiarties and further information for identification as the commission shall prescribe

d The challenged applicant shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his residence in the election district and shall produce such of the evidence as may be required to satisfy the registrar or commissioner as to his qualifications as an elector If such challenged applicant shall establish his right to be registered as required by this act to the satisfaction of the registrar or commissioner he shall be permitted to be registered

e Any person making application to be enrolled as a member of a political party for the purpose of voting at primaries may be challenged by any qualified elector of the city Any person so challenged shall be enrolled as a member of such party if he shall make and subscribe an affidavit that at the last election at which he voted he voted for a majority of the candidates of such party all of the candidates of a party for presidential elector being counted as two candidates but if he is unable or unwilling to make such affidavit he shall be denied enrollment as a member of such party but he shall not be deemed to be guilty of any violation or attempted violation of any law by reason thereof

Section 21 Naturalized Applicants Applicants whose Fathers or Husbands were Naturalized All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certified copy thereof before they shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father during his minority may be registered either by the production of his father's original papers or a certified copy thereof or by making affidavit that his father was naturalized at a time when he the applicant was less than twenty-one years of age and that he is unable to produce his father's papers or a certified copy thereof and Provided further That any woman claiming citizenship by reason of her marriage pior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturalized prior to their marriage or (b) by the production of evidence that her husband was a native born citizen of the United States Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

Section 22 Incomplete or Rejected Applications to be Recorded The registrar or commissioner shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filed in the registration card or cards shall be marked "Applicant Rejected" and the registrar or commissioner shall note thereon the reason for the rejection and shall sign his name thereto All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 23 Appeal of Rejected Application Any person whose application to be registered has been denied by a registrar or by a commissioner may file a petition with the commission not later than the fifteenth day prior to an election or primary setting forth the ground of his complaint under oath and praying to be registered The commission shall fix a time for a public hearing thereof at its office not later than the tenth day prior to the election or primary At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar or commissioner who rejected the petitioner's application for registration The commission if satisfied that the petitioner is entitled

to be registered shall direct a registrar or commissioner to register him in the usual manner and shall amend accordingly the records affected but any registrar or inspector of registration or qualified elector of the county may appear and show cause why the petitioner should not be registered

Section 24 General Register The duplicate registration affidavits shall be placed in exact alphabetical order and shall be indexed for the entire city and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded These affidavits shall constitute the General Register of such city and shall not be removed from the office of the commission except upon order of the court of common pleas of the county

Section 25 District Registers The original registration affidavits shall be filed by election districts and within each election district in exact alphabetical order and indexed The affidavits so filed for each election district shall constitute the District Register for such district The district register shall be kept at the office of the commission except as herein provided and shall be open at all times subject to reasonable safeguards rules and regulations to public inspection

Section 26 Removal Notices The commission shall provide removal notives which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the electors shall write (1) the street and number of his present residence and the specific location thereof including the number of the room apartment flat or floor if his residence is a portion of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present address and (4) space wherein the elector shall sign his name The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring sixty days or more after the receipt of the notice at the office of the commission Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission with the elector's signature in the general and district register

Section 27 Transfer of Registration a Upon receipt of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration affidavit of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the general and district registers and if the removal shall have been from one election district to another in the same city shall transfer the registration affidavits of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence.

b When a request for transfer believed authentic by the commission is received at the office of the commission within the period of sixty days next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary In any case the commission shall advise the elector promptly in writing of its action

c If the commission shall doubt that the request for transfer is authentic it shall without transferring the registration of the elector notify the elector that it will be necessary for him to apply in person at the office of the commission for the transfer of his registration.

d No elector who is unable to write his name shall be permitted to apply for transfer of registration by use of a written removal notice but each such elector must apply in person at the office of the commission establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar or a commissioner who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice

Section 28 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation a At any time prior to the tenth day next preceding a primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar or commissioner and state in writing over his signature the political party in which he desires to be enrolled and the registrar or commissioner shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made

b At any time not later than the fifth day preceding any primary any qualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is no longer a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at least twenty-four hours prior to presentation of the same by delivering a copy of the petition to him personally or by leaving it with an adult member of his family with which he resides If at the hearing of any such petition the elector against whom the petition is filed appears and swears or affirms that at the last election at which he voted he voted for a majority of the candidates of the party with which he was then enrolled all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise the party enrollment of such elector shall be forthwith cancelled

c Any elector who has since the time of registration suffered a physical disability which renders him unable to see or mark the ballot or prepare the voting machine or to enter the voting compartment or voting machine booth without assistance shall at least ten days prior to the next succeeding primary or election personally make written application under oath to the commission or a registrar to have such fact entered on his registration affidavit together with the exact nature of his physical disability which entry shall be made accordingly

d When the commission shall ascertain that any elector who has declared his need for assistance no longer suffers from the disability stated by him or has voted without assistance it shall forthwith cancel on his registration affidavit the entry relating to physical disability which authorized him to have assistance

Section 29 Reports of Deaths from Registrars of Vital Statistics Cancelling Registration Correction If Person is Falsely Reported Deceased Reports of Removals from Municipal Officers Departments and Bureaus and Real Estate Brokers and Rental Agents Notice a The Registrar of vital statistics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the deaths of residents of the city except residents less than twenty years of age The commission shall forthwith cancel the registration of each registered elector so reported

b Any person falsely reported deceased may appear in person before a registrar or commissioner at the office of the commission in such city and prove his identity and the commission thereupon shall correct its records accordingly

c All municipal officers departments or bureaus furnishing electricity gas water steam or other service to householders in any city shall report in writing from time to time to the registration commission upon the request of the commission all cases of discontinuance of their service to residences together with the names of the persons who contracted for such service and the addresses to which such persons have removed if known to them All real estate brokers and rental agents shall report in writing from time to time to the commission upon the request of the commission all cases of residence property managed by them which have been vacated by the tenant thereof together with the names of such tenants and the addresses to which they have removed if known to them The commission shall forthwith send to each such person who is found to be registerd as an elector from the address given in said report and to all the members of his family and household who are electors registered from the same address the

notice provided for by section thirty of this act and shall proceed thereupon in accordance with the provisions of that section

Section 30 Mail Check-up of Registers a At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon At least once in each year the commission shall send such notice by mail to each registered elector in the city.

b Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee can not be found there the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-one of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector

Section 31 Canvass of Registered Voters as The commission may at any time by individual commissioners or by inspectors of registration verify the registration in any election district of the county by visiting each building from which an elector is registered and such other buildings as the commission may deem necessary and shall make a record of the name and address of each person registered who shall not be found to reside at the address from which he is registered or who for any other reason shall appear to be not qualified to vote in the election district from which he is registered and shall leave at the address of each such person a notice requiring him to appear personally at the office of the commission in such county on or before a date and hour which the notice shall appoint and which shall be not later than the fifth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector and the commission shall cause a confirmation of each such notice to be sent by mail promptly to such person at the address from which he is registered

b At the expiration of the time specified in the notice the commission shall cancel the registration of each such person who has not personally appeared and proved his qualifications as an elector

c For the purpose of facilitating any such canvass the commission may when necessary appoint special inspectors of registration in number not exceeding double the number of election districts which the commission shall determine to canvass Police officers may be so appointed with the consent of the head of the police department of the city

d Such special inspectors shall have and may exercise the powers conferred by this act upon inspectors of registration They shall be qualified electors of the city and shall be appointed without reference to residence in election districts or to their political affiliations or beliefs

e The commission shall instruct each special inspector in his duties

Section 32 Comparison and Correction of Registers Preliminary Street Lists a Thirty days prior to each election or primary the commission shall compare and correct the general and district registers

b Three months after each municipal election and seven months after each general election the commission shall prepare for each election district a preliminary street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers

c The commission shall cause to be made a sufficient number of exact copies of each such list and as soon as possible and not later than the first day of March in each even numbered year and the first day of July in each odd numbered year shall distribute the same among the inspectors and special inspectors of registration and the officials concerned with the conduct of primaries and elections and among the parties bodies of electors candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the county committee of each political party or body of electors upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 33 Corrected Street Lists Posting Distribution Not later than the thirtieth day prior to each primary and election the commission shall prepare for each election district a corrected street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers The commission shall cause to be made a sufficient number of exact copies of each such list which may be made by correcting and supplementing exact copies of the preliminary street lists Two complete sets of such lists shall be kept on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 34 Petitions to Strike Off Names At any time not later than the fifth day preceding any election or primary any qualified elector of the city including any watcher and any registrar or inspector of registration may petition the commission to cancel the registration of any registered elector of such city setting forth under oath supported by the affidavits of at least two adult persons sufficient grounds for such cancellation and also setting forth that due notice of the time and place when said petition would be presented and heard had been given to the person so registered personally at least twenty-four hours prior to the presentation of the same or that he could not be found at the place given in the district register as his residence and that the person in charge thereof to be mentioned by name in said petition had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them or that no person is residing at the address given whereupon the commission shall forthwith cancel the registration of such elector and amend accordingly the general and district registers and the other records affected unless the person so registered shall appear and show cause why the same should not be done

Section 35 Delivery of District Registers to County Commissioners a Not later than noon of the second day preceding an election or primary the commission shall deliver to the county commissioners of the proper county the district register accurately corrected to date for each election district in order that the same may be delivered to the election officers with other election materials for use on election day in the manner in which the county commissioners now are or hereafter may be required to deliver the same Provided That the registration commission shall not deliver to the county commissioners the registration card for use at the polls on election day of any person who has removed from one election district to another within sixty days of any general municipal primary or special election The registration commission shall withdraw from the district registers the cards of all such persons before the registers are delivered to the county commissioners.

b District registers when so delivered to the county commissioners shall be contained in suitable binders so con-

structed that the name address voting record and other data on each card may be visible and that entries may be made on each card but that the cards may not be removed by the election officers Said binders shall have printed or written thereon the words "District Register of Voters" and the name of the district

Section 36 Persons Registered are Entitled to Vote at General or Municipal Elections if Identified by Signature Proviso Evidence of Registration Discrepancies Persons Registered and Enrolled May Vote at Primaries if Identified by Signtures Proviso Persons Not Registered are Not Entitled to Vote Challenging of Persons Registered Voters' Certificates List of Voters Elections and Primaries Counting Et Cetra of Names Checked as Having Voted Sealing of Registers and Lists of Voters Return of Lists of Voters and Registers a Any person whose name is in the district register of any election district and who upon applying o vote shall have signed his name to a voter's certificate in the form hereinafter provided for as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and viw of the watchers with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers shall be entitld to vote in such district at any general municipal or special election unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from he district since registration or that he has violated any law of this Commonwealth prohibiting betting or bribery at elections.

b No elector shall be required to sign a voter's certificate as a means of identification if he shall have been unable to sign his name when registered or if having been able to sign his name when registered he subsequently shall have lost his sight or lost the hand with which he was accustomed to sign his name or shall have been otherwise rendered by disease or accident unable to sign his name when he applies to vote but each elector shall establish his identity to the satisfaction of the election officers and in such case a voter's certificate shall be prepared for him by one of the election officers upon which the facts as to such disability shall be noted and attested by the signature of such election officer

c No person who applies to vote shall be permitted by any election officer or clerk or other person to see the signature recorded as his in the district register until after he shall have signed his name to the voter's certificate

d Any person who is registered and also enrolled as a member of a political party and who upon applying to vote shall have established his identity by signing his name or otherwise as herein required at elections and is otherwise qualified may vote as a member of said party at any primary succeeding such registration without being subject to any challenge regarding his party membership No elector registered and enrolled as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party at any primary election and any qualified elector registered although not enrolled as aforesaid shall be permitted to vote a non-partisan ballot according to any law providing for same at any primary election

e No one except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by the authority of this Commonwealth shall be entitled to vote at any election or primary without being personally registered as an elector in the election district in which he offers to vote except by order of the court of common pleas as herein provided regarding appealed cases Any person although personally registered may be challenged by any qualified elector watcher overseer or election officer at any election or primary as to his identity as to his continued residence in the election district or as to any alleged violation of the laws of this Commonwealth prohibiting betting or bribery at elections and if challenged as to identity or residence he shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his identity or continued residence in the election district and shall produce such other evidence as may be required to satisfy the election officers of his identity or continued residence in the election district.

f The county commissioners shall cause to be printed for each election district a suitable number of Voter's Certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows

VOTER'S CERTIFICATE

Primary (Election) ..... 19....

I hereby certify that I am qualified to vote at this (primary) (election)

Signature .....

Address .....

..... Pennsylvania

Approved .....

Number of stub of ballot issued (or number of admission to voting machines).....

(and party at primary) .....

The voter's certificates shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the county commissioners After a voter's certificate has been presented by an elector and has been compared withe his signature in the district register and approved or in the case of an elector who is unable to write the notations hereinabove required have been made thereon one of the election officers who made the comparison shall sign his name or initials thereon and if the elector's signature is not readily legible shall print such elector's name over his signature After the elector has been admitted to vote the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at primaries a letter or abbreviation designating the party in whose primary he votes shall be entered on his voter's certificate and the same shall thereupon be inserted in the file or binder One such file or binder shall be furnished for each election district for each primary and election and shall have been printed or written thereon the words "List or Voters" and the name of the district and date of the primary or election The voter's certificates so bound shall constitute the numbered list of voters heretofore required by law to be kept in duplicate by the clerks of election All voter's certificates prepared by persons applying to vote whose applications to vote are refused by the election officers shall be carefully preserved and returned to the commission with the list of voters

g The district register hereby provided for shall be used at each election and primary by the election officers in the place of the two registers known as the ballot check list and voting check list heretofore required by law As each voter is found to be qualified and votes the election officer in charge of the district register shall write or stamp the date of the election or primary and sign his name or initials in the proper space on the registration affidavit of such voter contained in the district register After the polls are closed the names of all electors on the district register marked or stamped as having voted shall be immediately counted and the result compared with the number of persons voting shown by the list of voters and announced and the cause of any difference ascertained if possible before the ballot-box or voting machine is opened The list of voters and the district register shall be immediately sealed in envelopes and shall be returned to the custody of the registration commission by the judge of election before noon on the day following the election or primary

Section 37 Entry of Information in General Registers Following Elections and Primaries Report of Indications of Fraud to District Attorney a Immediately following each election or primary the commission shall cause each district register to be examined and shall enter the date of the election or primary in the proper space on the registration affidavits in the general register of each elector whom the district register indicates as having voted

b In the case of any elector whom the election ofifcers shall have recorded as removed deceased or challenged and prevented from voting the commission shall ascertain the facts and shall correct the general and district registers in accordance therewith

c The commission specifically shall compare the signature of each elector on each voter's certificate with his signature in the district register and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of voter's certificates and registers hereby prescribed

Section 38 Cancellation of Registration upon Failure to Vote within Four Years Request for Reinstatement Within

three months after the general election held in the year one thousand nine hundred and thirty-eight and within three months after each general and municipal election thereafter the registration commission shall cause all of the district registers to be examined and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of four years immediately preceding the commission shall send to such elector by mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has not voted within a period of four years and that his resignation will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his resignation setting forth his place of residence and signed by him At the expiration of the time specified in the notice and after publication of the information contained in the notice mailed as aforesaid at least one time in at least one newspaper of general circulation published in the city the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote within a period of four years shall not affect the right of any such elector to subsequently register by personal application to the commission or a commissioner or a registrar in the manner provided by this act

Section 39 Cancellation Removal and Preservation of Registration Affidavits Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration affidavits of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such affidavit shall be kept for five years after which the commission may destroy it

Section 40 Appeals to Court Time of Fee Time of Hearing Notice Postponement Hearing Decision of Court Costs and Fees a Any person whose claim for registration has been denied by the commission or whose name although previously registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of any county whose rights are impaired by any general order made by the commission not including registration of particular names by the commission or personal application made to it as aforesaid or refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper court of comon pleas not later than the fourth day preceding any election or primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief Such appelant shall pay the prothonotary a fee of three dollars for filing such appeal Thereupon any judge of the court may fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the counsel for the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court Proof of notice or the waiver thereof must be filed therein

b Any judge of the court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary At the time so fixed the court or any judge thereof assigned for the purpose shall hear all the witnesses and other evidence that may be offered unless the issue can be decided in some other manner by agreement of the parties concerned

c If after any such public hearing the court shall find that an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed

d The court may compel the appellant or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner

Section 41 Production of Documents Et Cetera At Appeals At the written request of any person taking an appeal from any action or order of a commission as aforesaid the commission shall produce at the hearing thereof any petition register or other record in its custody relevant to the issue involved but the commission shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so

Section 42 Subpoenas and Witness Fees a Any person filing any petition of any kind with a commission or opposing same shall have the privilege of having subpoenas issued by the commission to compel the attendance of witnesses upon condition that all witnesses so subpoenaed shall be paid two dollars and fifty cents each per day as witness fees in the manner here provided

b The commission on its own motion may subpoena witnesses including registrars each of whom shall also be entitled to daily witness fees at the rate aforesaid to be paid out of any money to be provided for the purpose to the commission by the county commissioners in the same manner as other necessary expenses of such commission are to be provided for

c All subpoenas shall be in substantially the same form and shall have the same force and effect as subpoenas now issued by a court of common pleas The commission shall have the benefit of the process of said courts if necessary to enforce any subpoena issued by such commission

d No subpoena shall be issued for the benefit of any person other than the commission until he shall have paid the commission a fee of twenty-five cents for issuing the same and deposited with said commission one day's witness fees for each witness to be summoned thereby whose names shall be given to the commission and entered by it in such subpoena and among the records of the commission No such subpoena shall be of any virtue to require the further attendance of any witness after the day mentioned therein unless the hearing be postponed or continued by the commission and unless before four o'clock post meridian of said day the person for whose benefit it is issued shall have deposited with the commission an additional day's witness fees for each witness whose further attendance is desired As soon as convenient after any hearing is concluded (or postponed or continued) on any day the commission shall disburse the fees deposited with it by any person among those witnesses who have appeared in response to subpoenas issued and shall return to the person who deposited the same any fees deposited for others who did not attend and shall also pay like fees to any summoned by the commission taking their receipts therefor so long as there are sufficient funds available for such payments

e The commission shall pay over to the county treasurer all fees received for subpoenas The accounts of such commission respecting disbursements of witness fees out of appropriations made to such commission by the county commissioners shall be subject to audit from time to time by the county controller

Section 43 Crimes and enalties a Any person who wilfully disobeys a lawful order of the commission or refuses to obey its subpoenas duly issued and served under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500)

b Any wilful false statement made under oath or in writing stating that it is so made although such oath may not have actually been made by any person regarding any material matter or thing relating to any subject investigated heard or acted upon by any registrar commissioner judge watcher inspector of registration court or commission by virtue of this act shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

c Any registrar or commissioner who knowingly registers or permits to be registered a person not lawfully entitled to be registered or who without reasonable cause refuses to register a person entitled to be registered or knowingly assists in preventing such person from being registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

d Any person who applies for registration knowing or having reason to know that he is not entitled to be registered or who falsely personates another in an application for registration or who knowingly offers false naturalization papers to establish his claim to be registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

e Any registrar commissioner or assistant or employe of a commission who inserts or intentionally permits to be inserted a name or other entries in any registration card without a proper application in person on the part of the person registered or without requiring the proper evidence of the right of the applicant to be registered or who materially alters any registration card after the entries have been made except upon an order of the court of common pleas or of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than (5) years

f Any election officer who knowingly refuses the vote of a duly registered and qualified elector or who knowingly accepts the vote of a person not registered in accordance with the provisions of this act (except that of a person in actual military or naval service or a person having an order of court) or who knowingly receives a vote from a person falsely claiming to be a registered voter shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding on thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

g Any commissioner registrar inspector of registration or other officer assistant or employe upon whom a duty is laid by this act who shall wilfully neglect or refuse to perform such duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

h Any person who inserts or intentionally permits to be inserted any name or material entry in any registration card street list affidavit petition subpoena certificate report or other record authorized or required by this act to be made or prepared for any purpose herein mentioned except in accordance herewith or who materially alters or destroys an entry which has been duly made therein except as herein provided or who takes and removes any such book paper card or other record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspected or copied as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

i Any person who neglects or refuses to furnish to any commissioner or to any inspector of registration any information which he is herein authorized to obtain or to exhibit any records papers or documents herein authorized to be inspected by him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

j Any constable policeman sheriff or other peace or police officer or deputy or subordinate thereof who shall fail upon demand of any commissioner or inspector of registration to render such aid and assistance to him as he shall demand in the maintenance of peace and in the making of arrests without warrant as herein provided or who shall wilfully hinder or delay or attempt to hinder or delay any commissioner or inspector of registration in the performance of any duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

k Any person who intentionally interferes with hinders or delays any other person in the performance of any act or duty authorized or imposed herein shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500)

Section 44 Effective Date Partial Invalidity Legislative Intent a Except as otherwise provided therein this act shall be in force and take effect from and after the first day of February one thousand nine hundred thirty-four

b It is the intention of the General Assembly that if this act cannot take effect in is entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 45 Repeal of Prior Laws Proviso a The following acts of Assembly and parts of acts and any amendments and supplements thereto are hereby repealed absolutely in so far as they effect the personal registration and enrollment of voters in cities of the second class A

(1) Section fifty-nine of an act entitled "An act relating to the Elections of this Commonwealth" approved July second one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred nineteen)

(2) Sections one two three fifteen and nineteen of an act entitled "A further supplement to the act regulating elections in this Commonwealth" approved January thirtieth one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one)

(3) Section one of an act entitled "An act declaratory of and amending the act entitled 'A further supplement to the act regulating eletcions in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four" approved February thirteenth one thousand eight hundred and seventy-four (Pamphlet Laws forty-four)

(4) An act entitled "An act to amend sections one two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four changing the time and manner of making the registry of voters and the duties of registry assessors" approved May twenty-ninth one thousand eight hundred and ninety-one (Pamphlet Laws one hundred thirty-four)

(5) An act entitled "An act to authorize the election of assistant assessor for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" approved June sixteenth one thousand eight hundred and ninety-one (Pamphlet Laws two hunderd ninety-eight)

(6) An act entitled "An act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four as amended by the act of May twenty-ninth one thousand eight hundred and ninety-one fixing the place at which the assessors shall sit to perform the duties imposed upon them by the second section of the said supplement of May twenty-ninth one thousand eight hundred and ninety-one in all voting districts or precincts in this Commonwealth where temporary voting places are or may be established" approved June twelfth one thousand eight hundred and ninety-three (Phamplet Laws four hundred fifty-five)

(7) An act entitled "An act to amend sections two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the twenty-ninth day of May one thousand eight hundred and ninety-one changing the time and manner of making the registry of voters and duties of registry assessors" approved May sixteenth one thousand eight hundred and ninety-five (Pamphlet Laws seventy-five)

(8) An act entitled "An act supplementary to an act entitled 'An act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violations of its provisions approved the seventeenth day of February Anno Domini one thousand nine hundred and six providing for the continuance in office of the registration commissioners of consolidated cities" approved June third one thousand nine hundred and seven (Pamphlet Laws three hundred ninety-four)

(9) An act entitled "An act to provide for the personal registration of electors and their enrollment as members of

political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" approved July twenty-fourth one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven)

(10) An act entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of assessors and registry assessors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers wilfully permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket" approved July twenty-fifth one thousand nine hundred and thirteen (Pamphlet Laws one thousand and forty-three)

(11) An act entitled "An act to amend section six of an act entitled "An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' aproved the twenty-fourth day of July one thousand nine hundred and thirteen" approved May twenty-eighth one thousand nine hundred and fifteen (Pamphlet Laws five hundred and seventy-six)

(12) An act entitled "An act to amend sections fifteen and eighteen of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violtions of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July one thousand nine hundred and thirteen by providing for attendance of witnesses fees for subpoenas witness fees and the manner of payment of same and providing a penalty for disobedience to the lawful order of the commissioners or refusal to obey their subpoenas and by repealing inconsistent legislation" approved June eighteenth one thousand nine hundred and fifteen (Pamphlet Laws one thousand and twenty-seven)

(13) An act entitled "An act to amend the third section of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July Anno Domini one thousand nine hundred thirteen Pamphlet Laws nine hundred seventy-seven) by regulating the compensation of the registration commissioners" approved July nineteenth one thousand nine hundred and seventeen Pamphlet Laws one thousand one hundred eight)

(14) An act entitled "A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" approved July twenty-first one thousand nine hundred and nineteen (Pamphlet Laws one thousand and sixty-five)

(15) An act entitled 'An act amending section sixteen of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved July twenty-four one thousand nine hundred and thirteen providing for a change in salaries of the employes of the registration commissioners" approved April twenty-first one thousand nine hundred and twenty-one (Pamphlet Laws two hundred thirty-nine)

(16) An Act entitled "An Act to amend section one of an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand sixty-five) entitled 'A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith'" approved June seventh one thousand nine hundred and twenty-three (Pamphlet Laws six hundred eighty)

(17) An Act entitled "An Act to amend part of section seven of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a poiltical party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith'" approved April twenty-third one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred seventy)

b All other acts or parts of acts of Assembly in conflict or inconsistent with this act or any part hereof are hereby repealed so far as they are inconsistent herewith

c The provisions of this act shall not affect any suit or prosecutions pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such acts so repealed respecting any act done or omitted prior to such repeal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 30, as follows:

An Act Providing for the organization by municipalities of certain quasi-public corporations for the construction maintenance and operation of public works projects providing for the conduct of the affairs of the corporations by directors appointed by municipal authorities prescribing the powers of such corporations including power to construct operate maintain or lease public works projects to collect rents tolls and fees for use and service thereof to borrow money and to issue bonds therefor to pledge revenues for the payment thereof and to exercise the power of eminent domain providing that bonds of such corporations shall be legal in-

vestments for certain fiduciaries corporations and institutions authorizing banks bank and trust companies and trust companies to act as treasurers of and depositories for such corporations and to pledge assets or give security for proper performance of such duties prescribing remedies for holders of bonds of defaulting corporations and conferring jurisdiction on courts with respect thereto limiting the taxability of such corporations and their property rights and franchises and providing for their dissolution and winding up

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

ARTICLE I

PRELIMINARY PROVISIONS

Section 101 Short Title This act shall be known and may be cited as "The Public Works Authorities Act"

Section 102 Definitions The following words and phrases when used in this act shall for the purposes of this act have the meanings respectively ascribed to them in this section unless the context in any instance clearly indicates a different meaning

The term "municipality" shall mean any city county borough incorporated town or township in the Commonwealth

The terms "to construct" and "construction" shall include building constructing reconstructing erecting replacing and extending any project as hereinafter set forth including extension enlargement and improvement of and erection of structures for use in connection with existing projects owned by municipalities which shall be parties to formation of the corporation

The term "corporation" shall mean a corporation formed under this act

The term "project" shall mean any public work which a corporation formed under this act shall be authorized to construct operate or maintain

Section 103 Constitutional Construction The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decisions so holding shall not be construed to affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 104 Effective Date This act shall become effective immediately upon its final enactment

ARTICLE II

FORMATION OF PUBLIC WORKS AUTHORITIES

Section 201 Incorporiors and Title Any municipality may form or any two or more adjoining municipalities may join in the formation of a corporation to be known as the "———— Public Works Authority" in the manner and for the public purposes hereinafter prescribed

Section 202 Resolution for Incorporation Whenever the corporate authorities of any municipality shall desire to form or to join in the formation of a corporation under this act they shall adopt a resolution signifying the intention of the municipality so to do If the corporation is to be formed by more than one municipality the resolution shall name all of the constituent municipalities and may but need not specify the particular project or projects for which the corporation is to be formed

Section 203 Notice of Intended Incorporation The corporate authorities of each municipality shall cause a notice of the resolution to be published at least one time in the legal periodical if any of the county in which the municipality is situated and at least one time in one newspaper of general circulation published in the municipality If there shall be no such newspaper of general circulation published in the municipality then publication shall be made in a newspaper of general circulation which circulates in the municipality and which is published in the county or an adjoining county In cases where no newspaper of general circulation is published in the municipality notice of the resolution shall also be given by at least twenty printed handbills posted in the most public places of the municipality provided that where a county shall be the incorporating municipality or one of the joint incorporators the notice shall be published in at least three newspapers of general circulation published within the county if there be that many The notices required by this section shall contain a brief statement of the substance of the resolution making reference to this act and shall state that on a day certain not less than three days after publication of the notice and not less than five days after the posting of handbills in cases where handbills are required articles of incorporation of the proposed corporation will be filed with the Department of State of the Commonwealth

Section 204 Filing and Approval of Articles of Incorporation On or before the day fixed for the notice above provided for the municipality or municipalities shall file with the Department of State articles of incorporation together with proof of the advertisement and posting of notices required by the preceding section If the Department of State finds that the articles of incorporation conform to law it shall forthwith but not prior to the day specified in the notices required by the preceding section endorse its approval on the articles and when all proper fees and charges have been paid shall file the articles and issue a certificate of incorporation to which shall be attached a copy of the approved articles The articles upon being approved and filed by the Department of State shall constitute the charter of the corporation

Section 205 Execution of Articles The articles of incorporation shall be executed by each incorporating municipality by its authorized officers and under its corporate seal and shall be acknowledged on behalf of the municipality by its chief executive officer

Section 206 Contents of Articles The articles of incorporation shall set forth

(1) The name of the corporation

(2) A statement that a corporation is formed under this act

(3) The name of each incorporating municipality together with the names and addresses of its chief executive officer and the secretary of its governing body

(4) The specific projects for the construction and operation of which the corporation is formed in cases where the resolutions adopted by the incorporating municipalities designated particular projects

(5) The time during which the corporation shall exist or that it shall exist perpetually

(6) In the case of corporations formed by two or more municipalities the manner in which directors are to be appointed as required by this act

Section 207 Effect of Certificate of Incorporation Upon the issuance of the certificate of incorporation by the Department of State the corporate existence shall begin The certificate of incorporation shall be conclusive evidence of the fact that the corporation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind-up and terminate a corporation which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation

Section 208 Limitation on Formation of Authorities No corporation shall be formed under this act after the first day of June one thousand nine hundred and thirty-five

ARTICLE III

DIRECTORS AND OFFICERS

Section 301 Board of Directors The business and affairs of every corporation formed under this act shall be under the control of and be managed by a board of seven members to be appointed for terms of six years by the corporate authorities of the incorporating municipality or municipalities Where two or more municipalities shall have joined in the formation of a corporation the articles of incorporation shall prescribe the manner in which the respective corporate authorities shall act in making such appointments wether by joint or separate action If separate action is provided for then the articles shall prescribe the number of directors to be appointed by each municipal body and may provide for appointment of different numbers of directors by the respective bodies at specified intervals

Each board first appointed shall consist of three members appointed for six years two members appointed for four years and two members appointed for two years At the expiration of the terms of such directors their successors shall be appointed for full terms of six years each

Every director shall be a resident of the incorporating municipality or municipalities and upon the removal of his residence therefrom his position shall automatically become vacant

Directors shall hold office until their successors shall have been appointed and shall have qualified except in cases of vacancies occurring by reason of a director's removing his residence from the incorporating municipality or municipalities

Section 302 Vacancies Vacancies in the office of director of a corporation shall be filled for the unexpired term by the body or bodies which appointed the director whose death resignation or removal from the board shall have caused the vacancy

Section 303 Compensation of Directors Directors may receive such compensation for their services as shall be fixed by the corporate authorities of the incorporating municipality or municipalities from time to time Provided however that the compensation of a director shall not be increased or diminished during the period for which he shall have been appointed Where there are two or more incorporating municipalities the compensation of directors shall be fixed by joint action of the governing bodies of all such municipalities Where the governing bodies of such municipalities shall consist of different numbers of members each member of a smaller governing body shall have as many votes or fractions of votes as shall be necessary to make the aggregate number of votes which could be cast by all members of his body equal to the aggregate number of votes which could be cast by all members of the largest municipal body involved each member of such largest body having one vote A director shall not receive any other compensation or emoluments from the corporation

Section 304 Organization and Meetings Immediately after their appointment the directors shall organize and elect a president a vice-president a secretary and a treasurer and shall adopt by-laws

The board of directors shall meet at such times and place as may be designated by the by-laws not less frequently than once in two months An annual meeting for the election of officers shall be held at such times as the by-laws shall prescribe

Section 305 The Treasury Before entering upon the duties of office the treasurer shall furnish to the board a bond with at least one corporate surety or three individual sureties in an amount not less than one hundred per centum of the estimated amount of the largest sum which will probably be in the treasurer's hand at one time during the succeeding year Such bonds shall be conditioned for the safe-keeping of the moneys of the corporation and faithful performance of the treasurer's duties

In lieu of furnishing surety bond as above provided the treasurer may pledge with any bank trust company or bank and trust company in Pennsylvania which may be agreed upon securities to guarantee safe-keeping of the funds of the corporation and faithful performance of his or its duties The securities so pledged shall have a market value of not less than one hundred twenty per centum of the estimated amount of the largest sum which will probably be in the hands of the treasurer at one time during the succeeding year The board of directors shall have authority to require the pledging of additional securities if and when the securities already pledged shall become depreciated below said value All securities so pledged shall be accompanied by proper assignments or powers of attorney for their transfer

The treasurer shall receive such reasonable compensation as the board shall determine but which shall not be increased or diminished during the term for which a treasurer shall be elected Such compensation shall be a flat salary and not on percentage basis.

ARTICLE IV

FINANCES

Section 401 Depositories The board of directors shall designate one or more banks or bank and trust companies in Pennsylvania as the depository or depositories of the funds of the corporation No such depository shall be named unless it shall have received the affirmative vote of a majority of the entire board of directors of the corporation

Before receiving any of the funds of the corporation such depository shall furnish a proper bond in such amount and with such surety or sureties as may be required in an amount not less than one hundred per centum of the estimated amount of the largest sum which will probably be in the hands of the depository during the succeeding year conditioned upon the faithful keeping paying out and accounting for all the funds and property of the corporation which may come into its hands as well as for the payment of any interest on deposits under any contract made by the depository with the corporation

In lieu of one or more surety bonds as above required deposits of corporation funds may be secured by the pledge with any bank bank and trust company or trust company within the Commonwealth which may be agreed upon (other than a depository of the corporation) of marketable securities to be approved by the board of directors having a market value not less than one hundred twenty per centum of the estimated amount of the largest sum which will probably be in the hands of the depository during the succeeding year The board of directors shall have the right to demand further deposits of securities in case the value of the pledged securities should become impaired All securities so pledged shall be accompanied by proper assignments or powers of attorney for their transfer.

Where a corporation authorized to do a fiduciary business in Pennsylvania shall be elected treasurer of a corporation formed under this act the same institution may be designated as a depository of the corporation In such case it shall not be necessary to give separate bonds or make separate pledges of securities for the performance of the duties of the institution as treasurer and as depository but a single bond or a single pledge of securities in the amount herein required for a depository containing the conditions herein required for bonds of treasurers and of depositories shall be sufficient

Upon the deposit of funds of the corporation in a designated depository which has provided the security herein required and which has maintained such security in full force and effect the treasurer shall be relieved of responsibility for any loss arising out of failure of or restriction upon the depository

All deposits of corporation funds shall be made in the name of the corporation and shall be paid out only upon warrants executed in accordance with the requirements of this act

No corporation shall deposit in any designated depository an amount in excess of thirty-three and one third per centum of the total capital stock and surplus of the depository

Section 402 Disbursements Moneys of the corporation shall be disbursed only on warrants drawn by the president or vice president and the secretary of the board and counter-signed by the treasurer and only for expenditures authorized by the board by resolution which shall appear of record in the minutes of the board

Section 403 Audits and Reports Within sixty days after the close of each calendar year the directors of each corporation formed under this act shall furnish to the corporate authorities of the constituent municipalities a detailed audit of the affairs of the corporation covering the preceding calendar year Such audits shall include a balance sheet of the corporation as of the closing date of the year Such audits shall be verified by a certified public accountant who is not a member of the board or a full time employe of the corporation or by a firm of practicing accountants at least one member of which is a certified public accountant

ARTICLE V

CORPORATE POWERS

Section 501 General Powers Every corporation formed under this act shall be a body corporate and politic and shall be deemed to be exercising essential governmental functions in effectuating the purposes of its incorporation

For the effectuation of its authorized purposes each corporation shall have the following powers

(a) To have perpetual succession subject to the limitations of this act or limited succession as prescribed by its articles of incorporation

(b) To sue and be sued

(c) To adopt and use an official seal

(d) To elect a president vice-president secretary and treasurer and to adopt suitable by-laws for the management of its affairs The secretary need not be and the treasurer shall not be a member of the board Any corporation authorized to do a fiduciary business in Pennsylvania shall be eligible for the office of treasurer of a corporation formed under this act and any law to the contrary notwithstanding

such a treasurer corporation shall have authority to pledge its assets or to give other security for the faithful performance of its duties as treasurer

(e) To appoint such other officers and such agents and employes as it may require for the performance of its duties and to fix and determine their qualifications duties and compensation

(f) To enter into contracts

(g) To acquire own hire use operate and dispose of personal property

(h) To acquire own use lease operate and dispose of real property and interests in real property and to make improvements thereon

(i) To grant the use of by franchise lease or otherwise and to make charges for the use of any property or facility owned or controlled by it

(j) To borrow money upon its bonds or other obligations either with or without security and to repurchase such bonds before maturity at not more than par and accrued interest any bonds so purchased to be immediately cancelled

(k) To exercise the right of eminent domain

(l) To determine the exact location system and character of and all other matters in connection with any and all improvements or facilities which it may be authorized to own construct establish effectuate operate or control

(m) To exercise all other powers not inconsistent with the Constitutions of the Commonwealth and of the United States which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers except the power to levy taxes or assessments and generally to exercise in connection with its property and affairs and in connection with property within its control any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs and particularly to exercise all powers granted to public or quasi-public corporations as such by any other Act of Assembly

Section 502 No Power to Pledge Public Credit or Create Public Debt Notwithstanding any other provisions of this act a corporation shall have no power to pledge the credit of the Commonwealth of Pennsylvania or the credit of any municipality school district or poor district in the Commonwealth or to create any debt of the Commonwealth or of any such municipality or district.

Section 503 Construction and Operation of Public Works Projects Every corporation formed under this act shall have authority

(a) To construct water systems sewerage and drainage systems including sewage disposal plants and systems for the service of the public within the territory of the incorporating municipality or municipalities bridges highways parks parkways dams airports hangars tunnels and in addition thereto any building or public work which the incorporating municipality might now or may hereafter be authorized to construct

(b) To construct any part or parts of any such project and to construct any structures on and in connection with such project which shall be necessary or proper for the proper use or utilization of the project or any part thereof

(c) To construct school buildings for the use of any school district located within an incorporating municipality

(d) To construct operate and maintain or construct and thereupon least to others the right to operate and maintain electric wires and cables gas mains water mains sewers drains and other mechanical equipment and appliances which shall be necessary or convenient to the proper operation or maintenance of any project whether or not such wires cables mains sewers appliances or equipment be located on the premises belonging to the project

(e) To maintain and operate any project so constructed for the use of the public and to that end in its discretion to operate the project itself or to lease it to a private corporation or to any municipality as herein defined or to any school district or poor district in the Commonwealth Provided however That if the project shall be leased to a private corporation such corporation shall operate the project only for the use or service of the public and if a public service company subject to all the laws governing such companies

(f) To permit any public service company to occupy parts of any structure or property of any project with the facilities of the public service company at such rentals and upon such terms as the corporation shall determine The contract with the public service company shall fix a definite limitation on the period during which the facilities of the public service company may be so maintained not exceeding thirty years In connection with any agreement for the location of facilities of a public service company for structures on such property or project the corporation may enter into a contract with the public service company for the construction as a part of the project such structures or equipment as may be necessary to accommodate the facilities of the company but the company shall in every case pay in full the cost of such structures or equipment The payment by any public service company of the cost of such structure or equipment as may be necessary for the accommodation of its facilities shall not confer upon the company any rights except those expressly conferred upon it by the agreement between it and the corporation entered into prior to such construction

Section 504 Power to Make Regulations and Collect and Pledge Rents Fees etc Any corporation formed hereunder shall have authority to make and enforce such rules and regulations and to establish levy and collect (or to authorize by contract franchise lease or otherwise the establishment levying and collection of) such tolls rents rates and other charges for the use of or for the receipt of service from any project constructed or operated by the corporation Such tolls rents rates and other charges shall be at least sufficient to meet the operating expenses of the project including interest and sinking fund charges Any such corporation shall have authority to pledge such tolls rents rates and other revenues or any part thereof either presently received or to be received in the future or both as security for the repayment with interest of any moneys borrowed by it or advanced to it for any of its authorized purposes and as security for the satisfaction of any other obligation assumed by or imposed on it in connection with such loans or advances or the acquisition of lands or the construction of any project within the scope of its authority

Section 505 Powers of Corporation Not to Be Diminished to Prejudice of Creditors The Commonwealth hereby convenants and agrees with the holders of any bonds or other securities or obligations of any such corporation for which there may or shall be pledged the tolls rents rates or other revenues or any part thereof of any property or facility owned operated or controlled by such corporation that so long as any such bonds or other securities or obligations remain outstanding and unpaid and unless and until adequate provision is made by law for the protection of those advancing money upon such obligations the Commonwealth will not diminish or impair the power of such corporation to own operate or control said properties and facilities or to establish levy and collect tolls rents rates and other charges in connection with such properties or facilities

Section 506 Corporations Not Subject to Certain Taxes Neither a corporation formed under this act nor any of its rights properties franchises or income shall be subject to taxation by any municipality as herein defined or any school district or poor district nor to taxation by the Commonwealth except for such taxes as are or may be assessed against municipal corporations This section shall not operate to relieve from any taxation whatever any person firm or private corporation to which a corporation formed under this act shall have granted any right lease or franchise

ARTICLE VI

BORROWING MONEY AND ISSUANCE AND SALE OF BONDS

Section 601 Power to Borrow Money and Issue Bonds and Other Obligations Every corporation formed under this act shall have authority by the affirmative vote of a majority of all the members of its board of directors to borrow money for its corporate purposes and to issue its bonds or other obligations therefor The resolution of a board providing for the issuance of bonds may contain provisions which shall be a part of the contract with the holders of the bonds which

(a) Provide for the payment of the principal of and interest on such bonds or other obligations exclusively from the fees rents tolls or other charges revenues or receipts of any particular project and for the pledging of such fees rents tolls charges revenues and receipts to secure payment thereof and provide that such pledges shall constitute first liens on such fees rents tolls charges revenues or receipts during designated periods or generally

(b) Provide that such bonds or other obligations shall be general obligations of the corporation

(c) Fix the interest rate not exceeding six per centum per annum

(d) Provide for the maturity of bonds in series or otherwise and for redemption of bonds before maturity

(e) Specify the fees rents tolls charges taxes and other revenues or receipts of any projects the income and proceeds of which shall be avaliable directly or indirectly for payment of interest on or principal of the bonds and the amounts to be raised in each year thereby and the use and disposition thereof.

(f) Require the setting aside of reserves or sinking funds and the regulation and disposition thereof

(g) Prescribe limitations on the right of the corporation to restrict and regulate the use of the project

(h) Impose limitations on the issuance of additional bonds the principal or the interest of which would be payable from the receipts and revenues of the project and prescribe the purpose to which the proceeds of any such issue of bonds may be applied

(i) Provide the procedure if any by which the terms of any contract with bondholders may be altered the amount of bonds the holders of which must consent thereto and the manner in which such consent may be given

(j) Provide for any other terms and conditions which the board may deem for the best interests of the corporation including covenant that the interest on the bonds shall be paid without deduction for Federal or State taxes or any parts thereof

(k) Provide for remedies and procedure upon default in agreements between the corporation and holders of its bonds in addition to the remedies and procedure prescribed by this act

Section 602 Issuance and Sale of Bonds Not Subject to Other Laws In the issuance and sale of such bonds the corporation shall not be subject to the requirements of laws concerning increase of indebtedness of either private or municipal corporations

Section 603 Sale of Bonds The corporation may sell its bonds or other obligations at private sale without solicitation of bids provided that the price obtained therefor shall not be less than par and accrued interest The corporation may also offer its bonds at public sale by sealed bids or otherwise after giving notice thereof in the manner required by law for the sale of bonds of municipal corporations to the public in proceedings for the increase of municipal indebtedness and at such sale may sell the bonds to the highest and best bidder provided that such bid shall not be less than ninety-five per centum of the par value of the bonds together with all accrued interest thereon

Section 604 Bonds to be Legal Investments The bonds or other securities or obligations which may be issued by any corporation formed under this act for any of its authorized purposes and as security for which there are pledged either the general revenues of the corporation derived from all projects owned operated or controlled by it or the tolls rents fees rates and other revenues derived from any particular project or part thereof which is owned operated or controlled by the Commission are hereby made legal investments for investment of funds or trustees and other fiduciaries and for the funds of all banks bankers bank and trust companies trust companies savings banks building and loan associations investment companies and other persons carrying on a banking or trust business and for all insurance companies insurance associations and other persons or corporations carrying on an insurance business Such bonds may properly and legally be pledged to and accepted by the Commonwealth and any administrative department board or commission and any municipal subdivision in the Commonwealth for any purpose for which the deposit of bonds or other obligations is now or may hereafter be authorized

Section 605 Remedies of Bond Holders If the corporation shall default in the payment of principal of or interest on any of its bonds after the same shall become due whether at maturity or upon call for redemption and such defaults shall continue for a period of thirty days or in the event that the corporation shall default in any agreement made with the holders of its bonds the holders of twenty-five per centum in aggregate principal amount of the bonds then outstanding by writing duly recorded in the office of the recorder of deeds for any county in which any project of the corporation is located may appoint a trustee or trustees to represent the holders of such bonds Such trustee or trustees may and upon written request of the holders of twenty-five per centum of the principal amount of the bonds then outstanding shall to the extent directed by such bondholders in his or their own names proceed in one or more of the following methods

(a) By mandamus or other suit action or proceeding at law or in equity require the corporation to carry out any agreement with the bondholders and to perform its duties under the obligation of this act and such bonds

(b) Bring suit upon the bonds

(c) By proceeding in equity enjoin any acts or things which might be unlawful or in violation of the rights of the bondholders

(d) Apply for the appointment of a receiver or receivers to take over and operate the affairs of the corporation or any particular project in the interests of the bondholders and other creditors

Where the default has occurred with respect to bonds the obligation of which is limited to the income or proceeds of a particular project and where the corporation operates and maintains other projects also an application by the trustee or trustees for a receiver shall be confined to and the receiver shall be appointed only for such project

Such trustees in addition to the other powers granted in this section shall have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the bondholders in the enforcement and protection of their rights

Section 606 Costs In any suit action or proceeding by the trustee the fees counsel fees and expenses of the trustee shall constitute taxable disbursements and all costs and disbursements allowed by the court shall be a first charge on any fees rents tolls or other charges taxes or other revenues and receipts derived from levied for or obtained in connection with the project

Section 607 Authority of Courts The court of common pleas of any county in which a project of a defaulting corporation shall be located is hereby vested with authority to entertain any such suit or action by such trustee or trustees in their own names and to issue writs of mandamus injunctions and any other appropriate writs orders and judgments therein and to appoint receivers to operate projects of the defaulting corporation

ARTICLE VII

EMINENT DOMAIN

Section 701 Exercise of Power of Eminent Domain If for any of its authorized purposes (including temporary construction purposes) the corporation shall find it necessary or convenient to acquire or use any real property whether for immediate or future use the directors may find and determine that such property whether a fee simple or a lesser interest is required for public use and upon such determination the said property shall be deemed to be required or of public use until otherwise determined by the board and with the exceptions hereinafter specifically noted the said determination shall not be affected by the fact that such property has theretofore been taken for or is then devoted to a public use but the public use in the hands or under the control of the corporation created under this act shall be deemed superior to the public use in the hands or under the control of any other person association or corporation

If the board shall be unable to agree with the owner or owners of such real estate upon terms for the acquisition thereof by the corporation then the corporation may acquire such real property or such rights therein as shall be deemed necessary by the exercise of eminent domain

Section 702 Tender of Bond and Entry on Land Before entering upon any real property (except for the purpose of making plans borings soundings or surveys) the corporation shall tender to the owner or owners of the lands a bond to secure payment of damages and in case the owner shall refuse to accept the same shall file such bond in the court of common pleas of the county in which such real estate is located after having given at least five days' written notice to such party or his agent attorney guardian or committee of the time when such bond will be presented to the court for approval Upon acceptance of the bond by the parties in interest or approval of the bond by the court of common pleas the corporation shall have authority to enter upon and use said lands for its

purposes at the expiration of the period of notice hereinafter prescribed

Section 703 Recovery on Bond When such a bond shall be presented to and approved by the court the bond shall be filed therein for the benefit of those interested Recovery may be had on any bond accepted by the owner or owners or filed in court by any person who shall suffer damage by the exercise of eminent domain for the amount of damages assessed to such person If the damages are not paid they may be collected by execution on the judgment in the issue framed to try the question of the amount of damages sustained The condition of the bond shall be that the corporation shall pay or cause to be paid such amount of damages as the parties shall be entitled to receive, whenever the same shall have been agreed upon by the parties or assessed in the manner hereinafter provided

Section 704 Notice to Vacate and Issuance of Writ of Possession The corporation shall not dispossess any owner of lands which the corporation has acquired by eminent domain until after having given thirty days' written notice to the owner or occupier thereof to remove his property from the premises and give up possession thereof If at the expiration of such period of notice the owner or occupier shall refuse to remove his goods and give up possession upon proof of the service of the notice a writ of habere facias possessionem shall forthwith issue directing the sheriff to give immediate possession to the corporation

Section 705 Proceedings to Determine Damages The damages sustained by any owner lessee or occupier of lands so acquired by the corporation shall be determined in the manner required by law for the assessment of damages sustained by exercise of the power of eminent domain by the city borough incorporated town or township in which the real estate so taken or affected shall be situated

Section 706 Acquisition of Public Property Anything to the contrary herein contained notwithstanding no property now or hereafter vested in or held by any municipality as herein defined or any school district or poor district shall be taken by any such corporation without the consent of such municipality or district unless expressly authorized so to do by the General Assembly All municipalities school districts and poor districts notwithstanding any contrary provision of law are hereby authorized and empowered to grant and convey to any corporation formed under this act which includes the territory of such municipality or district upon request of the corporation but not otherwise upon reasonable terms and conditions any real property which may be necessary or convenient to effect the authorized purposes of the corporation including real property already devoted to public use

Section 707 Occupation of Highways Any such corporation shall have authority to occupy but not to obstruct (except for temporary periods during actual construction of a project) the bed of any public road street or highway including any state highway or highway under the control of the Department of Highways provided however that the Department of Highways shall have authority to prescribe reasonable regulations for any such occupation use or obstruction of a state highway or highways under control of the Department and to require guarantees of the restoration of the surface of any highway which may be opened in the course of the construction or maintenance of any project by a corporation Local authorities shall have like authority to prescribe reasonable regulations and require similar guarantees for occupation use or obstruction of any highway within their control

ARTICLE VIII

DISSOLUTION AND WINDING UP

Section 801 When Corporations Shall Be Dissolved Notwithstanding any contrary provision contained in this act or in the articles of incorporation every corporation formed hereunder shall be dissolved if and when all indebtedness of the corporation to any agency of the Federal government and all outstanding bonds and other obligations shall have been paid or provided for

Section 802 Procedure for Dissolution and Winding Up Dissolution and winding up of a corporation shall be initiated by resolution of the board of directors and shall be accompanied by proceedings analogous to procedure prescribed by law for dissolving and winding up og business corporations

Section 803 Disposition of Corporate Property and Projects Upon the dissolution of a corporation after payment of all outstanding liabilities all of the projects theretofore owned operated or maintained by the corporation shall become the property of the municipality in which the project shall be located If the project shall be located in more than one municipality it shall become the joint property of all municipalities in which it is located and shall thereafter be operated and maintained by joint action of their corporate authorities

ARTICLE IX

REPEALS

Section 901 All acts and parts of acts inconsistent herewith are herewith repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MANSFIELD. Mr. President, I move that Senate Bill No. 30, the bill just read, be recommitted to the Committee on Municipal Affairs.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

MOTION TO RECONSIDER SENATE BILL NO. 11 (HOUSE BILL NO. 9)

Mr. SNYDER. Mr. President, I move to reconsider the vote by which Senate Bill No. 11 (House Bill No. 9), entitled:

An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties.

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. SNYDER. Mr. President, I voted "aye."

Mr. HARRIS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARRIS. Mr. President, I voted "aye."

The motion was not agreed to.

RECONSIDERATION OF SENATE BILL NO. 7

Mr. SHAPIRO. Mr. President, I move to reconsider the vote by which Senate Bill No. 7, entitled:

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class.

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. SHAPIRO. Mr. President, I voted "aye."

Mr. SALUS. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SALUS. Mr. President, I voted "aye."

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and reconsideration of Senate Bill No. 7.

And the question recurring.

Will the Senate agree to the bill on second reading?

Mr. SHAPIRO. Mr. President, I move to reconsider the vote by which the title of the bill was agreed to.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring.

Will the Senate agree to the title?

Mr. SHAPIRO. Mr. President. I move to reconsider the vote by which the second section of the bill was agreed to.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President. I move to reconsider the vote by which the first section of the bill was agreed to.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same. That all penalties and interest imposed on delinquent city and school taxes in cities of the first class and due on taxes and other charges including costs for the tax year one thousand nine hundred and thirty-one or any previous tax year may be abated by the council of any such city if such taxes are paid in full on or before the thirtieth day of June one thousand nine hundred and thirty-four. All penalties and other charges not including interest due on such delinquent city and school taxes for the tax year one thousand nine hundred and thirty-two may be abated by the council of any such city if such taxes and the interest due thereon are paid in full on or before the thirteenth day of September one thousand nine hundred and thirty-four

This act shall be construted to apply to all city and school taxes whether or not liens for such taxes have been filed in the office of the prothonotary of the county

And the question recurring,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend page 1, line 5, by inserting after the word "taxes" and before the word "in" the following: "And any other charges including any costs due on such taxes"; also lines 5 and 6 by striking out the words "and due on taxes and other charges including costs;" also page 2, line 5, by adding after the word "county" the following: "or any proceedings for the collection of such taxes have been instituted in any court in said county."

Mr. REED. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to.

Section 2 This act shall become effective immediately upon final enactment

The title of the bill was read as follows and agreed to

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF SENATE BILL NO. 15

Mr. BUCKMAN. Mr. President, I move to reconsider the vote by which Senate Bill No. 15, entitled:

An Act to enable city, county, poor, ward, school, borough and township tax collectors, their executors and administrators if they are deceased, or either surety or sureties, to collect taxes, for the payment of which they have become personally liable without having collected the same, by the expiration of the authority of their respective bonds, or by the expiration of the authority of their respective warrants, or by the expiration of their terms of office, and to extend the time for the collection of the same for a period of two years from the passage of this act.

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "aye."

Mr. GELDER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GELDER. Mr. President, I voted "aye"

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and the reconsideration of Senate Bill No. 15,

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. BUCKMAN. Mr. President, I move to reconsider the vote by which the title of the bill was agreed to.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of the authority of their respective wararnts or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

And the question recurring.

Will the Senate agree to the title?

M. BUCKMAN. Mr. President, I move to amend title, page 1, line 8, by striking out the word "warrents" and inserting in lieu thereof: "warrants"

Mr. GELDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS INTRODUCED

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER read in his place and presented to the Chair Senate Bill No. 32, entitled:

An Act to promote the safety of travelers and employes upon railroads by prohibiting common carriers by railroad hauling trains excessive in length providing penalties and providing for enforcement by the Public Service Commission.

Which was committed to the Committee on Railroads

Mr. BUCKMAN (by request) Mr. President, I ask unanimous consent to read bills in pace at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 33, entitled:

An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board.

Which was committed to the Committee on Finance.

Also (by request) read in his place and presented to the Chair Senate Bill No. 34, entitled:

An Act authorizing the State Treasurer to act as custodian of moneys and securities contributed to or deposited with the Commonwealth or officers, departments, boards, or commissions of the Commonwealth, prescribing the manner in which such moneys or securities shall be held and disbursed or delivered up, and making an appropriation to the Treasury Department for the cost of administering such moneys and securities.

Which was committed to the Committee on Appropriations.

ADJOURNMENT

Mr. OWLETT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 11:00 o'clock.

Mr. FAY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:45 p. m. until 11:00 o'clock Wednesday morning, November 22, 1933.

HOUSE OF REPRESENTATIVES

TUESDAY, November 21, 1933

The House met at 11.00 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

O Lord our God, accept our thanks for this new day with its blessings of life and opportunity. Help us to be loyal to Thee, to the Commonwealth, to our constituents, and our home folks today, for without loyalty life moves on to tragedy. As we move about in thy temples may we realize that we are on holy ground. Help us never to defile the temple of prayer. Keep us from polluting the temple of Government, keep us from befouling the temple of conscience, keep us from degrading the temple of art and beauty, and finally, dear Lord, keep us from corrupting the temple of the body. Help us to be pure and strong for the glory of Thyself and the service of our fellowmen. Amen.

JOURNAL APPROVED

The SPEAKER. The clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. Scott, the further reading was dispensed with and the Journal approved.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair is about to refer the following bills but desires to make a statment before they are read by the Clerk:

Since your present Speaker was inducted into office all bills have been referred with the assistance of the legal arm of the Legislature, Mr. Fertig, head of the Legislative Reference Bureau.

It has come to the attention of the Chair that precedent apparently has been established in referring liquor control bills to the Committee on Judiciary General. In view of that fact the Speaker feels that the membership is entitled to an explanation.

Prior to the Session of 1933, or rather November 7, of this year, it had been customary to send bills of a similar character to the Committee on Law and Order because the issue was a question of morals, but after the election on November 7, when the people in no uncertain terms spoke, making it mandatory on the part of this Legislature to enact laws, it was the feeling of the head of the Legislature Reference Bureau and the Speaker that it became a matter of law entirely, and therefore, it was thought proper, because the Committee on Judiciary General is composed practically entirely of attorneys, to send the liquor control bills there. That is the reason that liquor control bills are being sent to the Committee on Judiciary General.

BILLS INTRODUCED AND REFERRED

By Mr. HARMUTH. HOUSE BILL No. 54.

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction, and providing for the repayment of such moneys from the General Fund.

Referred to the Committee on Appropriations.

By Mr. TALBOT. HOUSE BILL No. 55.

An Act making an appropriation out of The State Stores Fund to the State Emergency Relief Board, for direct relief, work relief and expenses; defining the purposes for which such moneys may be expended; providing for the audit of such expenditures; and the prescribing the powers and duties of the State Emergency Relief Board and of certain State departments.

Referred to the Committee on Appropriations.

By Mr. TURNER. HOUSE BILL No. 56.

An Act to amend sections one thousand seven hundred and seventy-six, two thousand one hundred and twelve, and two thousand one hundred and forty-one, of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs;" lengthening the time for which assessments bonds for street and sewer improvement may be issued; regulating notice where sewer-works are constructed without the limits of a borough.

Referred to the Committee on Boroughs and Townships.

By Mr. TURNER. HOUSE BILL No. 57.

A Joint Resolution creating an Unemployment Insurance Investigation Commission; defining the powers and duties of said Commission; and making an appropriation.

Referred to the Committee on Labor.

By Mr. LANE. HOUSE BILL No. 58.

An Act to prohibit the detention of persons in private lockups and on private property for examination pending arraignment.

Referred to the Committee on Judiciary General.

By Mr. BERNHARD. HOUSE BILL No. 59.

An Act to promote the safety of travelers and employes upon railroads by prohibiting common carriers by railroads hauling trains excessive in length providing penalties and providing for enforcement by the Public Service Commission.

Referred to the Committee on Railroads and Railways.

By Mr. JOHN J. PERRY. HOUSE BILL No. 60.

An Act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotives trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains and other self propelled engines or machines to provide the qualification of certain employes and to provide a penalty for the vioaltion thereof.

Referred to the Committee on Railroads and Railways.

By Mr. FITZGERALD. HOUSE BILL No. 61.

An Act authorizing political subdivisions to exonerate in whole or in part, taxes on real estate occupied by unemployed or indigent tenants.

Referred to the Committee on Municipal Corporations.

By Mr. STEEDLE. HOUSE BILL No. 62.

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An Act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," by making additional appropriations to certain administrative departments.

Referred to the Committee on Appropriations.

By Mr. SHEFFER. HOUSE BILL No. 63.

An Act creating an Unemployment Insurance Commission defining the powers and duties of said Commission and making an appropriation.

Referred to the Committee on Labor.

By Mr. MYERS. HOUSE BILL No. 64.

An Act to amend section seven hundred and ten of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined;" providing that the State Police shall not enter into areas affected by strikes, industrial disputes or conflicts between an employer and employes, except upon express order of the Governor.

Referred to the Committee on State Government.

By Mr. MYERS. HOUSE BILL No. 65.

An Act requiring all deputy sheriffs to be paid by the counties in which they are employed; prohibiting all contracts and agreement for repayment or reimbursement to any county or the sheriff thereof by any persons, copartnership, association or corporation of compensation to such deputy sheriffs; and fixing penalties.

Referred to the Committee on Counties.

By Mr. ANDREWS. HOUSE BILL No. 66.

An Act for the relief of financially distressed taxpayers; providing for the payment in installments of delinquent county, city, borough, incorporated town, township, school and poor taxes in certain cases, and abating additional penalties and interest thereon.

Referred to the Committee on Municipal Corporations

By Mr. HOUGH. HOUSE BILL No. 67.

An Act to amend section one as amended of, and section one and one-tenth as added to, the act, approved, the twenty-sixth day of August, one thousand nine hundred and thirty-two (P. L. 100), entitled "An Act authorizing the abatement of penalties on local taxes," extending the provisions of said act to counties of the second class.

Referred to the Committee on Municipal Corporations.

By Mr. HUTTON. HOUSE BILL No. 68.

An Act empowering and in proper cases directing corporate authorities of political subdivisions to exonerate, in whole or in part, landlords from the payment of taxes on dwelling occupied by tenants who by reason of unemployment and indigency, are unable to pay rent in whole or in part, and providing the procedure in such cases, including appeals to the court of common pleas by landlords.

Referred to the Committee on Municipal Corporations.

By Mr. RHODES. HOUSE BILL No. 69.

A Joint Resolution creating an Unemployment Insurance Commission; defining the powers and duties of said Commission, and making an appropriation.

Referred to the Committee on Labor.

By Mr. SPANN. HOUSE BILL No. 70.

An Act to amend sections two, five, seven, fifteen and twenty-two of, and to repeal sections three, four, eight, nine, ten, eleven, twelve, thirteen, fourteen, sixteen, seventeen, eighteen, nineteen, twenty and twenty-one of, the act approved the thirteenth day of May, one thousand nine hundred and fifteen, (P. L. 286), entitled "An act to provide for the health, safety, and welfare of minors; by forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers in charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provi-

sions thereof; and repealing all acts or parts of acts inconsistent therewith;" prohibiting the employment of minors under the age of sixteen.

Referred to the Committee on Labor.

By Mr. CORDIER. HOUSE BILL No. 71.

An Act to provide for the permanent personal registration of electors in cities of the second class A as a further condition of their right to vote at elections and primaries; providing for the appointment of a registration commission; and imposing duties and conferring powers upon members thereof and their appointees, and upon election officers, registrars of vital statistics, city officers, police officers, courts, peace officers, and school directors; and imposing duties.

Referred to the Committee on Elections.

By Mr. SURFACE. HOUSE BILL No. 72.

An Act to impose an emergency State income tax, and providing for the distribution of the proceeds thereof to school districts.

Referred to the Committee on Ways and Means.

By Mr. BALDI. HOUSE BILL No. 73.

An act to regulate the sale and delivery of coal, coke, petroleum coke, briquettes, and other solid fuels; providing for appointment of public weighmasters; prescribing their powers and duties; imposing certain duties on the Department of Internal Affairs; and providing penaties.

Referred to the Committee on Mines and Mining.

By Mr. STEEDLE. HOUSE BILL No. 74.

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years begining June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," by making additional appropriations to the Executive and Judicial Departments of the Commonwealth.

Referred to the Committee on Appropriations.

By Mr. STEEDLE and Mr. SOWERS. HOUSE BILL No. 75.

An Act to regulate, control and restrain the sale, importation and use of certain alcoholic beverages, as herein defined, creating Zone Liquor Control Commissions, defining their powers and duties, conferring powers and imposing duties upon the officers of the State Government, Courts and District Attorneys, providing for the licensing, of the manufacture, possession, sale, transportation and distribution of such beverages and the granting of licenses subject to local option, to sell such beverages, forbidding the importation of such beverages into the State, except by licensees prohibiting certain sales and practices in connection with and transactions in such beverages by licensees and others making disposition of the receipts of the license fees and imposing penalties for violations and repealing all inconsistent acts.

Referred to the Committee on Judiciary General.

By Mr. WITKIN. HOUSE BILL No. 76.

An Act to regulate and restrain the sale, importation and use of certain alcoholic beverages; creating a board to be known as the Pennsylvania Alcoholic Liquor Control Board; conferring powers, defining functions and imposing duties thereupon and in connection therewith and upon and in connection with other departments and officers of the State Government, courts and district attorneys; providing for the granting of licenses to manufacture, import and transport such beverages; prohibiting certain sales; regulating practices in connection with and transactions in such beverages by licensees and others; making disposition of the receipts from license fees; making an appropriation; and imposing penalties.

Referred to the Committee on Judiciary General.

By Mr. BLUMBERG. HOUSE BILL No. 77.

An Act providing for and reguating, subject to certain restrictions, limitations and liabilities, assistance to and the burial of certain aged indigent persons, and the administration of this act by the Department of Welfare, the trustees, who administer mothers' assistance in the several counties and others; making counties liable for certain expenses; providing penalties; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. BLUMBERG. HOUSE BILL No. 78.

An Act making an appropriation out of The State Stores Fund to the Department of Welfare for old age assistance.

Referred to the Committee on Appropriations.

By Mr. GEORGE E. WALKER. HOUSE BILL No. 79.

An Act making an appropriation to the Department of Forests and Waters to improve the course of Lopez Creek in Sullivan County to prevent floods.

Referred to the Committee on Appropriations.

By Mr. MASON. HOUSE BILL No. 80.

An Act to amend section two of the act approved the fifth day of March, one thousand nine hundred and six, (P. L. 63), entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions," as amended; providing that the county commissioners may appoint the registrars for each district without nomination petitions from the party representatives of the dsitrict.

Referred to the Committee on Elections.

By Mr. SHREINER. HOUSE BILL No. 81.

An Act authorizing banks, banking institutions, savings institutions, building and loan associations, guardians, trustees and other fiduciaries to invest moneys and funds in bonds issued by the Federal Home Owners' Loan Corporation; and exempting such bonds from taxation for certain purposes.

Referred to the Committee on Banking.

By Mr. BALDI. HOUSE BILL No. 82

An Act relating to the collection of delinquent municipal subdivision and school district taxes and liens.

Referred to the Committee on Municipal Corporations.

PETITION

REQUESTING APPROPRIATION FOR FLOOD PROTECTION

Citizens of Colley Township, Sullivan County.

Referred to the Committee on Appropriations.

REPORT FROM COMMITTEE

Mr. GEORGE W. WILLIAMS, from the Committee on Highways, reported as committed, House Bill No. 37 (Senate Bill No. 3), entitled:

An Act to amend sections one four and five of the act approved the sixteenth day of March one thousand nine hundred thirty-three (Act number ten) entitled "An act authoriz-

ing the Department of Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges authorizing the construction and maintenance of such bridges approaches and connecting roads to State highways by the Department of of Highways providing for the condemnation of property necessary for the construction thereof and the assessment and payment of damages therefor providing for the collection of tolls upon certain terms and conditions and the deposit thereof in the State Treasury in a special fund providing for the payment of toll collection costs maintenance charges and repayments to the Reconstruction Finance Corporation from said funds providing for the cessation of tolls and payment of subsequent maintenance costs from the Motor License Fund and appropriating certain money in the Motor License Fund to carry out the provisions of said act" by authorizing similar arrangements to be made with other agencies of the Federal Government.

APPOINTMENT OF COMMITTEE

The SPEAKER. The Chair desires to announce that pursuant to a resolution adopted by this House last evening the Chair appoints on said Committee Messrs. Witkin, Ruby, Wilson, Hutton and McElwee.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 39, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 40, entitled:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON SECOND READING

The SPEAKER. Will the House dispense with the Committee of the Whole on House Bill No. 10, Printer's No. 1 on second reading?

Mr. SOWERS. Mr. Speaker, I object to dispensing with the Committee of the Whole.

The SPEAKER. The Chair calls to the rostrum the gentleman from Franklin, Mr. Hutton, to act a chairman of the Committee of the Whole House.

COMMITTEE OF THE WHOLE HOUSE

MR. HUTTON IN THE CHAIR

(Upon motion the Committee of the Whole House rose and reported House Bill No. 10, Printer's No. 1, back to the House as amended.)

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

Mr. HUTTON. Mr. Speaker, on behalf of the Committee of the Whole House I desire to report back to the House, House Bill No. 10, Printer's No. 1, as amended, the bill having been read at length in the Committee.

REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON HOUSE BILL NO. 10.

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Alcohol Permit Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation of such beverages into the State except by State stores prohibiting certain sales of practices in connection with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of license fees and imposing penalties

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1 Short Title This act shall be known and may be cited as the "Pennsylvania Liquor Control Act"

Section 2 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Association" shall mean a partnership limited partnership or any form of unincorporated enterprise owned by two or more persons

"Board" shall mean the "Pennsylvania Alcohol Permit Board" of this Commonwealth

"Club" shall mean any incorporated group of individuals associated together not for profit for legitimate purposes of mutual benefit entertainment fellowship or convenience which has been in contiuous existence for at least two years immediately preceding the date of its application for a license under this act and which regularly occupies as owner or lessee a clubhouse having a dining room for the use of its members and a kitchen apart therefrom in which food is regularly prepared for the members.

"Corporation" shall mean a corporation or jointstock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Hotel" shall mean any reputable place operated by responsible persons of good reputation where the public may for a consideration obtain sleeping accommodations with meals and which has at least fifteen permanent bedrooms for the use of guests a public dining room operated by the same management accommodating at least forty persons at one time and a kitchen apart from the public dining room in which food is regularly prepared for the public

"Liquor" shall mean and include any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic and all drinks or drinkable liquids preparations or mixtures which contain more than one-half of one percent of alcohol by volume except malt liquors.

"Malt Liquor" means any beer lager beer ale porter or similar fermented malt liquor containing one-half of one per centum or more of alcohol by volume by whatever name such liquor may be called.

"Manufacturer" shall mean any person association or corporation engaged in the producing manufacturing distilling rectifying or compounding of liquor in this Commonwealth

"Municipality" shall mean any city borough incorporated town or township of this Commonwealth

"Package" shall mean any container or containers or receptacle or receptacles used for holding liquor

"Restaurant" shall mean a reputable place operated by responsible persons of good reputation and habitually and prin-

cipally used for the purpose of providing meals for the public the place to have an area within a building of not less than five hundred square feet equipped with tables and chairs accommodating at least sixty persons at one time and a kitchen apart from such area regularly used for the preparation of food for the public and in which at least three persons are regularly employed in the preparation of meals or work incidental thereto

"Sale" or "Sell" shall include any transfer of liquor for a consideration and any gift in connection with or as a part of a transfer of property other than liquor for a consideration

Section 3 Interpretation of Act (a) This act shall be deemed an exercise of the police power of the Commonwealth for the protection of the public welfare health peace and morals of the people of the Commonwealth and to prohibit forever the open saloon and all of the provisions of this act shall be liberally construed for the accomplishment of this purpose

(b) The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impart any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

(c) Except as otherwise expressly provided the purpose of this act is to prohibit transactions in liquor which take place wholly within the Commonwealth except by and under the control of the board as herein specifically provided and every section and provision of the act shall be construed accordingly The provisions of this act dealing with the importation sale and disposition of liquor within the Commonwealth through the instrumentality of the board and otherwise provide the means by which such control shall be made effective This act shall not be construed as forbidding affecting or regulating any transaction which is not subject to the legislative authority of this Commonwealth

(d) Any reference in this act to the provisions of law on any subject shall apply to statutes becoming effective after the effective date of this act as well as to those then in existence

(e) Section headings shall not be taken to govern or limit the scope of the sections of this act The singular shall include the plural and the masculine shall include the feminine and the neuter

ARTICLE II

GENERAL POWERS AND DUTIES OF PENNSYLVANIA ALCOHOL PERMIT BOARD

Section 201 General Powers of Board Under this act the board shall have the power and its duty shall be

(a) To buy import and have in its possession for sale and sell liquor in the manner set forth in this act

(b) To control the possession sale consumption and delivery of liquor in accordance with the provisions of this act

(c) Subject to the approval of the Court of Quarter Sessions as provided in this act to determine the municipalities within which Pennsylvania Liquor Stores shall be established and the locations of the stores within such municipalities

(d) To grant and issue liquor licenses as provided in this act

(e) To lease through the Department of Property and Supplies as agent and furnish and equip such buildings rooms and other accommodations as shall be required for the operation of this act

(f) To appoint fix the compensation and define the powers and duties of such managers officers inspectors clerks and other employes as shall be required for the operation of this act subject to the provisions of The Administrative Code of 1929 except as otherwise provided in this act

(g) To determine the nature from and capacity of all packages to be used for containing liquor kept or sold under this act

(h) Without in any way limiting or being limited by the foregoing to do all such things as are deemed necessary or advisable for the purpose of carrying into effect the provisions of this act and the regulations made thereunder

Section 202 General Power to Make Regulations The board may from time to time make such regulations not inconsistent with this act as it may deem necessary for the efficient administration of this act The board shall cause such regulations to be published and disseminated through the Commonwealth in such manner as it shall deem necessary and advisable Such regulations adopted by the board shall have the same force as if they formed a part of this act

Whenever it is provided in this act that any act matter or thing may be done if permitted or authorized by the regulations or may be done in accordance with the regulations or as provided by the regulations prescribed by the board under this act the board subject to the provisions of this act shall have the power to prescribe regulations respecting such act matter or thing

Section 203 Specific Subjects on which Board may Adopt Regulations Subject to the provisions of this act and without limiting the general power conferred by the proceeding section the board may make regulations regarding

(a) The equipment and management of Pennsylvania Liquor Stores and warehouses in which liquor is kept or sold and the books and records to be kept therein

(b) The duties and conduct of the officers and employes of the board

(c) The purchase of liquor and its supply to Pennsylvania Liquor Stores

(d) The classes varieties and brands of liquor to be kept and sold in Pennsylvania Liquor Stores

(e) The issuing and distribution of price lists for the various classes varieties or brands of liquor kept for sale by the board under this act

(f) The sealing and labeling of liquor sold under this act

(g) Forms to be used for the purposes of this act

(h) The issuance of licenses to hotels restaurants and clubs and the conduct management and equipment of licensees

ARTICLE III

PENNSYLVANIA LIQUOR STORES

Section 301 Board to Establish State Liquor Stores The board shall establish operate and maintain at such places throughout the Commonwealth as it shall deem essential and advisable stores to be known as "Pennsylvania Liquor Stores" for the sale of liquor in accordance with the provisions of and the regulations made under this act but the board shall not establish a Pennsylvania Liquor Store in any municipality until the establishment and proposed location of the store within the municipality shall be approved by the Court of Quarter Sessions of the county in which such municipality is located The board may establish operate and maintain such establishments for storing and testing liquors as it shall deem expedient to carry out its powers and duties under this act

The board may lease the necessary premises for such stores or establishments but all such leases shall be made through the Department of Property and Supplies as agent of the board through the Department of Property and Supplies shall have authority to purchase such equipment and appointments as may be required in the operation of such stores or establishments

Section 302 Selection of Personnel to Operate Pennsylvania Liquor Stores No officer or employe shall be appointed or employed by the board to operate or assist in the operation of Pennsylvania Liquor Stores or other establishments maintained by the board except as provided in this section The board is hereby auhtorized to prescribe from time to time by rule or rgulation the qualifications to be possessed by persons desiring employment in such stores or establishments The qualifications shall be such as will best promote the efficient operation and management of such stores or establishments

Every person desiring employment in a Pennsylvania Liquor Store or establishment shall file with the board an application under oath or affirmation which shall be in such form and shall set forth such information as the board shall prescribe Upon receiving such application the board shall transmit the same to the Departmnt of Public Instruction which shall determine whether under the rules or regulations of the board the applicant is qualified for the employment he seeks If so the applicant shall be admitted to competitive examination when examinations shall next be held for positions in the class of employment he seeks Such competitive examinations shall be practical in character and as far as may be possible shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to perform the duties of the service to which they seek to be appointed

The Department of Public Instruction shall conduct such examinations at such places in the Commonwealth as to make it reasonably convenient and inexpensive for applicants to attend them When there are positions to be filled examinations shall be held at least twice in each year The Department may divide the State into districts for the purpose of conducting such examinations Every candidate admitted to such examinations shall be given a number so that when his paper is marked and graded it will be impossible to ascertain his identity until his grade has been established The examination papers of such candidates shall be marked by committees composed of representatives of the Department and of persons not employed by the Commonwealth in any other capacity designated by the presidents of the colleges and universities receiving State aid from the Commonwealth All such outside examiners shall receive compensation at the rate of fifteen dollars per day for their srvices The number of committees which may be necessary shall be determined by the Department and each committee shall consist of three persons The selections made by the presidents of State-aided colleges and universities shall be submitted to the Department in writing by each such president and the Department shall designate committee members from the lists so submitted in rotation

All offices places and employments in Pennsylvania Liquor Stores or establishments operated by the board shall be filled by selections from persons who have satisfactorily passed the examinations The person receiving the highest grade shall be first appointed and so on The list of eligibles in any district shall be valid only until the next examination is held in such district

Section 303 Management of Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall be conducted by a person appointed in the manner provided in this article who shall be known as the "manager" and who shall under the directions of the board be responsible for carrying out the provisions of this act and the regulations adopted by the board under this act as far as they relate to the conduct of such stores

Section 304 When Sales May be Made at Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall be open for business week days except legal holidays or any day on which a general municipal special or primary election is being held from nine A. M. to nine P. M. The board may with the approval of the Governor temporarily close any store in any municipality during any period of emergency proclaimed to be such by the Governor

Section 305 Sales by Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall keep in stock for sale such classes varieties and brands of liquor as the board shall prescribe If any person shall desire to purchase any class variety or brand of liquor which any such store does not have in stock it shall be the duty of such store immediately to order the same upon the payment of a reasonable deposit by the purchaser in such proportion of the approximate cost of the order as shall be prescribed by the regulations of the board The customer shall be notified immediately upon the arrival of the goods

Unless the customer pays for and accepts delivery of any such special order within five days after notice of arrival the store may place it in stock for general sale and the customer's deposit shall be forfeited

Every Pennsylvania Liquor Store shall sell liquors at wholesale to hotels restaurants and clubs licensed under this act All other sales by such stores shall be at retail No liquor shall be sold except for cash

No liquor shall be sold to any purchaser except in a package sealed with the official seal of the board required by this act which package shall not be opened on the premises of a Pennsylvania Liquor Store No manager or other employe of the board employed in a Pennsylvania Liquor Store shall allow any liquor to be consumed on the store premises nor shall any person consume any liquor on such premises

Every purchaser of liquor from a Pennsylvania Liquor Store shall receive a numbered receipt which shall show the brand of liquor the price paid therefor and such other information as the board may prescribe Duplicate copies of all receipts issued by a Pennsylvania Liquor Store shall be retained by and shall form part of the records of such store

Section 306 Audits by Auditor General It shall be the duty of the Department of the Auditor General to make all audits which may be necessary in connection with the administration of financial affairs of the board and the Pennsylvania Liquor Stores operated and maintained by the board

At least one audit shall be made each year of the affairs of the board and all collections made by the Pennsylvania Liquor Stores shall be audited quarterly.

Special audits of the affairs of the board and the Pennsylvania Liquor Stores maintained and operated by the board may be made whenever they may in the judgment of the Auditor General appear necessary and shall be made whenever the Governor shall call upon the Auditor General to make them

Copies of all audits made by the Department of the Auditor General shall be promptly submitted to the board and to the Governor

Unless the Department or the Auditor General shall neglect or refuse to make annual quarterly or special audits as hereinabove required it shall be unlawful for the board to expend any money appropriated to it by the General Assembly for any audit of its affairs except for the payment of the compensation and expenses of such auditors as are regularly employed as part of the administrative staff of the board

ARTICLE IV

LICENSES TO SELL LIQUOR FOR CONSUMPTION ON THE PREMISES

Section 401 Authority to Issue Liquor Licenses to Hotels Restaurants and Clubs (a) Subject to the provisions of this act and regulations promulgated under this act the board shall have authority to issue a liquor license for any premises kept or operated by a hotel restaurant or club and specified in the license entitling the hotel restaurant or club to purchase liquor from a Pennsylvania Liquor Store and to keep on the premises such liquor and subject to the provisions of this act and the regulations made thereunder to sell the same to guests patrons or members for consumption on the hotel restaurant or club premises Such licenses shall be known as hotel liquor licenses restaurant liquor licenses and club liquor licenses respectively

Section 402 Application for Hotel Restaurant or Club Liquor Licenses Every applicant for a hotel liquor license restaurant liquor license or club liquor license shall file a written application with the Board in such form as the board shall from time to time prescribe which shall be accompanied by the prescribed fee and bond hereinafter specified Every such application shall contain a description of that part of the hotel restaurant or club for which the applicant desires a license and shall set forth such other material information description or plan of that part of the hotel restaurant or club where it is proposed to keep and sell liquor as may be required by the regulations of the board The application shall be signed and verified by oath or affirmation by the owner if a natural person or in the case of an association by a member or partner thereof or in the case of a corporation by an executive officer thereof or any person specifically authorized by the corporation to sign the application to which shall be attached written evidence of his authority If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof

Section 403 Issuance of Hotel Restaurant and Club Liquor Licenses Upon receipt of the application fee and bond and upon being satisfied of the truth of the statements in the application and that the applicant is a hotel restaurant or club as defined in this act the board shall grant and issue to the applicant a license entitling him to purchase liquor from a Pennsylvania Liquor Store and in that part of the hotel restaurant or club set out in the license to sell by open bottle or in any mixture the liquor so purchased to the patrons guests or members for consumption in that part of the hotel restaurant or club habitually used for the serving of meals to patrons guests or members or in private rooms of the building as hereinafter provided and in accordance with the provisions of this act and the regulations made thereunder

Section 404 Appeals From Refusal of Board to Issue Licenses Any person aggrieved by the refusal of the board to issue a hotel restaurant or club liquor license may appeal to the court of quarter sessions of the county in which

the hotel restaurant or club is located Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the board whereupon a hearing shall be held upon the petition by the court upon ten days' notice to the board which shall be represented in the proceeding by the Department of Justice. At such hearing testimony may be presented by the applicant and the board after the consideration of which the court shall either sustain the refusal of the board or order the issuance of the license to the applicant There shall be no further appeal

Section 405 Display of License Every license issued under this act shall be constantly and conspicuously exposed in that part of the hotel restaurant or club specified in the license where liquor may be kept sold and consumed under such license

Section 406 All Licensees to Furnish Bond A liquor license shall not be granted and issued to any hotel restaurant or club until the applicant therefor has filed with the board a surety bond payable to the Commonwealth of Pennsylvania in the amount of two thousand dollars ($2.000) Such bond shall have as surety a duly authorized surety company or two individuals to be approved by the board All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to liquors and malt liquors Such bonds shall be filed with and retained by the board Every such bond shall be turned over to the Department of Justice to be sued out if and when the licensee's license shall have been revoked as provided in this act

Section 407 License Fees (a) Every applicant for a hotel liquor license or restaurant liquor license shall before receiving such license pay to the board the following license fees which shall be graduated according to the population of the municipality in which the hotel or restaurant is located as follows

In municipalities having a population of less than fifteen hundred inhabitants one hundred fifty dollars ($150.00)

In those having a population of fifteen hundred and more but less than ten thousand inhabitants two hundred dollars ($200.00)

In those having a population of ten thousand and more but less than fifty thousand inhabitants three hundred dollars ($300.00)

In those having a population of fifty thousand and more but less than one hundred thousand inhabitants four hundred dollars ($400.00)

In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants five hundred dollars ($500.00)

In those having a population of one hundred fifty thousand and more inhabitants six hundred dollars ($600.00)

(b) Every applicant for a club liquor license shall before receiving such license pay to the board a license fee of fifty dollars ($50.00)

(c) The fees for hotel restaurant or club licenses when applied for and issued on or after

April first but prior to July first shall be three-fourths of the annual fee

July first but prior to October first shall be one-half of the annual fee

October first but prior to January first one-fourth of the annual fee

(d) All license fees authorized under this section shall be collected by the board for the use of the municipalities except townships of the second class in which such fees were collected License fees for liquor licenses issued to hotels restaurants or clubs located in townships of the second class shall be collected by the board for the use of the county in which such townships are located

Section 408 Licenses Not Assignable Transfers (a) Licenses issued under this act may not be assigned The board is hereby authorized to transfer any hotel restaurant or club liquor license from one person to another or from one place to another within the same municipality as the board may determine but no transfers shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not originally have been issued lawfully Any such transfer of a license may be made at any time Upon any refusal to grant a transfer the person aggrieved shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to grant licenses

(b) Applications for any such transfers shall be filed with the board at least one week before the transfer is made Whenever any license is transferred no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current license year except a fee of twenty dollars ($20.00) to be paid to the board for the use of the Commonwealth

Section 409 License Year Renewal of Licenses (a) Unless previously revoked every license issued by the board under this act shall expire and terminate on the thirty-first day of December in the year for which the license is issued

(b) Licenses issued under the provisions of this act shall be renewed annually upon the filing of applications in such form as the board shall prescribe but no license shall be renewed until the applicant shall file with the board a new surety bond and shall pay the requisite license fee specified in this act

Section 410 Revocation and Suspension of License by Court of Quarter Sessions After a license has been issued to a hotel restaurant or club under this act the Attorney General the district attorney or fifteen or more taxpayers residents of the municipality where the hotel restaurant or club is located may petition the court of quarter sessions of the proper county for the revocation of such license If after notice and hearing it shall appear to the court that the licensee has violated any law of this Commonwealth or regulation of the board relating to liquor malt liquor or alcohol the court may suspend or revoke the license The court shall assess or remit the costs in its discretion The action of the court in suspending or revoking a license shall be final

Any licensee whose license is revoked shall be ineligible to have a license or permit under this act or under any other act relating to the manufacture sale or distribution of liquor or malt liquor until the expiration of five years from the date his license was revoked

Section 411 Sales of Liquor by Licensees Every hotel restaurant or club licensee may sell liquor for consumption only in that part of the hotel restaurant or club habitually used for the serving of meals to guests patrons or members and in the case of hotels and clubs to guests or members in their private rooms in the hotel or club In the case of a restaurant located in a hotel which is not operated by the owner of the hotel and which is licensed to sell liquor under this act liquor may be sold for consumption in that part of the restaurant habitually used for the serving of meals to patrons and also to guests in private rooms in the hotel

A hotel restaurant or club licensee shall not maintain any counter or bar at or over which liquors are sold to guests patrons or members and it shall be unlawful for any such licensee to keep display or mix drinks in any part of a public dining room

Liquor may be sold by licensees only after twelve o'clock noon and before twelve o'clock midnight of any weekday and shall not be sold on Sunday or on any day on which a general municipal special or primary election is being held

Section 412 Sale of Malt Liquor Every license issued to a hotel restaurant or club under this act for the sale of liquor shall authorize such hotel restaurant or club to sell malt liquor at the same places but subject to the same restrictions and penalties as apply to sales of liquor It shall not be necessary for such licensees to obtain malt liquor retail licenses under the provisions of the Malt Liquor License Law

Section 413 Public Service Liquor Licenses Subject to the provisions of this act and regulations promulgated under this act the board upon application shall issue liquor licenses to railroad or pullman companies permitting liquor to be sold in dining club or buffet cars to passengers for consumption while en route on such railroad and may issue liquor licenses to steamship companies permitting liquor to be sold in the dining compartments of steamships or vessels wherever operated in the Commonwealth except when standing or moored in stations terminals or docks within a municipality wherein sales of liquor for consumption on the premises are prohibited Such licenses shall be known as public service liquor licenses

For the purpose of considering an application by a steamship company for a public service liquor license the board may cause an inspection of the steamship or vessel for which a license is desired The board may in its discretion grant or refuse the license applied for and there shall be no appeal

from its decision except that an action of mandamus may be brought against the board in the manner provided by law

Every applicant for a public service liquor license shall before receiving such license pay to the board for each dining club or buffet car for which a license is desired an annual fee of twenty dollars ($20.00) and for each steamship or vessel for which a license is desired an annual fee of one hundred dollars ($100.00) The board shall collect a proportionate license fee for such licenses issued during a license year in such proportions as elsewhere provided in this act in the case of hotels restaurants or club liquor licenses

A public service liquor license shall not be granted and issued to any railroad pullman or steamship company until the applicant therefor has filed with the board a surety bond similar to that required to be filed by a hotel restaurant or club licensee under this act except that in the case of a railroad or pullman company such bond shall cover every dining club or buffet car of such company for which a license is issued under this section

Unless previously revoked every license issued by the board under this section shall expire and terminate on the thirty-first day of December in the year for which the license is issued Licenses issued under the provisions of this section shall be renewed annually upon the filing of applications in such form as the board shall prescribe but no license shall be renewed until the applicant shall file with the board a new surety bond and shall pay the requisite license fee specified in this section

Sales of liquor by public service company licensees shall be made in accordance with and shall be subject to the provisions of this act relating to the sale of liquors by restaurant licensees

ARTICLE V

LOCAL OPTION

Section 501 Local Option Areas Authorized In any municipality an election may be held but not oftener than once in four years on the date of any municipal election to determine the will of the electors with respect to the granting of licenses by the board to hotels restaurants and clubs within the limits of such municipality for the sale of liquor for consumption upon the premises of such hotels restaurants and clubs

Section 502 Petition of Electors for Local Option Whenever electors equal to at least ten per centum of the highest vote cast for any office in the municipality or township at the last preceding general election shall petition the corporate authorities of the municipality or township for a referendum on the question of granting such licenses the respective corporate authorities shall cause a question to be submitted at the municipal election occuring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners for submission of such question on the ballot or on voting machines at such election in the manner provided by the election laws of the Commonwealth

Such question shall be in the following form

Do you favor the granting of liquor licenses for the sale of liquor for consumption on premises where sold in of ?	Yes No	

If a majority of the persons voting on such question vote "Yes" then liquor licenses shall be granted by the board to hotels restaurants and clubs in such municipality or township for the sale of liquors for consumption on their premises under the provisions of this act but if a majority of the persons voting on such question "No" then the board shall thereafter have no power to grant or to renew upon their expiration any liquor licenses in such municipality or township under the provisions of this act unless and until the people therein shall at a later time have again voted on the question and decided in the affirmative

Section 503 Unlawful to Sell Liquor for Consumption in Certain Local Option Areas It shall be unlawful for any person firm or corporation to sell liquor for consumption on the premises of any hotel restaurant club or other place in any local option area where the electors have voted against such sales but the sale of malt liquors by retailers shall not be unlawful in such areas unless the electors have also voted to prohibit such sales as provided in the Beverage License Law

ARTICLE VI

ILLEGAL ACTS PENALTIES

Section 601 Restrictions on Sales by Manufacturers It shall be unlawful for any manufacturer of liquor in this Commonwealth to sell or offer to sell any liquor in this Commonwealth except to the board for use in Pennsylvania Liquor Stores but a manufacturer may sell or offer to sell liquor to persons outside of this Commonwealth

Section 602 Sales by Persons Other than Manufacturers (a) Except as provided in this act it shall be unlawful for any person by himself or by an employe or agent to expose or keep for sale or directly or indirectly or upon any pretense or upon any device to sell or offer to sell any liquor within this Commonwealth but this clause shall not be construed to prohibit hospitals physicians dentists or veterinarians who are licensed and registered under the laws of this Commonwealth from administering liquor in the regular course of their professional work and taking into account the cost of the liquor so administered in making charges for their professional services or a pharmacist duly licensed and registered under the laws of this Commonwealth from using liquor in compounding prescriptions or medicines and making a charge for the liquor used in such medicines

(b) It shall be unlawful for any person except a manufacturer or the board to keep any liquor within the Commonwealth which has not been purchased from a Pennsylvania Liquor Store

(c) Except as provided in this act it shall be unlawful for any person within this Commonwealth by himself or by an employe or agent to attempt to purchase or directly or indirectly or upon any pretense or device whatsoever to purchase any liquor from any person or source other than a Pennsylvania Liquor Store

(d) It shall be unlawful for any person except a manufacturer or the board to have or keep any liquor within the Commonwealth unless the package (except the decanter or other receptacle containing liquor for immediate consumption) in which the liquor is contained has while containing that liquor been sealed with the official seal of the board

(e) It shall be unlawful for any licensee or the board or any employe of such licensee or of the board to sell furnish or give any liquor or to permit any liquor to be sold furnished or given to any person visibly intoxicated or to any insane person or to any minor

(f) It shall be unlawful for any licensee to sell or offer to sell any liquor to any person on credit excepting credit extended by a hotel or club to a bona fide guest or member No right of action shall exist to collect any claim for credit extended contrary to the provisions of this clause

(g) It shall be unlawful for any licensee or the board or any employe or agent of a licensee or of the board to sell offer to sell or furnish any liquor to any person on a pass-book or store order or to receive from any person any goods wares merchandise or other articles in exchange for liquor

(h) It shall be unlawful for any person to hawk or peddle any liquor in this Commonwealth

Section 603 Unlawful to Fortify Adulterate or Contaminate Liquor It shall be unlawful for any licensee or any employe or agent of a licensee or of the board to fortify adulterate or contaminate any liquor except as permitted by the regulations of the board

Section 604 Things of Value Not to be Offered for the Return of Certain Articles—It shall be unlawful for any licensee or the board or any employe or agent of a licensee or of the board to offer to give anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing liquor or to offer or give anything of value as a premium or present to induce purchase of liquor or for any other purpose whatsoever in connection with the sale of such liquor provided however that this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof

Section 605 Delivery Vehicles to Bear Name and Address of Manufacturer It shall be unlawful for a manufacturer to deliver any liquor except in vehicles bearing the name and address of such manufacturer on each side

of such vehicle in letters not smaller than four inches in height

Section 606 Restrictions on Importation of Liquor into the Commonwealth It shall be unlawful for any person other than the board to import any liquor whatsoever into this Commonwealth but this section shall not be construed to prohibit railroad and pullman companies from selling liquors purchased outside the Commonwealth in their dining club and buffet cars which are covered by public service liquor licenses and which are operated in this Commonwealth

Section 607 Restrictions on Members and Employes of the Board (a) A member or employe of the board shall not be directly or indirectly interested or engaged in any other business or undertaking dealing in liquor whether as owner part owner partner member of syndicate shareholder agent or employe and whether for his own benefit or in a fiduciary capacity for some other person.

(b) A manager or employe of the board or any employe of the Commonwealth shall not solicit or receive directly or indirectly any commission remuneration or gift whatsoever from any person having sold selling or offering liquor for sale to the board for use in Pennsylvania Liquor Stores

(c) It shall be unlawful for any person selling or offering to sell liquor to or purchasing liquor from the board either directly or indirectly to pay or offer to pay any commission profit or remuneration or to make or offer to make any gift to anyone on behalf of such member or employe

Section 608 Nuisances (a) Any room house building boat vehicle structure or place where liquor is sold offered for sale bartered or furnished in violation of this act and all liquor and property kept or used in maintaining the same is hereby declared to be a common nuisance and any person who maintains such a common nuisance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to the penalties hereinafter provided

(b) An action to enjoin any nuisance defined in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General of the State or by the district attorney of the proper county Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases within the county in which the offense occurs If it is made to appear by affidavit or otherwise to the satisfaction of the court that such nuisance exists a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the proceedings If a temporary injunction is prayed for the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the liquor or other things used in connection with the violation of this act constituting such nuisance No bond shall be required in instituting such proceedings It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing but on finding that the material allegations of the petition are true the court shall order that no liquor shall be sold offered for sale bartered or furnished in such room house building structure boat vehicles or place or any part thereof Upon the decree of the court ordering such nuisance to be abated the court may upon proper cause shown order that the room house building structure boat vehicle or place shall not be occupied or used for one year thereafter but the court may in its discretion permit it to be occupied or used if the owner lessee tenant or occupant thereof shall give bond with sufficient surety to be approved by the court making the order in the penal and liquidated sum of not less than five hundred dollars ($500.00) payable to the Commonwealth of Pennsylvania for use of the county in which said proceedings are instituted and conditioned that liquor will not thereafter be manufactured sold offered for sale bartered or furnished therein or thereon in violation of this act and that he will pay all fines costs and damages that may be assessed for any violation of this act upon said property

Section 609 Interlocking Business Prohibited (a) No manufacturer and no officer or director of any manufacturer shall at the same time be a holder of a hotel restaurant or club liquor license nor be the owner proprietor or lessor of any place covered by any hotel restaurant or club liquor license

(b) No manufacturer shall own any stock or have any financial interest in any hotel or restaurant licensed ununder this act

(c) Excepting as hereinbefore provided no manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a hotel or restaurant license is granted nor shall a manufacturer either directly or indirectly lend any moneys credit or the equivalent thereof to any hotel or restaurant equipping fitting out or maintaining and conducting either in whole or in part a hotel or restaurant licensed for the selling of liquor for use and consumption upon the premises

(d) Excepting as hereinbefore provided no hotel licensee restaurant licensee or club licensee shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same used by a manufacturer in manufacturing liquor nor shall any hotel restaurant or club licensee either directly or indirectly lend any moneys credit or the equivalent thereof to any manufacturer for equipping fitting out or maintaining and conducting either in whole or in part an establishment used for the manufacture of liquor

The purpose of this section is to require a separation of the financial and business interests between manufacturers and holders of hotel or restaurant licenses and as herein provided of club licenses issued under this act and no person shall by any device whatsoever directly or indirectly evade the provisions of this section

Section 610 Penalties (a) Any person who shall sell attempt to sell or who shall import or attempt to import any liquor in this Commonwealth except as provided in this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000) or to undergo imprisonment not exceeding one year or both in the discretion of the court and for any second or subsequent offense upon conviction thereof shall be sentenced to pay a fine of not less than one thousand dollars ($1,000) and to undergo imprisonment not exceeding two years

(b) Except as hereinbefore provided in this section any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than three hundred dollars ($300.00) nor more than five hundred dollars ($500.00) and on failure to pay such fine to imprisonment for six months and for any subsequent offense shall be sentenced to pay a fine of five hundred dollars ($500.00) and to undergo imprisonment for a period of one year

ARTICLE VII

DISPOSITION OF MONEYS ACCRUING FROM PENNSYLVANIA LIQUOR STORES AND LICENSE FEES

Section 701 License Fees to Be Returned to Municipalities All license fees collected by the board under the porvisions of this act except fees for public service liquor licenses shall be paid into the State Treasury through the Department of Revenue into a special fund to be known as the "Liquor License Fund" Public service liquor license fees shall be paid into the General Fund The moneys in the "Liquor License Fund" shall on the first days of February May August and November of each year be paid by the board to the respective municipalities except townships of the second class in which the respective licensed places are situated in such amounts as represent the aggregate license fees collected from licensees in such municipalities during the preceding period On the above dates in each year the board shall pay to each county the aggregate license fees collected by it during the period immediately preceding the date of payment for licenses issued to hotels restaurants or clubs located in townships of the second class within the county

Section 702 Receipts from Pennsylvania Liquor Stores to Be Retained by the Commonwealth All moneys accuring from sales of liquor at Pennsylvania Liquor Stores and all fines penalties and forfeitures collected received or recovered by the board under the provisions of this act shall be paid into the State Treasury through the Department of

Revenue into a special fund to be known as "The State Stores Fund" All moneys in such fund shall be available for the purposes for which they are appropriated by law

ARTICLE VIII

EFFECTIVE DATE AND REPEAL

Section 801 Effective Date This act shall become effective immediately upon its passage and approval by the Governor except that nothing herein contained shall authorize the sale of any liquor prior to the day when the Twenty-First Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states and except that the provisions of this act forbiding the importation of liquor except by Pennsylvania Liquor Stores and sales not for consumption on the premises except from Pennsylvania Liquor Stores shall not become effective until the first day of January one thousand nine hundred and thirty-four

Prior to January first one thousand nine hundred and thirty-four holders of liquor licenses issued by the board may buy liquor otherwise than from Pennsylvania Liquor Stores and sell it not for consumption on the premises as well as for consumption on the premises but they shall keep such records and make such reports of sales not for consumption on the premises as may be required by the board for the use of the Department of Revenue

Section 802 Repeal The act approved the twenty-seventh day of March one thousand nine hundred twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic license laws" is hereby repealed

The following amendments were adopted in the Committee of the Whole House.

Amendments offered by Mr. McClure and adopted.

Amend page 1, line 3 of the title by striking out at the end of the line after the word "Pennsylvania" the words: "[Alcohol Permit]" and inserting in lieu thereof the words: "Liquor Control."

Amend page 1, line 11 of the title by striking out at the end of the line after the word "except" the words: "[by State]."

Amend page 1, line 12 of the title by striking out at the beginning of the line before the word "prohibiting" the word: "[stores]" and inserting in lieu thereof the words: "as herein provided."

Amend page 1, line 12 of the title by striking out at the end of the line after the word "in" the syllable: "[con-]."

Amend page 1, line 13 of the title by striking out at the beginning of the line before the word "with" the syllable: "[nection]" and inserting in lieu thereof the word: "connections."

Amend section 2, page 2, line 15 by striking out at the end of the line after the word "Pennsylvania" the words: "[Alcohol Permit]" and inserting in lieu thereof the words: "Liquor Control."

Amend section 2, page 2 line 17 by striking out after the word "any" and before the word "group" the word: "[incorporated]."

Amend section 2, page 2, line 20 by inserting after the word "which" and before the word "has" the words: "if incorporated."

Amend section 2, page 2, line 20 by striking out at the end of the line after the word "least" the word: "[two]."

Amend section 2, page 2, line 21 by striking out at the beginning of the line before the word "immediately" the word: "[years]" and inserting in lieu thereof the words: "six months and if unincorporated for at least twenty years."

Amend section 2, page 3, line 4 by striking out after the word "least" and before the word "permanent" the word: "[fifteen]" and inserting in lieu thereof the word: "ten."

Amend section 2, page 3, line 16 by inserting after the word "except" and before the word "malt" the words: "alcohol and."

Amend section 2, page 3, line 27 by inserting at the end of the line after the word "liquor" the words: "as marketed by the manufacturer."

Amend section 2, page 3 by inserting between lines 27 and 28 the following: "'Person' Every natural person association or corporation. Whenever used in a clause prescribing or imposing a fine or imprisonment or both the term 'person' as applied to 'association' shall mean the partners or members thereof and as applied to 'corporation' shall mean the officers thereof."

Amend section 2, page 4, line 4 by striking out at the end of the line after "[seventy]" the word: "[sixty]" and inserting in lieu thereof the word: "fifty."

Amend section 3, page 4, line 23 by striking out after the word "or" and before the word "any" the word: "[impart]" and inserting in lieu thereof the word: "impair."

Amend section 201, page 5, line 25 by striking out after the word "import" and before the word "have" the word: "[and]" and inserting in lieu thereof the word: "or."

Amend section 201, page 6, line 3 by striking out after the letter "(c)" the following: "[Subject to the approval of the Court of Quarter Sessions as provided in this act to]" and inserting in lieu thereof the word: "To."

Amend section 203, page 8, line 6 by striking out at the end of the line the word: "[and]."

Amend section 203, page 8, line 7 by inserting after the word "clubs" and before the word "and" the following: "and railroad Pullman or steamship companies."

Amend section 203, page 8, line 8 by striking out the word: "[licensees]" and inserting in lieu thereof the words: "licensed places."

Amend section 203, page 8 by inserting between lines 8 and 9 the following new paragraph: "(i) The place and manner of depositing the receipts of Pennsylvania Liquor Stores, and the transmission of balances to the Treasury Department through the Department of Revenue."

Amend section 301, page 8 by striking out lines 17 to 20 inclusive.

Amend section 301, page 8, line 21 by striking out at the beginning of the line before the word "The" the words: "[county in which such municipality is located]" and inserting in lieu thereof the following new paragraph: "When the board shall have determined upon the location of a Liquor Store in any municipality, it shall give notice of such location by public advertisement in at least two newspapers of general circulation. If within five days after the appearance of such advertisement, fifteen or more taxpayers residing within a quarter of a mile of such location shall file a protest with the Court of Quarter Sessions of the county, averring that the location is objectionable because of its proximity to a church, a school or to private residences, the court shall forthwith hold a hearing, affording an opportunity to the protestants and to the board to present evidence. The court shall render its decision immediately upon the conclusion of the testimony, and from its decision there shall be no appeal. If the court shall determine that the proposed location is undesirable for the reasons set forth in the protest, the board shall abandon it and find another location."

Amend section 302, page 10, line 12 by inserting after the word "impossible" and before the word "to" the following: "for the purpose of passing upon the examination papers."

Amend section 305, page 12, line 9 by striking out after the word "restaurants" and before the word "clubs" the word: "[and]."

Amend section 305, page 12, line 9 by inserting after the word "clubs" and before the word "licensed" the following "and railroad, Pullman and steamship companies."

Amend section 305, page 12, line 10 by inserting after the word "act" and before the word "All" the following: "and under the regulations of the board, to pharmacists duly licensed and registered under the laws of the Commonwealth, and to manufacturing pharmacists or chemists."

Amend section 305, page 12, line 23 by striking out at the end of the line the word: "[Duplicate]."

Amend section 305, page 12, line 24 by striking out at the beginning of the line the word: "[copies]." and inserting in lieu thereof the word: "Copies."

Amend section 306, page 13, line 16 by striking out after the word "Department" and before the word "the" the word: "[or]" and inserting in lieu thereof the word: "of."

Amend section 306, page 13, line 22 by striking out after the word "as" and before the word "of" the word: "[jart]" and inserting in lieu thereof the word: "part."

Amend section 401, page 14, line 7 by inserting after the word "same" and before the word "to" the words: "and also malt liquor."

Amend section 402, page 14, line 17 by inserting after the word "by" and before the word "the" the words: "an application fee of ten dollars."

Amend section 402, page 14, line 17 by inserting after the word "prescribed" and before the word "fee" the word: "license."

Amend section 402, page 14, line 17 by inserting after the word "and" and before the word "bond" the word: "the."

Amend section 403, page 15, line 7 by striking out after the word "application" and before the word "and" the word: "[fee]" and inserting in lieu thereof the words: "the proper fees."

Amend section 403, page 15, line 14 by inserting after the word "bottle" and before the word "or" the words: "glass or other container."

Amend section 403, page 15, line 15 by inserting after the word "purchased" and before the word "to" the words: "and also malt liquor."

Amend section 407, page 17, line 2 by inserting after the word "municipality" and before the word "in" the words: "as determined by the last preceding decennial census of the United States."

Amend section 407, page 17, line 16 by striking out after the word "hundred" and before the word "thousand" the word: "[fifty]" and inserting in lieu thereof the word: "forty."

Amend section 407, page 17, line 18 by striking out at the end of the line after the word "hundred" the word: "[fifty]" and inserting in lieu thereof the word: "forty."

Amend section 409, page 19, line 15 by inserting at the beginning of the line before the word "license" the words: "application fee and."

Amend section 411, page 20, line 22 by inserting at the end of the line after the word "room" the following: "or to employ or permit any female to serve liquor or malt liquor to guests, patrons or members."

Amend section 411, page 20, line 23 by striking out at the end of the line after the word "after" the word: "[twelve]" and inserting in lieu thereof the word: "seven."

Amend section 411, page 20, line 24 by striking out after the word "o'clock" and before the word "of" the words: "[noon and before twelve o'clock midnight]" and inserting in lieu thereof the following: "A. M."

Amend section 411, page 20, line 25 by inserting after the word "weekday" and before the word "and" the words: "and until 2 A. M. of the following week day."

Amend section 411, page 20 by inserting between lines 27 and 28 the following paragraph: "The Board may with the approval of the Governor temporarily close all licensed places within any municipality during any period of emergency proclaimed to be such by the Governor."

Amend section 412, page 20, line 29 by striking out after the word "restaurant" and before the word "club" the word: "[or]."

Amend section 412, page 20, line 29 by inserting after the word "club" and before the word "under" the words: "or a railroad, pullman or steamship company."

Amend section 412, page 21, line 1 by striking out at the end of the line after the word "authorize" the words: "[such hotel restaurant or]."

Amend section 412, page 21, line 2 by striking out at the beginning of the line before the word "to" the word: "[club]" and inserting in lieu thereof the words: "the licensee."

Amend section 413, page 21, line 11 by inserting after the word "liquor" and before the word "to" the words: "and malt liquor."

Amend section 413, page 21, line 14 by inserting after the word "liquor" and before the word "to" the words: "or malt liquor."

Amend section 413, page 22, line 26 by inserting after the word "liquor" and before the word "by" the words: "and malt liquor."

Amend page 22 by inserting after line 29 the following new sections:

"Section 414. Sacramental Wine Permits. The board may upon application endorsed by the highest authority within this Commonwealth of at least one religious denomination or sect, grant to responsible persons of good character sacramental wine permits. The fee for such permits shall be one hundred dollars per annum, and before any such permit shall be granted the applicant shall file with the board a bond in the sum of ten thousand dollars conditioned for the faithful observance by the permittee of all of the laws of this Commonwealth relating to the distribution, sale and use of liquor and of the regulations of the board.

"Holders of such permits may import into this Commonwealth wine to be used for sacramental or religious purposes, and to sell the same only to priests, clergymen or rabbis for such purposes under such regulations as the board shall prescribe. Priests, clergymen and rabbis may lawfully make purchases from such permittees under the regulations of the board, but any wine purchased under authority of this section shall not be used for any other than sacramental or religious purposes.

"Any such permit may be revoked by the board upon proof satisfactory to it that the permittee has violated any law of this Commonwealth relating to the distribution, sale or use of liquor, or any regulation of the board.

"Section 415. Importer's Licenses. The board may upon application grant to responsible persons of good reputation, importer's licenses. Such licenses shall permit the holders thereof to import liquor from foreign countries to be sold outside of this Commonwealth and exclusively to Pennsylvania Liquor Stores within this Commonwealth.

"The fee for such licenses shall be one hundred dollars per annum, and before any such license shall be granted the applicant shall file with the board a bond in the sum of ten thousand dollars conditioned for the faithful observance by the licensee of all of the laws of this Commonwealth relating to the distribution, sale and use of liquor and of the regulations of the board.

"Any such permit may be revoked by the board upon proof satisfactory to it, that the licensee has violated any law of this Commonwealth relating to the distribution, sale or use of liquor or any regulation of the board."

Amend section 501, page 23, line 5, by inserting after the word "any" and before the word "municipal" the words: "general or."

Amend section 601, page 24, line 24, by inserting after the word "Manufacturers" and before the word "It" the words: "or Licensed Importers."

Amend section 601, page 24, line 25, by inserting after the word "manufacturer" and before the word "of" the words: "or licensed importer."

Amend section 601, page 24, line 28 by inserting after the word "Stores" and before the word "but" the words: "or to the holder of a sacramental wine permit."

Amend section 601, page 24, line 28, by inserting after the word "manufacturer" and before the word "may" the words: "or licensed importer."

Amend section 602, page 25, line 14, by inserting after the word "from" and before the word "using" the following: "dispensing liquor on a prescription of a duly licensed physician dentist or veterinarian or selling medical preparations containing alcohol or."

Amend section 602, page 25, line 16, by inserting at the end of the line after the word "medicine" the following: "or a manufacturing pharmacist or chemist from using liquor in manufacturing preparations unfit for beverage purposes and making a charge for the liquor so used."

Amend section 602, page 25, line 18, by inserting after the word "board" and before the word "to" the following: "or the holder of a sacramental wine permit or of an importer's license."

Amend section 602, page 25, line 28, by inserting after the word "board" and before the word "to" the following: "or the holder of a sacramental wine permit or of an importer's license or a priest clergyman or rabbi who has purchased wine from the holder of a sacramental wine permit."

Amend section 606, page 27, line 22, by inserting after the word "board" and before the word "to" the following: "or the holder of a sacramental wine permit or of an importer's license."

Amend section 702, page 33, line 6, by inserting after "702" and before "Receipts" the words: "Application Fees and."

Amend section 702, page 33, line 7, by inserting after the word "All" and before the word "moneys" the words: "application fees and."

Amend section 408, page 18, lines 9 and 10, by striking out the following: "county in which such townships are located"

and insert in lieu thereof "school districts coextensive with such townships."

Amend section 701, page 33, line 2, by striking out the word "county" and insert in lieu thereof "school districts coextensive with townships of the second class."

Amend section 701, page 33, line 5, by striking out the words "within the county."

Amendment offered by Mr. L. P. Kane and adopted.

Amend bill, page 13, by adding thereto, after line 23, a new Section 307, as follows:

"Section 307. Distribution of Part of Profits of State Stores. One-half of all net profits arising annually from the operation of any Pennsylvania liquor store shall be for the use of the municipality in which such store is located, and for such purposes any moneys arising from such profits and deposited in any special fund are hereby specifically appropriated to be paid over as soon after the first day of each State fiscal year as the audit of the Auditor General of any such store for the fiscal year has been completed."

Amendment offered by Mr. Hart and adopted.

Amend section 302, page 9, line 18 by inserting after the word "prescribe" the following: "Provided, however, That the board shall not require an applicant to furnish a photograph of his or her self and that no application blank shall require the color of the applicant to be designated."

Amendments offered by Mr. Gartner and adopted.

Amend section 2, page 2, lines 23, 24, and 25, by striking out the words "having a dining room for the" in line 23, and all the words in lines 24 and 25.

Amend section 411, page 20, line 18, by inserting after the word "hotel" the word "or."

Amend section 411, page 20, line 18, by striking out the words "or club."

Amend section 411, page 20, line 23, by inserting after the word "licensees" the words: "other than clubs."

Amendments offered by Mr. Peters and adopted.

Amend section 302, page 9, line 13, by adding after the word "establishments" the following: "but in all cases, persons appointed shall be citizens of the United States."

Amend section 403, page 15, line 21, by adding after the word "thereunder" the following: "Licenses shall be issued to applicants, if natural persons, only to such who are citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding the application for license; or, when corporations, only to such as were organized, or are duly authorized to transact business, in this Commonwealth, and all of whose officers and directors shall be citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding the application for license."

On the question,

Will the House agree to the report of the Committee of the Whole?

PARLIAMENTARY INQUIRY

Mr. WILSON. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. WILSON. Will the Speaker now entertain, or would it be in order to make a motion to strike from the report of the Committee of the Whole the amendments of Mr. Kane of Allegheny, which would send the money back to the district instead of the treasury of the State of Pennsylvania, or would that be done more properly after the report of the Committee of the Whole has been adopted.

The SPEAKER. It is the opinion of the Chair that such a motion would be in order after the report of the Committee of the Whole has been adopted.

On the question recurring,

Will the House agree to the report of the Committee of the Whole?

The report was agreed to.

The SPEAKER. The bill is now before the House on Second Reading.

The Clerk will read the first article of the bill.

The first article of the bill as amended was read by the Clerk.

On the question,

Will the House agree to the article as amended?

PARLIAMENTARY INQUIRY

Mr. SOWERS. Mr. Speaker, I arise on a point of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia, Mr. Sowers, will state his point of parliamentary inquiry.

Mr. SOWERS. Before the House passes on the bill as amended, is it not necessary for the bill to be printed and distributed to the members?

The SPEAKER. The Chair desires to state that the report of the Committee of the Whole has been adopted by the House, therefore, it is not necessary for the bill and the amendments to be printed, until the bill is disposed of on second reading.

MOTION TO MAKE BILL SPECIAL ORDER OF BUSINESS

Mr. SOWERS. Mr. Speaker, I move you that House Bill No. 10, Printer's No. 1, be fixed as a special order of business for tomorrow, Wednesday, November 22nd, at 12 o'clock noon on second reading.

The SPEAKER. The gentleman from Philadelphia, Mr. Sowers, has made a motion that this bill be printed and made a special order of business for tomorrow at 12.00 o'clock noon.

The Chair desires to be fair to the proponents and opponents of this bill, but is of the opinion that the motion at this time is out of order for the reasons:

First, that the motion should have been made prior to the taking up of the reading of the bill. We are now considering article number one.

Second, were the bill to be printed as amended in the report adopted by the House from the Committee of the Whole nothing can be gained, because it is within the province of the House to change the amendments and the bill again amended.

However, the Chair finally makes this statement: That it is within the province of this body by a majority vote to decide what it desires to do.

Mr. SARIG. Mr. Speaker, and members of the House, I have no desire to enter into this controversy, although I feel there are only a few members of this House who really know what changes all these amendments have made in the bill, and I cannot believe the leaders of this House would try to move this bill up even for a second reading of it, and much less have a third reading of the bill, without giving the members a chance to study it.

If this bill is passed on second reading today it will probably come up on third reading tomorrow. The members will be coming in here at eleven or eleven thirty o'clock only to find that the printer is not ready and the chances are that the bill will just come from the printer and be distributed and will be put to a vote without the members having a chance to study the provisions at all. To my mind this is the most

important piece of legislation that this extraordinary session of the Legislature will have before it, and while I am not trying to hold up anything or prolong this session, I do feel the members of this House should have ample time to study the amendments and see just what changes they have made. I do not feel like voting blindly on a measure of such importance and I believe that I speak for a great majority of the members of the House when I say that they no doubt feel the same way. Whatever is done I feel that we should have sufficient time to study this bill and the amendments that have been made to it before we proceed with it much further.

The SPEAKER. The Chair desires to read rule number 44 of the House:

"When bills on second reading are in order, the Speaker shall take up the calendar, and having announced each bill in its order, it shall be considered in the Committee of the Whole House; when the bill is reported back to the House the question shall be put, 'Will the House agree to the report of the Committee of the Whole'? and if agreed to, any amendments made by the Committee of the Whole shall become a part of the bill. The House shall then immediately proceed with the second reading of the bill."

The Chair having read this rule is of the opinion, and further rules, that the motion at this time is not in order.

MOTION TO SUSPEND HOUSE RULE No. 44

Mr. SOWERS. Mr. Speaker, I move you that House Rule No. 44 be suspended for the purpose of permitting House Bill No. 10, printer's No. 1, to be printed and put on the members desks.

The SPEAKER. Before putting the motion of the gentleman from Philadelphia, Mr. Sowers, the Chair desires to read House Rule No. 88:

"Any rule of the House may be suspended at anytime for a specific purpose by a majority vote of the members elect; after the accomplishment of which purpose the rule shall remain in force as before."

The Chair suggests that the gentleman from Philadelphia, Mr. Sowers, first make a motion to suspend House Rule No. 44 and if his motion carries then make a second motion. Is that agreeable to the gentleman?

Mr. SOWERS. Mr. Speaker, that is agreeable.

On the question,

Will the House agree to the motion?

Mr. SOWERS. Mr. Speaker and members of the House, it is impossible to tell just what these amendments do. You have no copy of them and if this bill is passed on second reading then it will go over until tomorrow and come up here for third reading. Nobody can offer amendments to any part of it without the consent of every member of the House. That means that if the bill does not meet your wishes, you will not be in a position to amend it, and I ask you in all fairness to vote aye on this motion, and also vote aye for the following motion; that the bill be printed and laid upon the members desks as amended.

The SPEAKER. The Chair feels that he must correct the statement made by the gentleman from Philadelphia, Mr. Sowers, when he stated th • an amendment cannot be offered tomorrow. The Chair desires to inform the membership of this body that they can tomorrow proceed in a Committee of the Whole.

Mr. WILSON. Mr. Speaker and members of the House, we have another of the dilatory motions that have been made in this House all afternoon to prevent the House from working its will on this bill. We have been trying all afternoon to put in what amendments we wish; the Committee of the Whole has met, and everybody has had an opportunity to put in any amendments they wished. Amendments have been adopted, they are there, and they afford the House now an opportunity of passing today on them, and we certainly should not be confronted at this time with motions to delay which they have been offering all afternoon, and I ask that the members of this House vote this motion down. This bill does not have to come up tomorrow morning the first thing.

The people of Pennsylvania are asking above everything else that this House function, and we have been trying to function and get this bill on final passage so the members can vote for or against it as they wish. We have the bill in front of us at the present time, and if we pass it on second reading at this time we can have it before us tomorrow and vote on it as we wish. I ask the members to vote this motion down.

Mr. SARIG. Mr. Speaker and members of the House, so far as I am concerned, this is not a dilatory motion. This is only a motion, as I see it, to give the members a chance to know what they are voting on. I think it would be a reflection upon this body if we, after all this muddle that we have been in here for five hours in the Committee of the Whole in order to insert these amendments, were to proceed with this bill without giving the members a chance to know what it is all about. I have served in this Legislature for eight terms. I consider myself an average member, and I am willing to admit that I don't know just exactly what all the changes are in this bill, and I feel as a member that I have a right, without being accused of delaying things and of making dilatory motions, I have a right to ask that this House give every member a chance to vote on this bill intelligently. We are not here to vote like a lot of blind sheep. A lot of these amendments were put through this afternoon, and a lot of us don't know what they are all about. And I object to having this rushed through and put through on us as though we were a lot of blind sheep. I think we should have a right to vote intelligently on this motion. I hope this motion to suspend the rule will prevail.

The SPEAKER. The Chair desires to announce that it will be necessary to have 105 votes for this motion to prevail. The Chair will state the motion before the House.

It has been moved by the gentleman from Philadelphia, Mr. Sowers, that House Rule No. 44 be suspended, and a vote "aye" will suspend the rule; a vote "no" is to maintain the rule. The chair orders a roll call.

On the question recurring,

Will the House agree to the motion?

YEAS—82

Barnhardt,	Green,	Malchierre,	Sautter,
Beehtel,	Harmuth,	Mohn,	Schrope,
Bernhard,	Hart,	Moore,	Schwab,
Brown, J. E.,	Heffernan,	Munley,	Schwartz,
Brown, W. L.,	Holmes, J. B.,	Murphy,	Scott,
Cannon,	Hoopes,	O'Connor,	Shenkel,
Carey,	Howard,	O'Keefe,	Shugarts,
Carson,	Kane, L. P.,	O'Neill,	Sinwell,
Chervenak,	Kinney,	Pennock,	Sowers,
Cohen,	Lane,	Perry, J. J.,	Spann,
Conner,	Lenahan,	Powers,	Stank,
Downey, G. E.,	Long,	Price,	Steelle,
Downey, J.,	Lovett, J. E.,	Quinn,	Sterling, R. E.,
Eros,	Lynch, J. R.,	Rectenwald,	Tahl,
Fitzgerald,	Male,	Reilly,	Wagner,
Flanagan,	Malina,	Roan,	Walker, G. E.,
Fleisher,	Maloney,	Roth,	Welsh,
Furman,	Marcks,	Ruby,	Westrick,
Gallagher, W. J.,	Mason,	Ruth,	Wilson, L. M.,
Gartner,	McGrail,	Sarig,	Yourishin,
Gorman,	McHenry,		

NAYS—108

Andrews,	Haines,	McElwee,	Stevens,
Baker,	Hamilton,	McGregor,	Stiteler,
Beech,	Hefferon,	McKay,	Stone,
Bennett,	Heffner,	McKinney,	Storb,
Blumberg,	Hermansen,	Meredith,	Stott,
Boyd,	Hester,	Merrell,	Surface,
Brennan,	Hewitt,	Mumford,	Terry,
Brownfield,	Himes, H. E.,	Negley,	Trout,
Cooke,	Himes, L. R.,	Nothnagle,	Turner,
Cordier,	Hoffman,	Patterson,	Wade,
Craig,	Holmes, J. L.,	Peelor,	Walker, W. A.,
Cramer,	Horst,	Perry, D. R.,	Wall,
Dane,	Hough,	Peters,	Way,
Davies,	Hutton,	Powell,	Weidemann,
DeFrehn,	Jaffe,	Raub,	White,
Denning,	Jones,	Reed,	Wike,
Dunmire,	Kane, J. J.,	Rhodes,	Williams, G. W.,
Ederer,	King,	Rice,	Williams, J. J.,
Emhardt,	Labar,	Royle,	Wilson, T. B.,
Evans,	Laubach,	Schrock,	Witkin,
Flinchbaugh,	Lewis,	Sheffer,	Wood,
Flynn, J. M.,	Lord,	Shellenberger,	Woodside,
Forrest,	Lose,	Shettel,	Wright,
Gallagher, T. J.,	Lovett, W. S.,	Shortz,	Yeakel,
Gillette,	Lynch, M.,	Shreiner,	Zimmerman,
Greenstein,	McCandless,	Simon,	Talbot,
Griffith,	McClure,	Snyder,	Speaker.
Habbyshaw,	McCreary,	Sterling, P.,	

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the article as amended?

It was agreed to.

The second article as amended was read and agreed to.

The third article as amended was read.

On the question,

Will the House agree to the article as amended?

Mr. WILSON. Mr. Speaker, I move to strike from House Bill No. 10, now on second reading, the amendments offered by the gentleman from Allegheny, Mr. Leonard J. Kane.

"Amend bill page 13, by adding thereto, after line 23, a new section, 307, as follows: section 307, distribution of part of profits of State Stores. One-half of all net profits arising annually from the operation of any Pennsylvania liquor store shall be for the use of the municipalities in which the store is located, and for such purposes any moneys arising from such profits and deposited in any special fund are hereby specifically appropriated to be paid over as soon after the first day of the fiscal year as the audit of the Auditor General of any such store for the fiscal year has been completed."

The SPEAKER. The Chair desires to state that the motion as made by the gentleman from McKean, Mr. Wilson, is that the particular amendment adopted by the Committee of the Whole, sponsored by the gentleman from Allegheny, Mr. Leonard J. Kane, be stricken from the Bill. For the information of the House, the Clerk will proceed in a distinct and slow manner to read the amendments.

The amendment was again read by the Clerk.

On the question,

Will the House agree to the motion?

Mr. WILSON. Mr. Speaker, ladies and gentlemen of the House, I wouldn't bother this House at this stage of the proceedings after so long a time if this amendment wasn't so important.

I appreciate the purpose of the gentleman from Allegheny in offering it, but I don't think that in the confusion and disorder when this was adopted that the members of this House realized how important this amendment was and how it would wreck the unemployment program and the funds of the Commonwealth of Pennsylvania. This takes the money we have appropriated and that we depend on for relief to take care of the poor and needy in this Commonwealth from the Commonwealth, and attempts to give it back to the districts. It takes the money from your mother's assistance. Without this money we will not be able to finance those projects.

I want to say one other thing to the House, that this amendment is absolutely unconstitutional. The Supreme Court of Pennsylvania in the anthracite coal case held that the Legislature of Pennsylvania couldn't send back to the districts one-half of the money received from the anthracite coal, because under the constitution there was no provision for the Commonwealth of Pennsylvania to send that money back to the district.

In the Supreme Court decision in the Talbot case the Supreme Court held that that money could go back to the districts for relief because relief was a State function. This amendment sending the money back to the districts, not earmarked for any particular purpose is clearly unconstitutional. Further than that it takes the money that the State of Pennsylvania is going to use for the relief of these parties who are now being taken care of by the State, and without this money the whole relief program goes to smash and I am sure that the ladies and gentlemen of the House didn't realize that in the noise and the confusion, and therefore, at this time I ask you to strike this amendment from the bill.

Let our relief program and mothers' assistance program go forward and we cannot do these things without this particular money being in the funds of the Commonwealth of Pennsylvania.

Mr. L. P. KANE. Mr. Speaker, ladies and gentlemen, when the amendment was introduced I had in mind that the unemployment program would not be disturbed in the State of Pennsylvania. On November 7th the people of Pennsylvania voted a twenty-five million dollar bond issue, which is enough to take care of unemployment relief for the next year. Besides that the Attorney General has estimated that the floor tax will produce another twenty-five million dollars for the State of Pennsylvania. Then the manufacturing tax of $1 per gallon on liquor is estimated to produce another $25,000,000 in the State of Pennsylvania, and the profits from these sources are estimated to produce anywhere from forty to seventy million dollars per year besides our $600,000 a month on the beer tax.

Apparently there are still some people in the House that don't realize that the people back home need relief. It is the local taxpayer you have to relieve, not the man who pays a large State tax. He can afford to pay that much better than the local taxpayer back home. There is no use of giving a man unemployment relief, and then take away his home from him. If you want to save thousands of homes in the State of Pennsylvania, you will have to relieve the local taxpayer. As I have said before, in Pittsburgh alone there are 45,000 people that cannot afford to pay last year's taxes. Therefore, if you ladies and gentlemen want to relieve the people back home who are crying out for relief, I urge you to vote down this motion.

Mr. W. A. WALKER. Mr. Speaker and members of the House, I voted for this amendment but the matter came on us so quickly that I did not appreciate its meaning.

I think we can realize, however, the purpose of the amendment that has been offered.

It is certainly not the intent of the sponsor, for instance, that the revenue or one-half of the earnings should go to the municipality in which the store is located. Now, assuming

for instance, they open a store in Slippery Rock, that store draws from the patronage of the entire county, but the particular municipality in which the store is located gets one-half of the profits or proceeds, which would be an inequitable distribution of that money so far as the other people in that county who support that store are concerned. Likewise in Allegheny County the stores could be located in Wilkinsburg, McKeesport, Bellevue. The city of Pittsburgh, would produce a huge revenue for the taxpayers who would share in the profits from the stores. I think as it is worded, it would certainly render an inequitable distribution of the profits and would not help the taxpayers in an equitable manner.

Mr. FITZGERALD. Mr. Speaker, I desire to interrogate the gentleman from Pittsburgh, Mr. Kane.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interogated?

Mr. LEONARD P. KANE. I will.

Mr. FITZGERALD. I would like to ask the gentleman whereupon he basis his figures of the estimated revenue that he has cited to this House?

Mr. LEONARD P. KANE. Mr. Speaker, from the figures reported prior to prohibition, the best estimated figure was that the gross revenue of the State was approximately fifty million dollars.

Mr. FITZGERALD. Mr. Speaker, I would like to know whether or not he listened to the evidence submitted to the Ways and Mean Committee when certain representatives said that the figures set by the State at twenty-five million dollars would be cut exactly in half.

Mr. LEONARD P. KANE. Mr. Speaker, I was not at the meeting.

Mr. FITZGERALD. Mr. Speaker and members of the House, as previous speakers have mentioned here this afternoon, we spent approximately five or six hours in discussing what I think are the prime factors: the manufacturer, the distiller, the State, and the stores. In very few instances did we give any consideration to the working man and the toiler, other than to regulate how and where he would secure his liquor. This liquor control bill is an important one in more ways than one. With the revenue secured from this bill we intend, as Mr. Wilson has briefly stated, to take care of the essential issues of the State finances, and particularly old age pensions, and I ask you now and here as friends of old age pensions to help us defeat this amendment and to secure for the relief of the worthy of Pennsylvania old age pensions that they are not rightfully and justly entitled to.

Mr. WILSON. Mr. Speaker and members of the House, I just want to say one thing. It will just take me one second. I just want to remind the House that this money that the House has provided for relief, the Federal government matches that, but when you send that back to the municipality or county, in so far as that money is used for relief you are throwing it out in so far as that money may be used for relief. If we get ten or fifteen million dollars which we use for relief the Federal government matches it, if the State has it and if it goes back to the municipality the money that the Foderal government would give us is entirely lost to the sick and the poor and the downtrodden and those that need our relief. I desire to suggest to the gentleman from Allegheny with reference to his figures that this Commonwealth will be out of relief money along about the first of June or the first of July, and a way will have to be found to give that relief. I ask the members not to take away this money, and not to take away from them the money that the Federal government gives to match ours. Let us take this amendment out and vote on the bill.

Mr. WILLIAM L. BROWN. Mr. Speaker and members of the House, the absolute unfairness of this amendment lies in the rural districts and the boroughs in the State of Pennsylvania. We have over two thousand of them. We know that there are only going to be a few hundred of these stores located throughout the State. There is not one of these municipalities that has anything to say as to where they shall be located, and the ones that are discriminated against and don't get a store will be absolutely pouring their money into the coffers of the municipality or township that is fortunate enough to have a store located in it. I think it is absolutely unfair.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question,

Will the House agree to the article as amended?

It was agreed to.

The fourth article as amended was read.

On the question,

Will the House agree to the article as amended?

Mr. COHEN. Mr. Speaker, I move that the amendment to Section 411, Article IV, page 20, line 22, after the word "room" put in by the Committee of the Whole be stricken from the record, which amendment is as follows:

"Or to employ or permit any female to serve liquor or malt liquor to guests, patrons or members."

On the question,

Will the House agree to the motion?

Mr. COHEN. Mr. Speaker and members of the House, I think it is very apparent that we need some new method of distribution of liquor. Up to the present time, or rather prior to Prohibition, there was a restriction that required liquor to be handled by men. I think that the feminine touch in the distribution of liquor will possibly allay some of the malcontents. I feel at the present time that in the distribution of malt products the feminine touch would be beneficial. I know from my own knowledge in my community of a number of girls and women that are employed in tap rooms and I can assure you that the conduct of those tap rooms is one hundred per cent. better with the presence of feminine persons than the conduct of the tap rooms where they employ only male help.

I ask that we take this forward step in liquor distribution in the Commonwealth of Pennsylvania and strike from the bill the amendment that would require liquor to be served only by men.

Mr. RUTH. Mr. Speaker, ladies and gentlemen of the House, before prohibition the feminine sex of our country was placed upon a pedestal. During prohibition they were brought down to the brass rail. I say we should retain this amendment and put them back on the pedestal and away from the brass rail.

Mr. JOHN J. KANE. Mr. Speaker and members of the House, this amendment was put in the bill at the request of people who are interested in trying to keep women from selling and distributing liquor. As I understand it there was an agreement reached by the leaders of this House on that amendment and the argument is now being advanced that to prohibit women or females from serving liquor will cause unemployment. It is nothing of the kind, and I don't believe that there is any man in this House that wants to

ee any member of his family, a female member of his family, erving liquor in any place where liquor is sold, and I ask he members of this House to maintain this amendment in he bill.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Will the House agree to the article as amended?

It was agreed to.

The fifth Article as amended was read and agreed to.

The sixth Article as amended was read and agreed to.

The seventh Article as amended was read and agreed to.

The eighth Article as amended was read and agreed to.

The title as amended was read and agreed to.

And said bill having been read at length the second time and greed to as amended.

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 10 MADE SPECIAL ORDER

Mr. McCLURE. Mr. Speaker, I move that House Bill No. 0 be made a special order of business for 3 o'clock, Wednesday afternoon, November 22, 1933.

The motion was agreed to.

PROCEEDINGS IN COMMITTEE OF WHOLE MADE PART OF JOURNAL

Mr. WILSON. Mr. Speaker, I move that the minutes of he proceedings in the Committee of the Whole on House Bill No. 10 be spread in full upon the Legislative Journal.

The motion was agreed to.

Mr. BENNETT. Mr. Speaker and members of the House, efore adjourning, I wish to request the privilege of asking ppreciation for the capable, able, courteous and efficient anner with which our genial and brilliant friend, Dr. Hutton presided over the Committee of the Whole for five rying hours, assisted by our distinguished friend, Mr. Williams on the right.

I move, you, sir, that the House give expression to its sentiments in that direction.

The SPEAKER. The Chair will not attempt to repeat he beautiful flow of language given by the gentleman from Philadelphia.

It is moved that an expression of gratitude, warmth and ood feeling be expressed to the gentleman from Franklin, Mr. Hutton, and the gentleman from Tioga, Mr. Williams. The Chair realizes that the membership is tired, but on hat motion I ask those in favor of it to stand.

The motion was unanmiously adopted.

QUESTION OF PERSONAL PRIVILEGE

Mr. MALINA. Mr. Speaker, I rise to a question of personal rivilege.

The SPEAKER. The gentleman from Philadelphia will tate his question of personal privilege.

Mr. MALINA. Ladies and gentlemen of the House: It has een conceded that the best legal minds of the State are f the opinion that upon the repeal of the Eighteenth Amendment, the Snyder-Armstrong Act will automatically eliminate self. However, I am of the belief that when the Eighteenth mendment was enacted for this Nation, this Commonwealth as compelled to enact legislation to enforce the National ct. Therefore, for the safety of the future to save this Commonwealth money which may be expended in legal controversies, I take this opportunity in presenting a measure repealing the Snyder-Armstrong Act. I trust the committee to whom it will be referred will report it out favorably and the members of this House, together with the members of the Senate will vote in its favor for its passage, to be signed by His Excellency, the Governor.

The SPEAKER. The remarks of the gentleman from Philadelphia under his question of personal privilege will be spread upon the record.

ADJOURNMENT

Mr. SHREINER. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11 o'clock.

The motion was agreed to and (at 5.13 o'clock P. M.) the House adjourned until Wednesday, November 22, 1933, at 11 o'clock A. M.

HOUSE OF REPRESENTATIVES

TUESDAY, November 21, 1933

PROCEEDINGS IN THE COMMITTEE OF THE WHOLE ON HOUSE BILL NO. 10

Mr. HUTTON (In the Chair).

Mr. HUTTON. This House having resolved itself into a Committee of the Whole the members will please come to order. The object of our consideration is House Bill No. 10, Printer's No. 1.

The Clerk will read the bill.

The bill was read by the Clerk as follows:

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Alcohol Permit Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation of such beverages into the State except by State stores prohibiting certain sales of practices in connection with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of license fees and imposing penalties

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1 Short Title This act shall be known and may be cited as the "Pennsylvania Liquor Control Act"

Section 2 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Association" shall mean a partnership limited partnership or any form of unincorporated enterprise owned by two or more persons

"Board" shall mean the "Pennsylvania Alcohol Permit Board" of this Commonwealth

"Club" shall mean any incorporated group of individuals associated together not for profit for legitimate purposes of mutual benefit entertainment fellowship or convenience which has been in contiuous existence for at least two years immediately preceding the date of its application for a license under this act and which regularly occupies as owner or lessee a clubhouse having a dining room for the use of its members and a kitchen apart therefrom in which food is regularly prepared for the members.

"Corporation" shall mean a corporation or jointstock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Hotel" shall mean any reputable place operated by responsible persons of good reputation where the public may for a consideration obtain sleeping accommodations with meals and which has at least fifteen permanent bedrooms for the use of guests a public dining room operated by the same management accommodating at least forty persons at one time and a kitchen apart from the public dining room in which food is regularly prepared for the public

"Liquor" shall mean and include any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic and all drinks or drinkable liquids preparations or mixtures which contain more than one-half of one percent of alcohol by volume except malt liquors.

"Malt Liquor" means any beer lager beer ale porter or similar fermented malt liquor containing one-half of one per centum or more of alcohol by volume by whatever name such liquor may be called.

"Manufacturer" shall mean any person association or corporation engaged in the producing manufacturing distilling rectifying or compounding of liquor in this Commonwealth

"Municipality" shall mean any city borough incorporated town or township of this Commonwealth

"Package" shall mean any container or containers or receptacle or receptacles used for holding liquor

"Restaurant" shall mean a reputable place operated by responsible persons of good reputation and habitually and principally used for the purpose of providing meals for the public the place to have an area within a building of not less than five hundred square feet equipped with tables and chairs accommodating at least sixty persons at one time and a kitchen apart from such area regularly used for the preparation of food for the public and in which at least three persons are regularly employed in the preparation of meals or work incidental thereto

"Sale" or "Sell" shall include any transfer of liquor for a consideration and any gift in connection with or as a part of a transfer of property other than liquor for a consideration

Section 3 Interpretation of Act (a) This act shall be deemed an exercise of the police power of the Commonwealth for the protection of the public welfare health peace and morals of the people of the Commonwealth and to prohibit forever the open saloon and all of the provisions of this act shall be liberally construed for the accomplishment of this purpose

(b) The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impart any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

(c) Except as otherwise expressly provided the purpose of this act is to prohibit transactions in liquor which take place wholly within the Commonwealth except by and under the control of the board as herein specifically provided and every section and provision of the act shall be construed accordingly The provisions of this act dealing with the importation sale and disposition of liquor within the Commonwealth through the instrumentality of the board and otherwise provide the means by which such control shall be made effective This act shall not be construed as forbidding affecting or regulating any transaction which is not subject to the legislative authority of this Commonwealth

(d) Any reference in this act to the provisions of law on any subject shall apply to statutes becoming effective after the effective date of this act as well as to those then in existence

(e) Section headings shall not be taken to govern or limit the scope of the sections of this act The singular shall include the plural and the masculine shall include the feminine and the neuter

ARTICLE II

GENERAL POWERS AND DUTIES OF PENNSYLVANIA ALCOHOL PERMIT BOARD

Section 201 General Powers of Board Under this act the board shall have the power and its duty shall be

(a) To buy import and have in its possession for sale and sell liquor in the manner set forth in this act

(b) To control the possession sale consumption and delivery of liquor in accordance with the provisions of this act

(c) Subject to the approval of the Court of Quarter Sessions as provided in this act to determine the municipalities within which Pennsylvania Liquor Stores shall be established and the locations of the stores within such municipalities

(d) To grant and issue liquor licenses as provided in this act

(e) To lease through the Department of Property and Supplies as agent and furnish and equip such buildings rooms and other accommodations as shall be required for the operation of this act

(f) To appoint fix the compensation and define the powers and duties of such managers officers inspectors clerks and other employes as shall be required for the operation of this act subject to the provisions of The Administrative Code of 1929 except as otherwise provided in this act

(g) To determine the nature from and capacity of all packages to be used for containing liquor kept or sold under this act

(h) Without in any way limiting or being limited by the foregoing to do all such things as are deemed necessary or advisable for the purpose of carrying into effect the provisions of this act and the regulations made thereunder

Section 202 General Power to Make Regulations The board may from time to time make such regulations not inconsistent with this act as it may deem necessary for the efficient administration of this act The board shall cause such regulations to be published and disseminated through the Commonwealth in such manner as it shall deem necessary and advisable Such regulations adopted by the board shall have the same force as if they formed a part of this act

Whenever it is provided in this act that any act matter or thing may be done if permitted or authorized by the regulations or may be done in accordance with the regulations or as provided by the regulations prescribed by the board under this act the board subject to the provisions of this act shall have the power to prescribe regulations respecting such act matter or thing

Section 203 Specific Subjects on which Board may Adopt Regulations Subject to the provisions of this act and without limiting the general power conferred by the proceeding section the board may make regulations regarding

(a) The equipment and management of Pennsylvania Liquor Stores and warehouses in which liquor is kept or sold and the books and records to be kept therein

(b) The duties and conduct of the officers and employes of the board

(c) The purchase of liquor and its supply to Pennsylvania Liquor Stores

(d) The classes varieties and brands of liquor to be kept and sold in Pennsylvania Liquor Stores

(e) The issuing and distribution of price lists for the various classes varieties or brands of liquor kept for sale by the board under this act

(f) The sealing and labeling of liquor sold under this act

(g) Forms to be used for the purposes of this act

(h) The issuance of licenses to hotels restaurants and clubs and the conduct management and equipment of licensees

ARTICLE III

PENNSYLVANIA LIQUOR STORES

Section 301 Board to Establish State Liquor Stores The board shall establish operate and maintain at such places throughout the Commonwealth as it shall deem essential and advisable stores to be known as "Pennsylvania Liquor Stores" for the sale of liquor in accordance with the provisions of and the regulations made under this act but the board shall not establish a Pennsylvania Liquor Store in any municipality until the establishment and proposed location of the store within the municipality shall be approved by the Court of Quarter Sessions of the county in which such municipality is located The board may establish operate and maintain such establishments for storing and testing liquors as it shall deem expedient to carry out its powers and duties under this act

The board may lease the necessary premises for such stores or establishments but all such leases shall be made through the Department of Property and Supplies as agent of the board

through the Department of Property and Supplies shall have authority to purchase such equipment and appointments as may be required in the operation of such stores or establishments

Section 302 Selection of Personnel to Operate Pennsylvania Liquor Stores No officer or employe shall be appointed or employed by the board to operate or assist in the operation of Pennsylvania Liquor Stores or other establishments maintained by the board except as provided in this section The board is hereby authorized to prescribe from time to time by rule or regulation the qualifications to be possessed by persons desiring employment in such stores or establishments The qualifications shall be such as will best promote the efficient operation and management of such stores or establishments

Every person desiring employment in a Pennsylvania Liquor Store or establishment shall file with the board an application under oath or affirmation which shall be in such form and shall set forth such information as the board shall prescribe Upon receiving such application the board shall transmit the same to the Departmnt of Public Instruction which shall determine whether under the rules or regulations of the board the applicant is qualified for the employment he seeks If so the applicant shall be admitted to competitive examination when examinations shall next be held for positions in the class of employment he seeks Such competitive examinations shall be practical in character and as far as may be possible shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to perform the duties of the service to which they seek to be appointed

The Department of Public Instruction shall conduct such examinations at such places in the Commonwealth as to make it reasonably convenient and inexpensive for applicants to attend them When there are positions to be filled examinations shall be held at least twice in each year The Department may divide the State into districts for the purpose of conducting such examinations Every candidate admitted to such examinations shall be given a number so that when his paper is marked and graded it will be impossible to ascertain his identity until his grade has been established The examination papers of such candidates shall be marked by committees composed of representatives of the Department and of persons not employed by the Commonwealth in any other capacity designated by the presidents of the colleges and universities receiving State aid from the Commonwealth All such outside examiners shall receive compensation at the rate of fifteen dollars per day for their srvices The number of committees which may be necessary shall be determined by the Department and each committee shall consist of three persons The selections made by the presidents of State-aided colleges and universities shall be submitted to the Department in writing by each such president and the Department shall designate committee members from the lists so submitted in rotation

All offices places and employments in Pennsylvania Liquor Stores or establishments operated by the board shall be filled by selections from persons who have satisfactorily passed the examinations The person receiving the highest grade shall be first appointed and so on The list of eligibles in any district shall be valid only until the next examination is held in such district

Section 303 Management of Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall be conducted by a person appointed in the manner provided in this article who shall be known as the "manager" and who shall under the directions of the board be responsible for carrying out the provisions of this act and the regulations adopted by the board under this act as far as they relate to the conduct of such stores

Section 304 When Sales May be Made at Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall be open for business week days except legal holidays or any day on which a general municipal special or primary election is being held from nine A. M. to nine P. M. The board may with the approval of the Governor temporarily close any store in any municipality during any period of emergency proclaimed to be such by the Governor

Section 305 Sales by Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall keep in stock for sale such classes varieties and brands of liquor as the board shall prescribe If any person shall desire to purchase any class variety or brand of liquor which any such store does not have in stock it shall be the duty of such store immediately to order the same upon the payment of a reasonable deposit by the purchaser in such proportion of the approximate cost of the order as shall be prescribed by the regulations of the board The customer shall be notified immediately upon the arrival of the goods

Unless the customer pays for and accepts delivery of any such special order within ... days after notice of arrival the store may place it in stock for general sale and the customer's deposit shall be forfeited

Every Pennsylvania Liquor Store shall sell liquors at wholesale to hotels restaurants and clubs licensed under this act All other sales by such stores shall be at retail No liquor shall be sold except for cash

No liquor shall be sold to any purchaser except in a package sealed with the official seal of the board required by this act which package shall not be opened on the premises of a Pennsylvania Liquor Store No manager or other employe of the board employed in a Pennsylvania Liquor Store shall allow any liquor to be consumed on the store premises nor shall any person consume any liquor on such premises

Every purchaser of liquor from a Pennsylvania Liquor Store shall receive a numbered receipt which shall show the brand of liquor the price paid therefor and such other information as the board may prescribe Duplicate copies of all receipts issued by a Pennsylvania Liquor Store shall be retained by and shall form part of the records of such store

Section 306 Audits by Auditor General It shall be the duty of the Department of the Auditor General to make all audits which may be necessary in connection with the administration of financial affairs of the board and the Pennsylvania Liquor Stores operated and maintained by the board

At least one audit shall be made each year of the affairs of the board and all collections made by the Pennsylvania Liquor Stores shall be audited quarterly.

Special audits of the affairs of the board and the Pennsylvania Liquor Stores maintained and operated by the board may be made whenever they may in the judgment of the Auditor General appear necessary and shall be made whenever the Governor shall call upon the Auditor General to make them

Copies of all audits made by the Department of the Auditor General shall be promptly submitted to the board and to the Governor

Unless the Department or the Auditor General shall neglect or refuse to make annual quarterly or special audits as hereinabove required it shall be unlawful for the board to expend any money appropriated to it by the General Assembly for any audit of its affairs except for the payment of the compensation and expenses of such auditors as are regularly employed as part of the administrative staff of the board

ARTICLE IV

LICENSES TO SELL LIQUOR FOR CONSUMPTION ON THE PREMISES

Section 401 Authority to Issue Liquor Licenses to Hotels Restaurants and Clubs (a) Subject to the provisions of this act and regulations promulgated under this act the board shall have authority to issue a liquor license for any premises kept or operated by a hotel restaurant or club and specified in the license entitling the hotel restaurant or club to purchase liquor from a Pennsylvania Liquor Store and to keep on the premises such liquor and subject to the provisions of this act and the regulations made thereunder to sell the same to guests patrons or members for consumption on the hotel restaurant or club premises Such licenses shall be known as hotel liquor licenses restaurant liquor licenses and club liquor licenses respectively

Section 402 Application for Hotel Restaurant or Club Liquor Licenses Every applicant for a hotel liquor license restaurant liquor license or club liquor license shall file a written application with the Board in such form as the board shall from time to time prescribe which shall be accompanied by the prescribed fee and bond hereinafter specified Every such application shall contain a description of that part of the hotel restaurant or club for which the applicant desires a license and shall set forth such other material information description or plan of that part of the hotel restaurant or club where it is proposed to keep and sell liquor as may be required by the regulations of the board The application shall be signed and verified by oath or affirmation by the owner if a natural person or in the case of an association by a member or partner thereof or in the case of a corporation by an executive officer thereof

or any person specifically authorized by the corporation to sign the application to which shall be attached written evidence of his authority If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof

Section 403 Issuance of Hotel Restaurant and Club Liquor Licenses Upon receipt of the application fee and bond and upon being satisfied of the truth of the statements in the application and that the applicant is a hotel restaurant or club as defined in this act the board shall grant and issue to the applicant a license entitling him to purchase liquor from a Pennsylvania Liquor Store and in that part of the hotel restaurant or club set out in the license to sell by open bottle or in any mixture the liquor so purchased to the patrons guests or members for consumption in that part of the hotel restaurant or club habitually used for the serving of meals to patrons guests or members or in private rooms of the building as hereinafter provided and in accordance with the provisions of this act and the regulations made thereunder

Section 404 Appeals From Refusal of Board to Issue Licenses Any person aggrieved by the refusal of the board to issue a hotel restaurant or club liquor license may appeal to the court of quarter sessions of the county in which the hotel restaurant or club is located Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the board whereupon a hearing shall be held upon the petition by the court upon ten days' notice to the board which shall be represented in the proceeding by the Department of Justice. At such hearing testimony may be presented by the applicant and the board after the consideration of which the court shall either sustain the refusal of the board or order the issuance of the license to the applicant There shall be no further appeal

Section 405 Display of License Every license issued under this act shall be constantly and conspicuously exposed in that part of the hotel restaurant or club specified in the license where liquor may be kept sold and consumed under such license

Section 406 All Licensees to Furnish Bond A liquor license shall not be granted and issued to any hotel restaurant or club until the applicant therefor has filed with the board a surety bond payable to the Commonwealth of Pennsylvania in the amount of two thousand dollars ($2.000) Such bond shall have as surety a duly authorized surety company or two individuals to be approved by the board All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to liquors and malt liquors Such bonds shall be filed with and retained by the board Every such bond shall be turned over to the Department of Justice to be sued out if and when the licensee's license shall have been revoked as provided in this act

Section 407 License Fees (a) Every applicant for a hotel liquor license or restaurant liquor license shall before receiving such license pay to the board the following license fees which shall be graduated according to the population of the municipality in which the hotel or restaurant is located as follows

In municipalities having a population of less than fifteen hundred inhabitants one hundred fifty dollars ($150.00)

In those having a population of fifteen hundred and more but less than ten thousand inhabitants two hundred dollars ($200.00)

In those having a population of ten thousand and more but less than fifty thousand inhabitants three hundred dollars ($300.00)

In those having a population of fifty thousand and more but less than one hundred thousand inhabitants four hundred dollars ($400.00)

In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants five hundred dollars ($500.00)

In those having a population of one hundred fifty thousand and more inhabitants six hundred dollars ($600.00)

(b) Every applicant for a club liquor license shall before receiving such license pay to the board a license fee of fifty dollars ($50.00)

(c) The fees for hotel restaurant or club licenses when applied for and issued on or after

April first but prior to July first shall be three-fourths of the annual fee

July first but prior to October first shall be one-half of the annual fee

October first but prior to January first one-fourth of the annual fee

(d) All license fees authorized under this section shall be collected by the board for the use of the municipalities except townships of the second class in which such fees were collected License fees for liquor licenses issued to hotels restaurants or clubs located in townships of the second class shall be collected by the board for the use of the county in which such townships are located

Section 408 Licenses Not Assignable Transfers (a) Licenses issued under this act may not be assigned The board is hereby authorized to transfer any hotel restaurant or club liquor license from one person to another or from one place to another within the same municipality as the board may determine but no transfers shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not originally have been issued lawfully Any such transfer of a license may be made at any time Upon any refusal to grant a transfer the person aggrieved shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to grant licenses

(b) Applications for any such transfers shall be filed with the board at least one week before the transfer is made Whenever any license is transferred no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current license year except a fee of twenty dollars ($20.00) to be paid to the board for the use of the Commonwealth

Section 409 License Year Renewal of Licenses (a) Unless previously revoked every license issued by the board under this act shall expire and terminate on the thirty-first day of December in the year for which the license is issued

(b) Licenses issued under the provisions of this act shall be renewed annually upon the filing of applications in such form as the board shall prescribe but no license shall be renewed until the applicant shall file with the board a new surety bond and shall pay the requisite license fee specified in this act

Section 410 Revocation and Suspension of License by Court of Quarter Sessions After a license has been issued to a hotel restaurant or club under this act the Attorney General the district attorney or fifteen or more taxpayers residents of the municipality where the hotel restaurant or club is located may petition the court of quarter sessions of the proper county for the revocation of such license If after notice and hearing it shall appear to the court that the licensee has violated any law of this Commonwealth or regulation of the board relating to liquor malt liquor or alcohol the court may suspend or revoke the license The court shall assess or remit the costs in its discretion The action of the court in suspending or revoking a license shall be final

Any licensee whose license is revoked shall be ineligible to have a license or permit under this act or under any other act relating to the manufacture sale or distribution of liquor or malt liquor until the expiration of five years from the date his license was revoked

Section 411 Sales of Liquor by Licensees Every hotel restaurant or club licensee may sell liquor for consumption only in that part of the hotel restaurant or club habitually used for the serving of meals to guests patrons or members and in the case of hotels and clubs to guests or members in their private rooms in the hotel or club In the case of a restaurant located in a hotel which is not operated by the owner of the hotel and which is licensed to sell liquor under this act liquor may be sold for consumption in that part of the restaurant habitually used for the serving of meals to patrons and also to guests in private rooms in the hotel

A hotel restaurant or club licensee shall not maintain any counter or bar at or over which liquors are sold to guests patrons or members and it shall be unlawful for any such licensee to keep display or mix drinks in any part of a public dining room

Liquor may be sold by licensees only after twelve o'clock noon and before twelve o'clock midnight of any weekday and

shall not be sold on Sunday or on any day on which a general municipal special or primary election is being held

Section 412 Sale of Malt Liquor Every license issued to a hotel restaurant or club under this act for the sale of liquor shall authorize such hotel restaurant or club to sell malt liquor at the same places but subject to the same restrictions and penalties as apply to sales of liquor It shall not be necessary for such licensees to obtain malt liquor retail licenses under the provisions of the Malt Liquor License Law

Section 413 Public Service Liquor Licenses Subject to the provisions of this act and regulations promulgated under this act the board upon application shall issue liquor licenses to railroad or pullman companies permitting liquor to be sold in dining club or buffet cars to passengers for consumption while en route on such railroad and may issue liquor licenses to steamship companies permitting liquor to be sold in the dining compartments of steamships or vessels wherever operated in the Commonwealth except when standing or moored in stations terminals or docks within a municipality wherein sales of liquor for consumption on the premises are prohibited Such licenses shall be known as public service liquor licenses

For the purpose of considering an application by a steamship company for a public service liquor license the board may cause an inspection of the steamship or vessel for which a license is desired The board may in its discretion grant or refuse the license applied for and there shall be no appeal from its decision except that an action of mandamus may be brought against the board in the manner provided by law

Every applicant for a public service liquor license shall before receiving such license pay to the board for each dining club or buffet car for which a license is desired an annual fee of twenty dollars ($20.00) and for each steamship or vessel for which a license is desired an annual fee of one hundred dollars ($100.00) The board shall collect a proportionate license fee for such licenses issued during a license year in such proportions as elsewhere provided in this act in the case of hotels restaurants or club liquor licenses

A public service liquor license shall not be granted and issued to any railroad pullman or steamship company until the applicant therefor has filed with the board a surety bond similar to that required to be filed by a hotel restaurant or club licensee under this act except that in the case of a railroad or pullman company such bond shall cover every dining club or buffet car of such company for which a license is issued under this section

Unless previously revoked every license issued by the board under this section shall expire and terminate on the thirty-first day of December in the year for which the license is issued Licenses issued under the provisions of this section shall be renewed annually upon the filing of applications in such form as the board shall prescribe but no license shall be renewed until the applicant shall file with the board a new surety bond and shall pay the requisite license fee specified in this section

Sales of liquor by public service company licensees shall be made in accordance with and shall be subject to the provisions of this act relating to the sale of liquors by restaurant licensees

ARTICLE V

LOCAL OPTION

Section 501 Local Option Areas Authorized In any municipality an election may be held but not oftener than once in four years on the date of any municipal election to determine the will of the electors with respect to the granting of licenses by the board to hotels restaurants and clubs within the limits of such municipality for the sale of liquor for consumption upon the premises of such hotels restaurants and clubs

Section 502 Petition of Electors for Local Option Whenever electors equal to at least ten per centum of the highest vote cast for any office in the municipality or township at the last preceding general election shall petition the corporate authorities of the municipality or township for a referendum on the question of granting such licenses the respective corporate authorities shall cause a question to be submitted at the municipal election occuring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners for submission of such question on the ballot or on voting machines at such election in the manner provided by the election laws of the Commonwealth

Such question shall be in the following form

Do you favor the granting of liquor licenses for the sale of liquor for consumption on premises where sold in of ?	Yes No	

If a majority of the persons voting on such question vote "Yes" then liquor licenses shall be granted by the board to hotels restaurants and clubs in such municipality or township for the sale of liquors for consumption on their premises under the provisions of this act but if a majority of the persons voting on such question "No" then the board shall thereafter have no power to grant or to renew upon their expiration any liquor licenses in such municipality or township under the provisions of this act unless and until the people therein shall at a later time have again voted on the question and decided in the affirmative

Section 503 Unlawful to Sell Liquor for Consumption in Certain Local Option Areas It shall be unlawful for any person firm or corporation to sell liquor for consumption on the premises of any hotel restaurant club or other place in any local option area where the electors have voted against such sales but the sale of malt liquors by retailers shall not be unlawful in such areas unless the electors have also voted to prohibit such sales as provided in the Beverage License Law

ARTICLE VI

ILLEGAL ACTS PENALTIES

Section 601 Restrictions on Sales by Manufacturers It shall be unlawful for any manufacturer of liquor in this Commonwealth to sell or offer to sell any liquor in this Commonwealth except to the board for use in Pennsylvania Liquor Stores but a manufacturer may sell or offer to sell liquor to persons outside of this Commonwealth

Section 602 Sales by Persons Other than Manufacturers (a) Except as provided in this act it shall be unlawful for any person by himself or by an employe or agent to expose or keep for sale or directly or indirectly or upon any pretense or upon any device to sell or offer to sell any liquor within this Commonwealth but this clause shall not be construed to prohibit hospitals physicians dentists or veterinarians who are licensed and registered under the laws of this Commonwealth from administering liquor in the regular course of their professional work and taking into account the cost of the liquor so administered in making charges for their professional services or a pharmacist duly licensed and registered under the laws of this Commonwealth from using liquor in compounding prescriptions or medicines and making a charge for the liquor used in such medicines

(b) It shall be unlawful for any person except a manufacturer or the board to keep any liquor within the Commonwealth which has not been purchased from a Pennsylvania Liquor Store

(c) Except as provided in this act it shall be unlawful for any person within this Commonwealth by himself or by an employe or agent to attempt to purchase or directly or indirectly or upon any pretense or device whatsoever to purchase any liquor from any person or source other than a Pennsylvania Liquor Store

(d) It shall be unlawful for any person except a manufacturer or the board to have or keep any liquor within the Commonwealth unless the package (except the decanter or other receptacle containing liquor for immediate consumption) in which the liquor is contained has while containing that liquor been sealed with the official seal of the board

(e) It shall be unlawful for any licensee or the board or any employe of such licensee or of the board to sell furnish or give any liquor or to permit any liquor to be sold furnished or given to any person visibly intoxicated or to any insane person or to any minor

(f) It shall be unlawful for any licensee to sell or offer to sell any liquor to any person on credit excepting credit extended by a hotel or club to a bona fide guest or member No right of action shall exist to collect any claim for credit extended contrary to the provisions of this clause

(g) It shall be unlawful for any licensee or the board or any employe or agent of a licensee or of the board to sell offer to sell or furnish any liquor to any person on a pass-book or

store order or to receive from any person any goods wares merchandise or other articles in exchange for liquor

(h) It shall be unlawful for any person to hawk or peddle any liquor in this Commonwealth

Section 603 Unlawful to Fortify Adulterate or Contaminate Liquor It shall be unlawful for any licensee or any employe or agent of a licensee or of the board to fortify adulterate or contaminate any liquor except as permitted by the regulations of the board

Section 604 Things of Value Not to be Offered for the Return of Certain Articles—It shall be unlawful for any licensee or the board or any employe or agent of a licensee or of the board to offer to give anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing liquor or to offer or give anything of value as a premium or present to induce purchase of liquor or for any other purpose whatsoever in connection with the sale of such liquor provided however that this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof

Section 605 Delivery Vehicles to Bear Name and Address of Manufacturer It shall be unlawful for a manufacturer to deliver any liquor except in vehicles bearing the name and address of such manufacturer on each side of such vehicle in letters not smaller than four inches in height

Section 606 Restrictions on Importation of Liquor into the Commonwealth It shall be unlawful for any person other than the board to import any liquor whatsoever into this Commonwealth but this section shall not be construed to prohibit railroad and pullman companies from selling liquors purchased outside the Commonwealth in their dining club and buffet cars which are covered by public service liquor licenses and which are operated in this Commonwealth

Section 607 Restrictions on Members and Employes of the Board (a) A member or employe of the board shall not be directly or indirectly interested or engaged in any other business or undertaking dealing in liquor whether as owner part owner partner member of syndicate shareholder agent or employe and whether for his own benefit or in a fiduciary capacity for some other person.

(b) A manager or employe of the board or any employe of the Commonwealth shall not solicit or receive directly or indirectly any commission remuneration or gift whatsoever from any person having sold selling or offering liquor for sale to the board for use in Pennsylvania Liquor Stores

(c) It shall be unlawful for any person selling or offering to sell liquor to or purchasing liquor from the board either directly or indirectly to pay or offer to pay any commission profit or remuneration or to make or offer to make any gift to anyone on behalf of such member or employe

Section 608 Nuisances (a) Any room house building boat vehicle structure or place where liquor is sold offered for sale bartered or furnished in violation of this act and all liquor and property kept or used in maintaining the same is hereby declared to be a common nuisance and any person who maintains such a common nuisance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to the penalties hereinafter provided

(b) An action to enjoin any nuisance defined in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General of the State or by the district attorney of the proper county Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases within the county in which the offense occurs If it is made to appear by affidavit or otherwise to the satisfaction of the court that such nuisance exists a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the proceedings If a temporary injunction is prayed for the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the liquor or other things used in connection with the violation of this act constituting such nuisance No bond shall be required in instituting such proceedings It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing but on finding that the material allegations of the petition are true the court shall order that no liquor shall be sold offered for sale bartered or furnished in such room house building structure boat vehicles or place or any part thereof Upon the decree of the court ordering such nuisance to be abated the court may upon proper cause shown order that the room house building structure boat vehicle or place shall not be occupied or used for one year thereafter but the court may in its discretion permit it to be occupied or used if the owner lessee tenant or occupant thereof shall give bond with sufficient surety to be approved by the court making the order in the penal and liquidated sum of not less than five hundred dollars ($500.00) payable to the Commonwealth of Pennsylvania for use of the county in which said proceedings are instituted and conditioned that liquor will not thereafter be manufactured sold offered for sale bartered or furnished therein or thereon in violation of this act and that he will pay all fines costs and damages that may be assessed for any violation of this act upon said property

Section 609 Interlocking Business Prohibited (a) No manufacturer and no officer or director of any manufacturer shall at the same time be a holder of a hotel restaurant or club liquor license nor be the owner proprietor or lessor of any place covered by any hotel restaurant or club liquor license

(b) No manufacturer shall own any stock or have any financial interest in any hotel or restaurant licensed ununder this act

(c) Excepting as hereinbefore provided no manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a hotel or restaurant license is granted nor shall a manufacturer either directly or indirectly lend any moneys credit or the equivalent thereof to any hotel or restaurant equipping fitting out or maintaining and conducting either in whole or in part a hotel or restaurant licensed for the selling of liquor for use and consumption upon the premises

(d) Excepting as hereinbefore provided no hotel licensee restaurant licensee or club licensee shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same used by a manufacturer in manufacturing liquor nor shall any hotel restaurant or club licensee either directly or indirectly lend any moneys credit or the equivalent thereof to any manufacturer for equipping fitting out or maintaining and conducting either in whole or in part an establishment used for the manufacture of liquor

The purpose of this section is to require a separation of the financial and business interests between manufacturers and holders of hotel or restaurant licenses and as herein provided of club licenses issued under this act and no person shall by any device whatsoever directly or indirectly evade the provisions of this section

Section 610 Penalties (a) Any person who shall sell attempt to sell or who shall import or attempt to import any liquor in this Commonwealth except as provided in this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000) or to undergo imprisonment not exceeding one year or both in the discretion of the court and for any second or subsequent offense upon conviction thereof shall be sentenced to pay a fine of not less than one thousand dollars ($1,000) and to undergo imprisonment not exceeding two years

(b) Except as hereinbefore provided in this section any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than three hundred dollars ($300.00) nor more than five hundred dollars ($500.00) and on failure to pay such fine to imprisonment for six months and for any subsequent offense shall be sentenced to pay a fine of five hundred dollars ($500.00) and to undergo imprisonment for a period of one year

ARTICLE VII

DISPOSITION OF MONEYS ACCRUING FROM PENNSYLVANIA LIQUOR STORES AND LICENSE FEES

Section 701 License Fees to Be Returned to Municipalities All license fees collected by the board under the porvisions of this act except fees for public service liquor licenses shall be paid into the State Treasury through the Department of Revenue into a special fund to be known as the "Liquor License Fund" Public service liquor license fees shall be paid into the General Fund The moneys in the "Liquor License Fund" shall on the first days of February May August and November of each year be paid by the board to the respective municipalities except townships of the second class in which the respective licensed places are situated in such amounts as represent the aggregate license fees collected from licensees in such municipalities during the preceding period On the above dates in each year the board shall pay to each county the aggregate license fees collected by it during the period immediately preceding the date of payment for licenses issued to hotels restaurants or clubs located in townships of the second class within the county

Section 702 Receipts from Pennsylvania Liquor Stores to Be Retained by the Commonwealth All moneys accuring from sales of liquor at Pennsylvania Liquor Stores and all fines penalties and forfeitures collected received or recovered by the board under the provisions of this act shall be paid into the State Treasury through the Department of Revenue into a special fund to be known as "The State Stores Fund" All moneys in such fund shall be available for the purposes for which they are appropriated by law

ARTICLE VIII

EFFECTIVE DATE AND REPEAL

Section 801 Effective Date This act shall become effective immediately upon its passage and approval by the Governor except that nothing herein contained shall authorize the sale of any liquor prior to the day when the Twenty-First Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states and except that the provisions of this act forbiding the importation of liquor except by Pennsylvania Liquor Stores and sales not for consumption on the premises except from Pennsylvania Liquor Stores shall not become effective until the first day of January one thousand nine hundred and thirty-four

Prior to January first one thousand nine hundred and thirty-four holders of liquor licenses issued by the board may buy liquor otherwise than from Pennsylvania Liquor Stores and sell it not for consumption on the premises as well as for consumption on the premises but they shall keep such records and make such reports of sales not for consumption on the premises as may be required by the board for the use of the Department of Revenue

Section 802 Repeal The act approved the twenty-seventh day of March one thousand nine hundred twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic license laws" is hereby repealed

On the question,

Will the House agree to the bill?

Mr. McCLURE. Mr. Chairman, I desire to offer amendments.

The CHAIRMAN. For the information of the Committee of the Whole the Chair desires to announce that the amendments will be considered in the order of the articles, article I and the articles following.

Are there any other amendments to article I?

Mr. SOWERS. Mr. Chairman, are we to follow the practice that we have heretofore followed in handing up all our amendments at once and then the desk taking them up article by article?

The CHAIRMAN. I think that will facilitate the matter.

Mr. SOWERS. Mr. Chairman, I have all of my amendments and I will send them all up at one time.

Mr. STEEDLE. Mr. Chairman, under the same conditions I offer all of my amendments at once.

Amendments were also offered by Messrs. Rectenwald, Leonard P. Kane, John E. Brown, Hart, Gartner and Peters.

MOTION TO RECESS

Mr. ANDREWS offered a motion in writing which was sent to the desk.

The CHAIRMAN. The Chair informs the gentleman from Cambria, Mr. Andrews, that his motion is not in order. The Chair will read the motion for the information of the Committee.

"It is moved that this House do now recess until Monday evening, December 27, at 9 o'clock, in order that the members of the majority party may remain in continuous caucus and arrive at a final agreement relative to a legislative program."

MOTION TO ARRANGE AND PRINT AMENDMENTS

Mr. SOWERS. Mr. Chairman, I move you that the Chairman of this Committee arrange all of the amendments in order corresponding to sections and pages of the bill, and that the amendments be printed and that this Committee rise until they are printed, so that each member of the House will have the amendments before him and will understand what he is voting on.

The CHAIRMAN. For the information of the gentleman from Philadelphia, Mr. Sowers he is informed that the motion is not in order This House has resolved itself into a Committee of the Whole, and we trust consider as a Committee of the While the amendments as they are presented here to the Chair.

POINT OF ORDER

Mr. SOWERS. Mr. Chairman, I arise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. SOWERS. Mr. Chairman, it is my thought that the Chair is wrong in its ruling in that it conceals and keeps from the Committee information that it should have in order to vote intelligently.

The CHAIRMAN. For the information of the gentleman from Philadelphia, the Chair desires to state that he assumes that there is no imputation in the remarks of the gentleman from Philadelphia. Furthermore, every amendment presented here at the desk will be carefully considered, the amendments of the gentleman from Philadelphia included.

Mr. SOWERS. Mr. Chairman, do I understand that my point of order is denied?

The CHAIRMAN. The Chair informs the gentleman from Philadelphia that his point of order is not well taken.

APPEAL FROM DECISION OF CHAIR

Mr. SOWERS. Mr. Chairman, I appeal from the decision of the Chair to the body.

The CHAIRMAN. The gentleman from Philadelphia, Mr. Sowers, has appealed from the ruling of the Chair. Is the appeal seconded?

Mr. ROOT. Mr. Chairman, I second the motion.

Mr. STEEDLE. Mr. Chairman, I second the motion.

The CHAIRMAN. The appeal of the gentleman from Philadelphia, Mr. Sowers, having been seconded by the gentleman from Philadelphia, Mr. Root, and the gentleman from Allegheny, Mr. Steedle, what is the pleasure of the House relative to the appeal?

The Chair calls to the rostrum the gentleman from Tioga, Mr. Williams, to dispose of the appeal from the decision of the Chair.

(MR. GEORGE W. WILLIAMS IN THE CHAIR)

The CHAIRMAN. The question before the Committee is shall the ruling of the Chair stand as the ruling of the Committee?

On the question,

Shall the ruling of the Chair stand as the ruling of the Committee?

Mr. SOWERS. Mr. Chairman and members of this Committee, the procedure of this Committee is in the hands of the Committee. Nobody is bigger than this Committee. This Committee is to exercise intelligent judgment and discretion. This Committee can hardly exercise such judgment without having before it in writing, or printing, the amendments that are now being offered by the various members of the Committee of the Whole upon the bill before us. Precedent in the past may be against this. The precedent last November has come, and a new deal has come. This Committee can change precedent. This Committee can stand for intelligent and progressive ideas of government or for the ideals of the past that have been repudiated. Will this Committee for the first time in the history of Pennsylvania say that the ideas of the men that formulated and wrote the Constitution of this Commonwealth is wrong when they state that no member of the Legislature shall be required to vote without having on his desk a printed copy of what he desires to vote for?

Mr. TALBOT. Mr. Chairman, the gentleman from Philadelphia, Mr. Sowers, asks you this morning to destroy a precedent insofar as parliamentary procedure is concerned. I am winding up my fifth session in this body, and always have I seen the decisions of the Chair sustained, because they have been in the interest of the members. The gentleman from Philadelphia, Mr. Sowers, insisted upon this body going into a Committee of the Whole. Then, as I understood him, he said that the members had not had an opportunity to read the amendments as offered. Always heretofore the amendments to any bill in the Committee of the Whole have been read carefully, and every member heard them and voted according to the dictates of his own conscience. I am inclined to believe that no member of this House can charge that these liquor control bills are being railroaded, because conferences have been held by the members of both parties in an attempt to give the people something that will control liquor.

And further and beyond that point, the question before this body is whether they will sustain the rulings of the Chair, or whether they shall destroy this precedent in parliamentary procedure. I ask you to sustain the Chairman of the Committee of the Whole in his ruling.

The CHAIRMAN. The question recurs.

Shall the ruling of the Chair stand as the ruling of the Committee?

In voting "aye" you vote to sustain the ruling of the Chair, and voting "no" you vote against the ruling of the Chair.

Mr. SOWERS. Mr. Chairman, I ask for a roll call.

Mr. LONG. Mr. Chairman, I second the motion.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HOOPES. Mr. Chairman, I arise to a question of parliamentary inquiry.

The CHAIRMAN. The gentleman from Berks, Mr. Hoopes, will state his question of parliamentary inquiry.

Mr. HOOPES. Mr. Chairman, do I understand that if the Chair is overruled it merely means that this House will then vote upon the motion of the gentleman from Philadelphia as to whether or not we shall rise until the amendments are printed?

The CHAIRMAN. The only question before the House at this time is the question on the appeal from the ruling of the Chair by Mr. Sowers.

Mr. HOOPES. Mr. Chairman, perhaps I am a little dull, but I don't understand just what we are voting on. As I understand it, the gentleman from Philadelphia, Mr. Sowers, made a motion that this Committee rise until the amendments are printed, so that the members will have them before us. The Chair then rules that motion out of order, and it is upon that ruling of the Chair that the appeal to this body is taken, and if this is sustained we will then vote upon the motion as to whether or not we will have a recess.

The CHAIRMAN. If the appeal is sustained, then we will vote on that motion.

Mr. SOWERS. Mr. Chairman, I was going to to ask before the debate was closed, that you state again the question of what an "aye" and "no' vote will mean.

The CHAIRMAN. The question before the Committee is on the ruling of the Chair, to which the gentleman from Philadelphia, Mr. Sowers, took exception. Those voting "aye" vote to sustain the ruling of the Chair and those voting "no" vote against sustaining the ruling of the Chair. The ruling of the Chair is that the gentleman from Philadelphia, Mr. Sowers, is out of order.

Mr. SOWERS. Mr. Chairman, then does it not follow that the original motion comes before the body as in order.

The CHAIRMAN. If the House sustains the ruling of the Chair, the motion does not then come before the Committee.

Mr. SOWERS. But if the Committee does not sustain the ruling of the Chair then the original motion comes before the body.

The CHAIRMAN. The gentleman is right.

On the question recurring,

Shall the ruling of the Chair stand as the ruling of the Committee?

The yeas and nays were required by Mr. Sowers and Mr. Long and were as follows:

YEAS—110

Andrews,	Hamilton,	Meredith,	Sterling, P.,
Baker,	Harris,	Merrell,	Stevens,
Baldi,	Hart,	Mohn,	Stiteler,
Barnhardt,	Heffner,	Mumford,	Stone,
Bechtel,	Hermansen,	Myers,	Stott,
Bennett,	Hewitt,	Negley,	Surface,
Bernhard,	Himes, H. E.,	Nothnagle,	Trout,
Blumberg,	Hoffman,	Patterson,	Turner,
Brennan,	Holmes, J. L.,	Peelor,	Wade,
Brown, W. L.,	Horst,	Perry, D. R.,	Walker, W. A.,
Cooke,	Hough,	Perry, J. J.,	Wall,

Cordier,	Hutton,	Peters,	Way,
Craig,	Jaffe,	Powell,	Weidemann,
Dane,	Jones,	Raub,	White,
Davies,	Labar,	Reed,	Wike,
DeFrehn,	Laubach,	Rhodes,	Williams, G. W.
Dunmire,	Lewis,	Rice,	Williams, J. J.,
Ederer,	Lord,	Roan,	Wilson, T. B.,
Emhardt,	Lose,	Royle,	Witkin,
Evans,	Lovett, W. S.,	Schrock,	Wood,
Flinchbaugh,	Male,	Scott,	Woodside,
Flynn, J. M.,	McBride,	Sheffer,	Wright,
Forrest,	McCandless,	Shellenberger,	Yeakel,
Gillette,	McClure,	Shettel,	Yourishin,
Greenstein,	McCreary,	Shortz,	Zimmerman,
Griffith,	McElwee,	Shreiner,	Talbot,
Habbyshaw,	McKay,	Simon,	Speaker.
Haines,	McKinney,	Snyder,	

NAYS—88

Beech,	Gorman,	Marcks,	Ruth,
Boyd,	Green,	Mason,	Sarig,
Brancato,	Harmuth,	McGinnis,	Sautter,
Brown, J. E.,	Hartman,	McGrail,	Schrope,
Brownfield,	Heffernan,	McHenry,	Schwab,
Cannon,	Hefferon,	Melchiorre,	Schwartz,
Caputo,	Hester,	Moore,	Scorza,
Carey,	Himes, L. R.,	Munley,	Shenkel,
Carson,	Holmes, J. B.,	Murphy,	Shugarts,
Chervenak,	Hoopes,	O'Connor,	Sinwell,
Cohen,	Howard,	O'Keefe,	Sowers,
Conner,	Kane, J. J.,	O'Neill,	Spann,
Cramer,	Kane, L. P.,	O'Rourke,	Stank,
Downey, G. E.,	Kinney,	Pennock,	Steedle,
Downey, J.,	Lane,	Powers,	Sterling, R. B.,
Eros,	Lenahan,	Price,	Tahl,
Fitzgerald,	Long,	Quinn,	Wagner,
Flanagan,	Lovett, J. E.,	Rectenwald,	Walker, G. E.,
Fleisher,	Lynch, J. R.,	Reilly,	Wasserman,
Furman,	Lynch, M.,	Root,	Welsh,
Gallagher, T. J.,	Malina,	Roth,	Westrick,
Gallagher, W. J.,	Maloney,	Ruby,	Wilson, L. M.,
Gartner,			

So the question was determined in the affirmative and the ruling of the chair was sustained.

(MR. HUTTON IN THE CHAIR)

The CHAIRMAN. Owing to the number of amendments offered, and also the fact that many of them are inconsistent one with the other, the Chair is of opinion that in order to proceed intelligently and in an orderly way, in consideration by this committee of the several amendments, that the following procedure will be carried out:

The amendments will be ready by the Clerk in the order in which the sponsors offered them. The gentleman from Allegheny, Mr. McClure, offered the first amendments. Those amendments will be read first, and the sponsor will be given the opportunity of explaining to the committee the import of his amendments.

The gentleman from Allegheny, Dr. Steedle, was second in sponsoring amendments, and his amendments will be read by the Clerk, and Dr. Steedle will be given the opportunity of explaining to the committee his amendments. So on through the list as we have them here at the desk arranged in the order of sponsorship.

There will be no vote taken until all the amendments as offered are read and explained by the several sponsors, after which we will then take up the matter of the adoption of the amendments in the same order. Is that clear to the committee? If so, we will proceed.

The Clerk will read the amendments offered by the gentleman from Allegheny, Mr. McClure.

The amendments were read by the Clerk as follows:

Amend page 1, line 3 of the title by striking out at the end of the line after the word "Pennsylvania" the words: "[Alcohol Permit]" and inserting in lieu thereof the words: "Liquor Control."

Amend page 1, line 11 of the title by striking out at the end of the line after the word "except" the words: "[by State]."

Amend page 1, line 12 of the title by striking out at the beginning of the line before the word "prohibiting" the word: "[stores]" and inserting in lieu thereof the words: "as herein provided."

Amend page 1, line 12 of the title by striking out at the end of the line after the word "in" the syllable: "[con-]."

Amend page 1, line 13 of the title by striking out at the beginning of the line before the word "with" the syllable: "[nection]" and inserting in lieu thereof the word: "connections."

Amend section 2, page 2, line 15 by striking out at the end of the line after the word "Pennsylvania" the words: "[Alcohol Permit]" and inserting in lieu thereof the words: "Liquor Control."

Amend section 2, page 2 line 17 by striking out after the word "any" and before the word "group" the word: "[incorporated]."

Amend section 2, page 2, line 20 by inserting after the word "which" and before the word "has" the words: "if incorporated."

Amend section 2, page 2, line 20 by striking out at the end of the line after the word "least" the word: "[two]."

Amend section 2, page 2, line 21 by striking out at the beginning of the line before the word "immediately" the word: "[years]" and inserting in lieu thereof the words: "six months and if unincorporated for at least twenty years."

Amend section 2, page 3, line 4 by striking out after the word "least" and before the word "permanent" the word: "[fifteen]" and inserting in lieu thereof the word: "ten."

Amend section 2, page 3, line 16 by inserting after the word "except" and before the word "malt" the words: "alcohol and."

Amend section 2, page 3, line 27 by inserting at the end of the line after the word "liquor" the words: "as marketed by the manufacturer."

Amend section 2, page 3 by inserting between lines 27 and 28 the following: "'Person' Every natural person association or corporation. Whenever used in a clause prescribing or imposing a fine or imprisonment or both the term 'person' as applied to 'association' shall mean the partners or members thereof and as applied to 'corporation' shall mean the officers thereof."

Amend section 2, page 4, line 4 by striking out at the end of the line after "[seventy]" the word: "[sixty]" and inserting in lieu thereof the word: "fifty."

Amend section 3, page 4, line 23 by striking out after the word "or" and before the word "any" the word: "[impart]" and inserting in lieu thereof the word: "impair."

Amend section 201, page 5, line 25 by striking out after the word "import" and before the word "have" the word: "[and]" and inserting in lieu thereof the word: "or."

Amend section 201, page 6, line 3 by striking out after the letter "(c)" the following: "[Subject to the approval of the Court of Quarter Sessions as provided in this act to]" and inserting in lieu thereof the word: "To."

Amend section 203, page 8, line 6 by striking out at the end of the line the word: "[and]."

Amend section 203, page 8, line 7 by inserting after the word "clubs" and before the word "and" the following: "and railroad Pullman or steamship companies."

Amend section 203, page 8, line 8 by striking out the word: "[licensees]" and inserting in lieu thereof the words: "licensed places."

Amend section 203, page 8 by inserting between lines 8 and 9 the following new paragraph: "(i) The place and manner of depositing the receipts of Pennsylvania Liquor Stores, and the transmission of balances to the Treasury Department through the Department of Revenue."

Amend section 301, page 8 by striking out lines 17 to 20 inclusive.

Amend section 301, page 8, line 21 by striking out at the beginning of the line before the word "The" the words: "[county in which such municipality is located]" and inserting in lieu thereof the following new paragraph: "When the board shall have determined upon the location of a Liquor Store in any municipality, it shall give notice of such location by public advertisement in at least two newspapers of general circulation. If within five days after the appearance of such advertisement fifteen or more taxpayers residing within a

quarter of a mile of such location shall file a protest with the Court of Quarter Sessions of the county, averring that the location is objectionable because of its proximity to a church, a school or to private residences, the court shall forthwith hold a hearing, affording an opportunity to the protestants and to the board to present evidence. The court shall render its decision immediately upon the conclusion of the testimony, and from its decision there shall be no appeal. If the court shall determine that the proposed location is undesirable for the reasons set forth in the protest, the board shall abandon it and find another location."

Amend section 302, page 10, line 12 by inserting after the word "impossible" and before the word "to" the following: "for the purpose of passing upon the examination papers."

Amend section 305, page 12, line 9 by striking out after the word "restaurants" and before the word "clubs" the word: "[and]."

Amend section 305, page 12, line 9 by inserting after the word "clubs" and before the word "licensed" the following "and railroad, Pullman and steamship companies."

Amend section 305, page 12, line 10 by inserting after the word "act" and before the word "All" the following: "and under the regulations of the board, to pharmacists duly licensed and registered under the laws of the Commonwealth, and to manufacturing pharmacists or chemists."

Amend section 305, page 12, line 23 by striking out at the end of the line the word: "[Duplicate]."

Amend section 305, page 12, line 24 by striking out at the beginning of the line the word: "[copies]." and inserting in lieu thereof the word: "Copies."

Amend section 306, page 13, line 16 by striking out after the word "Department" and before the word "the" the word: "[or]" and inserting in lieu thereof the word: "of."

Amend section 306, page 13, line 22 by striking out after the word "as" and before the word "of" the word: "[jart]" and inserting in lieu thereof the word: "part."

Amend section 401, page 14, line 7 by inserting after the word "same" and before the word "to" the words: "and also malt liquor."

Amend section 402, page 14, line 17 by inserting after the word "by" and before the word "the" the words: "an application fee of ten dollars."

Amend section 402, page 14, line 17 by inserting after the word "prescribed" and before the word "fee" the word: "license."

Amend section 402, page 14, line 17 by inserting after the word "and" and before the word "bond" the word: "the."

Amend section 403, page 15, line 7 by striking out after the word "application" and before the word "and" the word: "[fee]" and inserting in lieu thereof the words: "the proper fees."

Amend section 403, page 15, line 14 by inserting after the word "bottle" and before the word "or" the words: "glass or other container."

Amend section 403, page 15, line 15 by inserting after the word "purchased" and before the word "to" the words: "and also malt liquor."

Amend section 407, page 17, line 2 by inserting after the word "municipality" and before the word "in" the words: "as determined by the last preceding decennial census of the United States."

Amend section 407, page 17, line 16 by striking out after the word "hundred" and before the word "thousand" the word: "[fifty]" and inserting in lieu thereof the word: "forty."

Amend section 407, page 17, line 18 by striking out at the end of the line after the word "hundred" the word: "[fifty]" and inserting in lieu thereof the word: "forty."

Amend section 409, page 19, line 15 by inserting at the beginning of the line before the word "license" the words: "application fee and."

Amend section 411, page 20, line 22 by inserting at the end of the line after the word "room" the following: "or to employ or permit any female to serve liquor or malt liquor to guests, patrons or members."

Amend section 411, page 20, line 23 by striking out at the end of the line after the word "after" the word: "[twelve]" and inserting in lieu thereof the word: "seven."

Amend section 411, page 20, line 24 by striking out after the word "o'clock" and before the word "of" the words: "[noon and before twelve o'clock midnight]" and inserting in lieu thereof the following: "A. M."

Amend section 411, page 20, line 25 by inserting after the word "weekday" and before the word "and" the words: "and until 2 A. M. of the following week day."

Amend section 411, page 20 by inserting between lines 27 and 28 the following paragraph: "The Board may with the approval of the Governor temporarily close all licensed places within any municipality during any period of emergency proclaimed to be such by the Governor."

Amend section 412, page 20, line 29 by striking out after the word "restaurant" and before the word "club" the word: "[or]."

Amend section 412, page 20, line 29 by inserting after the word "club" and before the word "under" the words: "or a railroad, pullman or steamship company."

Amend section 412, page 21, line 1 by striking out at the end of the line after the word "authorize" the words: "[such hotel restaurant or]."

Amend section 412, page 21, line 2 by striking out at the beginning of the line before the word "to" the word: "[club]" and inserting in lieu thereof the words: "the licensee."

Amend section 413, page 21, line 11 by inserting after the word "liquor" and before the word "to" the words: "and malt liquor."

Amend section 413, page 21, line 14 by inserting after the word "liquor" and before the word "to" the words: "or malt liquor."

Amend section 413, page 22, line 26 by inserting after the word "liquor" and before the word "by" the words: "and malt liquor."

Amend page 22 by inserting after line 29 the following new sections:

"Section 414. Sacramental Wine Permits. The board may upon application endorsed by the highest authority within this Commonwealth of at least one religious denomination or sect, grant to responsible persons of good character sacramental wine permits. The fee for such permits shall be one hundred dollars per annum, and before any such permit shall be granted the applicant shall file with the board a bond in the sum of ten thousand dollars conditioned for the faithful observance by the permittee of all of the laws of this Commonwealth relating to the distribution, sale and use of liquor and of the regulations of the board.

"Holders of such permits may import into this Commonwealth wine to be used for sacramental or religious purposes, and to sell the same only to priests, clergymen or rabbis for such purposes under such regulations as the board shall prescribe. Priests, clergymen and rabbis may lawfully make purchases from such permittees under the regulations of the board, but any wine purchased under authority of this section shall not be used for any other than sacramental or religious purposes.

"Any such permit may be revoked by the board upon proof satisfactory to it that the permittee has violated any law of this Commonwealth relating to the distribution, sale or use of liquor, or any regulation of the board.

"Section 415. Importer's Licenses. The board may upon application grant to responsible persons of good reputation, importer's licenses. Such licenses shall permit the holders thereof to import liquor from foreign countries to be sold outside of this Commonwealth and exclusively to Pennsylvania Liquor Stores within this Commonwealth.

"The fee for such licenses shall be one hundred dollars per annum, and before any such license shall be granted the applicant shall file with the board a bond in the sum of ten thousand dollars conditioned for the faithful observance by the licensee of all of the laws of this Commonwealth relating to the distribution, sale and use of liquor and of the regulations of the board.

"Any such permit may be revoked by the board upon proof satisfactory to it, that the licensee has violated any law of this Commonwealth relating to the distribution, sale or use of liquor or any regulation of the board."

Amend section 501, page 23, line 5, by inserting after the word "any" and before the word "municipal" the words: "general or."

Amend section 601, page 24, line 24, by inserting after the word "Manufacturers" and before the word "It" the words: "or Licensed Importers."

Amend section 601, page 24, line 25, by inserting after the word "manufacturer" and before the word "of" the words: "or licensed importer."

Amend section 601, page 24, line 28 by inserting after the word "Stores" and before the word "but" the words: "or to the holder of a sacramental wine permit."

Amend section 601, page 24, line 28, by inserting after the word "manufacturer" and before the word "may" the words: "or licensed importer."

Amend section 602, page 25, line 14, by inserting after the word "from" and before the word "using" the following: "dispensing liquor on a prescription of a duly licensed physician dentist or veterinarian or selling medical preparations containing alcohol or."

Amend section 602, page 25, line 16, by inserting at the end of the line after the word "medicine" the following: "or a manufacturing pharmacist or chemist from using liquor in manufacturing preparations unfit for beverage purposes and making a charge for the liquor so used."

Amend section 602, page 25, line 18, by inserting after the word "board" and before the word "to" the following: "or the holder of a sacramental wine permit or of an importer's license."

Amend section 602, page 25, line 28, by inserting after the word "board" and before the word "to" the following: "or the holder of a sacramental wine permit or of an importer's license or a priest clergyman or rabbi who has purchased wine from the holder of a sacramental wine permit."

Amend section 606, page 27, line 22, by inserting after the word "board" and before the word "to" the following: "or the holder of a sacramental wine permit or of an importer's license."

Amend section 702, page 33, line 6, by inserting after "702" and before "Receipts" the words: "Application Fees and."

Amend section 702, page 33, line 7, by inserting after the word "All" and before the word "moneys" the words: "application fees and."

Amend section 408, page 18, lines 9 and 10, by striking out the following: "county in which such townships are located" and insert in lieu thereof "school districts coextensive with such townships."

Amend section 701, page 33, line 2, by striking out the word "county" and insert in lieu thereof "school districts coextensive with townships of the second class."

Amend section 701, page 33, line 5, by striking out the words "within the county."

The CHAIRMAN. The Chair recognizes the gentleman from Allegheny, Mr. McClure, to explain his amendments.

Mr. McCLURE. Mr. Chairman and members of the committee, you have just heard read the proposed amendments to House Bill No. 10. You have had this bill in its original form before you since November 13, and you have had opportunity to take the bill home and go over it piecemeal with your constituents.

During the time this piece of legislation has been on your desks and in your possession, a great amount of study and thought has been put on it. I realize for one that anything we may do here in this session, this special session of the Pennsylvania Legislature, on liquor control, will be subject to review by future legislatures. I am of the opinion that on a subject and on an issue as great as this, for the next fifteen or twenty-five years we will be legislating on state control and merchandising of this commodity. I don't want to take up your time by speaking on the bill generally, but I think in fairness to myself as sponsor of the measure and in fairness to those who are interested in its success that you should realize and know as you vote on this measure that it is a real effort to handle a difficult problem in this great Commonwealth.

The bill as originally prepared provided that the matter of control of liquor in Pennsylvania should be handled by the Pennsylvania Alcohol Permit Board. As you all know the Pennsylvania Alcohol Permit Board is composed of the Attorney General, the Secretary of Education and the Secretary of Welfare,, the three of whom are direct appointees of the Governor of this Commonwealth. Immediately that provisions in the bill drew fire. A number said that Governor Pinchot tried to set himself up in power for the purpose of political patronage. The bill has been amended as you gentlemen have just heard, taking the Pennsylvania Alcohol Board out of it and in lieu thereof, inserting the Pennsylvania Liquor Control Board.

This bill in itself does not set up the Pennsylvania Alcohol Control Board. For your information I desire to state that there will be a bill submitted to the Senate providing that the Pennsylvania Liquor Control Board shall be composed of three members. Those three members shall be appointed by the Governor, subject to the approval of a two-thirds vote of the Senate of Pennsylvania. The purpose of this board and the intention of those interested in working out this problem is if possible to appoint a non-political board to take this problem out of politics. In my opinion the problem of handling liquor in Pennsylvania should be fully and completely divorced from politics. Politics ought not control our merchandising activities. By what logical reasoning should politics control merchandising of liquor in the Commonwealth of Pennsylvania. We propose, as I just said, to change the board from the Pennsylvania Alcohol Permit Board to the Liquor Control Board, in the manner which I have just designated.

During the time the bill has been before us there have been numerous and worthy and commendable suggestions for amendments. Those amendments, insofar as it was possible to carry them out and grant the request of the membership, have been inserted in this bill, or will be inserted by the amendments which you just heard read. There were a number of high lights in the matter of the amendments, but to me the more important ones are the ones which we have endeavored to place in the bill and cure the objections.

I don't want to burden you by taking up those amendments piecemeal, you have been over them and listened to them, I believe, intelligently. Most of you understand what the bill is and the form in which I hope you will approve those amendments.

On page 2, section one, line 21, concerning the type of club which would be eligible for a license, there was considerable controversy on that matter. We found from the information that reached us that there were a number of outstanding clubs in the Commonwealth of Pennsylvania which have been in existence from twenty to twenty-five years, fifty years, were not incorporated in the bill as originally prepared, and it would have been impossible for them to receive a charter. Under the bill as it now stands, any club which has been chartered or incorporated for a period of six months is eligible for a license; any unincorporated club that has been in existence for twenty years is eligible to receive a license, certainly all of them that fully meet the regulations and requirements as set forth in the bill. That amendment in my opinion is quite liberal. It gives any legitimate club in Pennsylvania the opportunity of securing this license and dispense liquor as provided for in the bill.

The next amendment is merely a definition, on page 3, line 28, of the word "person" for the reason that it made the bill more easily construed in its use for those places.

On page 4, line 4, you will note that the size of a restaurant shall be five hundred square feet, equipped with tables and chairs, accomodating at least fifty persons. This bill is originally drafted provided for one thousand square feet. At the request of some of the members of the House the amount of square feet was reduced to five hundred square feet, and the seating capacity fixed at sixty. The bill now reads "five

hundred square feet with a seating capacity of fifty." This amendment reducing the required size of the restaurant was advocated on the theory that a one thousand square feet restaurant would not be feasible and practical in many of our districts. In other words, it was the desire back of this amendment, and I agree with them, that the men coming out of the mill, the man living in industrial and sparsely settled territory should be entitled to his drink of liquor if he wants it. The people have spoken, and it is our duty as legislators to intelligently, with reasonable and proper legislation, make it possible for them to secure liquor if they so desire. I feel that this amendment in the bill should satisfy most everyone as to the requirements as to the size of a building for the purpose of a restaurant.

When you come to the question of the amendment to the part of the bill pertaining to the description or definition of a hotel, the bill originally drawn required a building or establishment with fifteen rooms. That has been reduced to ten rooms. There are a number of men who still feel that that is not small enough. The purpose, and the only purpose, of defining these places which are properly entitled to a license is in order to safeguard not only society, but safeguard the welfare of those who have their means invested in the manufacture and commercializing of liquor. We felt that we had to have some dignity to the hotel rather than permitting the establishment or setting up throughout the State of Pennsylvania several-roomed dives, which would be for no one's benefit except that of the immediate operator and the filthy gold he might derive from the operation of it.

On page 6, line 3, originally the act read, in conjunction with the board's setting up stores in the communities, that before they should be permitted to do so on sites selected by them, they should be aproved by the Court of Quarter Sessions. For reasons presented by those interested, and due to the fact, to be frank, that in some counties there are dry judges sitting on the bench, it was felt that to insist upon the Court of Quarter Sessions passing on the location, that a number of our counties who under their vote are favorable to these liquor stores would be denied a liquor store for the reason that the judge sitting in Quarter Sessions would not approve the site, and they would be denied, or the board would, the opportunity of establishing a store in that territory. For that reason we have stricken out the necessity of the Court of Quarter Sessions passing on the location of the store. You will find later on in the bill an old tradition to the establishment of a store in a certain locality, near a church or schoolhouse, or what not, where the citizens, or a group of citizens may on their petition go before the Court and try the question as to whether or not that is a fit and proper and suitable place for the location of a liquor store in the locality where they contemplate locating. We also provide that there shall be advertising of at least five days, in order that the residents may have notice to give them opportunity to go into the Court and block the locating of a store opposite your residence or mine or the other fellows, and I think they are entitled to this. But the point I want to make is that the bill as originally drawn provided that the Board must secure the approval of the Courts before the store could be located in a certain place. That has been taken from the bill.

We felt that on page 10, where we set up the question of civil service, we have, insofar as it is humanly possible, protected the interest of the applicants. The man or woman examining the papers of the applicant for a position under the board under the civil service system, shall not know whose paper he or she is examining. The applicant's papers will bear a number, and in that way the applicant will be protected, and he receives credit for whatever his papers show. We made a slight amendment there merely to correct the thing and make it more clear as to the purpose of the Act.

The Act as originally prepared at page 12, line 8, provided only for the sale by the Pennsylvania Liquor Stores at wholesale to hotels, restaurants and clubs. That has been amended to also include railroads, Pullman cars, steamship companies, and later on in the act, and following that amendment at line 10, we provide that drug stores may also purchase it at wholesale from the Pennsylvania Liquor Stores. These amendments further provide that the drug stores may upon the prescription of a doctor in practice deliver liquor to the man holding the prescription. There was considerable objection to the bill as originally drafted that you would not be able to secure whisky at certain hours of the day or night in case of sickness. We felt that since whisky under the American Pharmacopia is defined as a drug that certainly no prescription, and in the use of mixing drugs, that the pharmacist should be allowed full freedom and liberty in the handling and sale of this commodity by the medical profession. That matter has been taken care of in the amendments.

There were a few minor amendments as we were going over the bill which were offered, which I don't believe are important enough at this time to speak of.

We come next to page 17, to the fixing of license fees in the community. On page 17, line 2, we amend there a similar situation in the words, in order to determine the population of the municipality, "as determined by the last preceding decennial census of the United States." In determining the size of the towns and the rate of the license fee to be charged, you will notice on line fifteen, that the classification has simply been changed, "in those having a population of one hundred thousand and more but less than one hundred forty thousand inhabitants, five hundred dollars." In other words, we have reduced the classification by ten thousand. There was considerable demand for that classification, and I think it is a fair and reasonable reclassification.

On page 18, section 408, and also on page 33, section 701, the question of the distribution of the license fees is taken care of. The bill as originally drafted provided that in the municipality, except townships of the second class, all the fees paid in to the Board for retail liquor licenses, should be turned over to the Commonwealth. Those coming from second class townships felt that this was unfair discrimination against that type of municipality. Under the amendments which were read it will provide that in townships of the second class, the money shall be turned over to the school districts coextensive with townships of the second class. We felt it was only fair if the townships wanted this money, like all other municipalities and communities in the State, that they should be entitled to it and procure it from the Board.

On page 20, at the end of line 22, we have inserted an amendment to take care of another problem which arose during the consideration of this bill. The question raised on that was that it was not the proper thing in this Commonwealth to permit females to serve liquor. That is, for females to mix and serve liquor in dining room, restaurant, club, or whatever. We amended that section at that point to provide against the employment, or permitting any female to serve liquor, or malt liquor, to guests, patrons, or members. I feel that that is a worthy amendment and

ertainly the people in the liquor business ought not to ant barmaids.

The next amendment on that same page provides that ne Board may, with the approval of the Governor, temorarily close all licensed places within any municipality uring any period of emergency proclaimed to be such by ne Governor. Certainly that is put in there so that the oard may close establishments during times of strike or ny other disorder and in my judgment is a fair and reasnable regulation.

The next amendment of consequence is that at the botom of page 22, section 414, which is a new section written nto the bill. During the study on the bill the fact was rought to the attention of those endeavoring to formulate , that we were in a sense interferring with the handling nd use of sacramental wines. Now, certainly there was o intention to do that thing, and the amendment which will now read to you clearly handles that problem.

"Section 414. Sacramental wine permits. The board may pon application endorsed by the highest authority with- this Commonwealth of at least one religious denominaon or sect grant to responsible persons of good character acramental wine permits. The fee for such permits shall e one hundred dollars per annum and before any such ermit shall be granted the applicant shall file with the oard a bond in the sum of ten thousand dollars conditioned or the faithful observance by the permittee of all of the ws of this Commonwealth relating to the distribution, sale nd use of liquor and of the regulations of the board.

"Holders of such permits may import into this Commonealth wine to be used for sacramental or religious purposes, and to sell the same only to priests, clergymen or abbis for such purposes, under such regulations as the oard shall prescribe. Priests, clergymen and rabbis may wfully make purchases from such permittees under the gulations of the board but any wine purchased under uthority of this section shall not be used for any other an sacramental or religious purposes.

"Any such permit may be revoked by the board upon roof satisfactory to it that the permittee has violated any w of this Commonwealth relating to the distribution, sale use of liquor or any regulation of the board."

In my judgment, that fully, freely and liberally takes re of the requirements for the use of sacramental wines Pennsylvania, and is as I think it should be.

We found in going over our work considerable protest om the City of Philadelphia, and particularly did it seem come from a group, or a number of groups, interested in welfare of the Port of Philadelphia, and certainly there s no desire to reduce in any way traffic or shipping into g Port of Philadelphia. The question came up on the atter of importation of foreign liquors and wines, and is following section has been written into the bill to et, if possible, that objection, and in my judgment it rly does meet the objection.

Section 415. Importer's Licenses. The board may upon plication grant to responsible persons of good reputation porter's licenses. Such licenses shall permit the holders reof to import liquor from foreign countries to be sold side of this Commonwealth and exclusively to Pennsylvania uor Stores within this Commonwealth.

The fee for such licenses shall be one hundred dollars annuum and before any such license shall be granted applicant shall file with the board a bond in the sum ten thousand dollars conditioned for the faithful observance by the licensee of all of the laws of this Commonwealth relating to the distribution, sale and useof liquor and of the regulations of the board.

"Any such permit may be revoked by the board upon proof satsifactory to it that the licensee has violated any law of this Commonwealth relating to the distribution, sale or use of liquor or any regulation of the board."

Under that amendment it would be possible for importers to procure a license to import liquor, and in that way not interfere with the business of the Port of Philadelphia, and prevent the distribution throughout the country of imported liquors and also the sale of it to Pennsylvania liquor stores and the distribution of it to our citizens.

The next change in the bill was in page 23, Article 5, dealing with the question of local conditions. The bill at this point sets up a system whereby the local condition may be tested by an election. The bill as originally written confines the test by vote to a municipal election. There were some of those in the House who felt that there might not be a municipal election for several years, and for that reason was amended to provide that at any general or municipal election the question of local option might be oted upon. In other words, those communities who desire to test this, determine whether or not licenses shall be permitted within their municipality, may do so at the next general or municipal election.

Again on page 25, line 14, we deal specifically with the dispensing of liquor by the pharmacists. In the event that I don't make myself clear on it, I desire to read it to you. The text of the bill, also the proposed amendments, starting at line 13, if the proposed amendments are accepted, would read as follows:

"Or a pharmacist duly licensed and registered under the laws of this Commonwealth from," then we insert there, "dispensing liquor on prescription of a duly licensed physician, dentist or veterinarian, or selling medical preparations containing alcohol or." That is there taken out of the prohibition of the bill, and they will be permitted to sell as I have just defined to you by that amendment. We read further "using liquor in compounding prescriptions or medicines and making a charge for the liquor used in such medicines, or a fanufacturing pharmacist or chemist from using liquor in manufacturing preparations unfit for beverage purposes, and making a charge for the liquor so used." We permit them to do that.

The next amendments pertaining to the keeping of liquor and under the amendments as offered, that is permitted by those holding importer's licenses, or priests, or clergymen or rabbis, or any holder of a sacramental wine permit, are permitted to keep liquor in the Commonwealth of Pennsylvania other than that purchased through a Pennsylvania liquor store.

One other amendment that we added to the bill is this: That an applicant for a license should be required to file with his application a fee of ten dollars, this money to go to the liquor fund. We felt that the activity and the work of the Examining Board, or rather the License Board in the issuing of the license, in the event the same are granted, that fee of ten dollars should move into the terasury of the State of Pennsylvania, and the other fees, as I have explained, the general license fee shall go to the municipality in which the license fee operates.

In closing: I trust that I have made myself clear on these amendments, and if I have not, I would be pleased to try to

answer any questions you might have to put to me, but I say this, and I say it in all frankness and sincerity to you, that the member in this House who votes to place these amendments in this bill is doing a public service. I feel that this question of liquor control must be safely and intelligently handled for all those interested, either as purchasers or sellers of the product, as well as that of the man who wants his drink when he wants it. I feel if you vote these amendments into this bill, looking toward the success of the measure, that you are doing yourselves justice, and you are doing justice by your constitutents.

There is one other thought I want to leave with you before I close, and that is this, that if any of our friends are worried about the type of board which may be set up in this Senate bill, I want to relieve your mind on the matter of the political makeup of this board. It is the intention of those who are responsible for the change of plans to set up a group of men as a board whom everybody in Pennsylvania would look up to as honorable, decent business men. As I said before, this job is bigger than politics. Let us not be partisan in a matter which concerns the safety socially, and the welfare of the citizens of this Commonwealth. I say this to you in closing, that before we come to the final vote tomorrow on the passage of House Bill No. 10, the Governor will announce publicly the names of the men who will compose the Pennsylvania Liquor Control Board. In voting now we are not voting on that question, we are simply providing that that type of board shall be recognized after the Senate passes the legislation and the members are acted on by two-thirds of the Senate. The point I am trying to make clear is this: Before any member of this House will be asked tomorrow to vote finally as to whether House Bill No. 10 shall pass or not pass, he will know who the appointees of the Governor shall be.

I ask you members in all fairness to vote favorably upon the amendments we have offered to this bill.

The CHAIRMAN. The Clerk will read the amendments offered by the gentleman from Allegheny, Mr. Steedle.

Mr. STEEDLE. Mr. Chairman, may I make a slight explanatory remark. I should like the attention of the members of the House during the reading of these amendments because these amendments offered by myself and Mr. Sowers go hand in hand. I took the first two topics owing to the fact that they were not off the typewriter and his amendments follow right in line. After the Clerk has discontinued reading my amendments, amendment by amendment, I would request that he take up Mr. Sower's amendments, which follow right straight in line with them. I say to the men and ladies of the House that are interested in the abolition of the State liquor stores, who are not in sympathy with State liquor stores, this amendment offers to rout out the State liquor stores. The only explanation I wanted to make is that the amendments of the gentleman from Philadelphia, Mr. Sowers, immediately follow mine and after the Clerk has read them then he takes up the amendments offered by Mr. Sowers which go hand in hand with the amendments I just offered.

The CHAIRMAN. The Chair requests that the gentleman from Allegheny, Mr. Steedle come to the rostrum and aid in the reading of his amendments, and that the gentleman from Philadelphia, Mr. Sowers also come to the rostrum for the same purpose.

The amendments were read by the Clerk as follows:

Amend page 1, title, by striking out all of the title from the word "to" to the word "penalties" and inserting in lieu thereof, in front of the following:

"To regulate, control and restrain the sale, importation and use of certain alcoholic beverages, as herein defined, creating Zone Liquor Control Commissions, defining their powers and duties, conferring powers and imposing duties upon the officers of the State Government, Courts and District Attorneys, providing for the licensing, of the manufacture, possession, sale, transportation and distribution of such beverages and the granting of license subject to local option, to sell such beverages, forbidding the importation of such beverages into the State, except by licensees prohibiting certain sales and practices in connection with and transictions in such beverages by licensees and others making disposition of the receipts of the license fees and imposing penalties for violations and repealing all inconsistent acts."

Amend page 2, Section 2, lines 23 and 24, by striking out the words: "Having a dining room for the use of its members and a kitchen apart therefrom."

Amend page 2, Section 2, line 25, by inserting after the word "Members" the following: "Commissions mean the Zone Liquor Control Commissions hereby created for the purpose of granting, regulating, suspending or revoking package store licenses, hotel license, restaurant licenses and club licenses, for the sale, purchase, transportation, importation, distribution of alcoholic beverages as herein defined."

Amend page 2, section 2, line 26, by inserting a new paragraph ahead and in front of the word "Corporation" which is as follows: "Consumer shall mean a person who buys liquor for any purpose other than resale."

Amend page 2, Article 1, Section 2, lines 28 and 29 by striking out all of lines 28 and 29.

Amend Article 1, Section 2, page 3, line 4, by striking out the word "fifteen" and inserting in lieu thereof the word "eight."

Amend Article 1, Section 2, page 3, line 9, by adding a new paragraph after the word "public," as follows: "license means and includes both the person making the application therefor and the premises upon which the privileges of the license are to be exercised."

Amend Article 1, Section 2, page 3, line 18 by inserting after the word "liquor" and before the word "containing" the word "undistilled."

Amend Artcile 1, Section 2, page 3, line 27, by inserting a new paragraph after the word "liquor" as follows: "Pack age Store means an establishment where liquor or alcoholic beverages are lawfully sold as herein provided in quantities of not less than one quart, but not for consumption on the premises and in which liquors may be rectified."

Amend Article 1, Section 2, page 4, line 4, by striking out the word "sixty" and inserting in lieu thereof the word "forty."

Amend Article 1, Section 3, sub-division 1, page 5, line 2, by striking out the word "board" and inserting in lieu thereof the word "instrumentalities."

Amend page 5, line 6, by striking out the word "instrumentality" and inserting in lieu thereof the words "instrumentalities herein."

Amend page 5, lines 6 and 7 by striking out the words "of the board and otherwise."

Amend Article 1, Section 2, page 4, line 10 by inserting after the word "transfer" and before the word "of" the following words "and delivery."

The CHAIRMAN. The Clerk will read the amendments offered by the gentleman from Philadelphia, Mr. Sowers.

The Clerk read the amendments as follows:

Amend Article II, page 5, Section 201, lines 25, 26, 27 and 28 by striking out all of lines 25, 26, 27 and 28.

Amend Article II, page 6, Section 201, lines 1 to 9 inclusive by striking out lines 1 to 9 inclusive.

Amend Article II, page 6, Section 201, line 9, by inserting after the word "Act" the following new paragraph: "(a) To grant and issue manufacturers' licenses railroad licenses and boat licenses as provided by law and this act."

Amend Article II, page 6, Section 201, by striking out lines 10 to 29 inclusive.

Amend Article II, Section 201, page 7, lines 1 to 28, new paragraph.

Amend Article II, Section 201, page 7, by striking out the entire page, which includes lines 1 to 28 inclusive.

Amend Article II, Section 201, page 8 and amend Article III, Section 301, page 8, by striking out the entire page 8 which is lines 1 to 29 inclusive.

Amend Article III, Sections 301, 302, 303, 304, 305 and 306 by striking out all matter contained on page 9, page 10, page 11 and page 12 and all matter contained on page 13 down to and including line 23 and ending with the word Board.

Amend Article III, page 13, by inserting ahead of words Article IV, in line 24 the following matter consisting of Article III, titles, etc.

ARTICLE III

CREATING COMMISSIONS AND ZONES, GENERAL POWERS AND DUTIES OF COMMISSION

"Section 301. CREATION OF COMMISSIONS. Zone Liquor Control Commissions consisting of four members each, at least one of whom shall be learned in the law, are hereby created for each of the several zones of the Commonwealth of Pennsylvania as prescribed and each such zone shall be numbered, composed and designated respectively as follows:

"The first zone shall be composed of the County of Philadelphia.

"The second zone shall be composed of the County of Allegheny.

"The third zone shall be composed of the Counties of Delaware, Chester, Montgomery, Berks, Lehigh, Northampton and Bucks.

"The fourth zone shall be composed of the Counties of Luzerne, Lackawanna, Wyoming, Susquehanna, Wayne, Pike, Monroe and Carbon.

"The fifth zone shall be composed of the Counties of Tioga, Bradford, Lycoming, Sullivan, Union, Snyder, Northumberland, Montour, Columbia and Schuylkill.

"The sixth zone shall be composed of the Counties of Lancaster, Lebanon, Dauphin, York, Cumberland, Perry, Franklin and Adams.

"The seventh zone shall be composed of the Counties of Somerset, Bedford, Fulton, Cambria, Blair, Huntington, Mifflin and Juniata.

"The eighth zone shall be composed of the Counties of Westmoreland, Fayette, Green, Washington and Beaver.

"The ninth zone shall be composed of the Counties of Clinton, McKean, Potter, Elk, Cameron, Clearfield and Centre.

"The tenth zone shall be composed of the Counties of Erie, Crawford, Mercer, Lawrence, Butler, Armstrong, Indiana, Jefferson, Clarion, Venango, Forest and Warren.

"Section 302. APPOINTMENT OF COMMISSIONERS AND TERMS. Immediately after the passage of this Act, the Governor shall appoint four persons to be the Zone Liquor Control Commissioners for each of the respective zones to serve for a term of two years from the date of appointment and he shall bi-annually thereafter appoint their successors to serve for a term of two years. A retiring member of the Commission may be appointed to succeed himself. One of said four Commissioners shall be a person learned in the law. Each Commissioner shall take the oath of office prescribed for executive officers. Appointment by the Governor of the several commissioners for the several zones created herein shall be made in the following manner:

"The Governor shall cause to be certified to him by the State Chairman of each of the two dominant political parties the names of five reputable persons residing in each of the said zones and one of whom shall be a person learned in law. From the names so certified to him, the Governor shall appoint two Commissioners of the political party having the highest number of votes in the preceding State election and two members of the political party receiving the next highest vote in the preceding State Election. The members of the Commission from each zone shall continue to be divided equally between the two dominant political parties of the State at all times and the successor of each member shall be of the same political party as the member whom he succeeds provided that political party continues to be one of the two dominant political parties. Should a vacancy on the Commission occur through death, resignation or otherwise, the Governor shall appoint a member to fill the unexpired term from names certified to him by the procedure aforesaid. Each Commission shall choose its own Chairman, Secretary and Treasurer.

"Section 303. ELIGIBILITY. No Commissioner or employee of the Commission may directly or indirectly, individually or as a member of a partnership or as a shareholder of a Corporation have any interest whatsoever in dealing in or in the manufacture of alcoholic liquor, nor receive any commission or profit whatsoever from, nor have any interest whatsoever in the purchases or sales made by licensees authorized by this Act to purchase or sell alcoholic liquor. No provision of this Section shall prevent any such Commissioner or employee from purchasing and keeping in his possession for the personal use of himself or members of his family or guests any alcoholic liquor which may be purchased or kept by any person by virtue of this Act. All members of the Commission shall be citizens of the United States, qualified voters of the Commonwealth of Pennsylvania, residents of the said State, for at least five years and residents of the zone to which they are appointed at least two years preceding the date of their appointment.

"Section 304. SALARIES AND EXPENSES. Each member of the several Zone Liquor Control Commissions shall receive an annual salary of Thirty-five Hundred Dollars ($3500.00) payable semi-annually from the Commonwealth of Pennsylvania, and shall also receive traveling and hotel expenses necessarily incurred in the performance of the duties of the Commission while away from the central place of business of the Commission in the zone. Such of the Commission's employees as may be required to travel from place to place in the performance of the Commission's business shall receive actual traveling and hotel expenses necessarily incurred in the performance of their duties while away from the central place of business of the Commission.

"Section 305. ADMINISTRATIVE POWERS. The Commission shall have all the powers conferred and perform all the duties imposed by the Administrative Code generally upon Departmental Administrative Boards and Commissions.

"Section 306. POWERS OF COMMISSION TO FIX PLACES FOR TRANSACTION OF BUSINESS. Each Zone Liquor Control Commission shall select in each zone a central place of business for the general conduct of its administrative functions and also designate from time to time the place and places of business within the proper zone for the purpose of holding hearings.

"Section 307. POWER OF COMMISSION TO GRANT LICENSES. The Zone Liquor Control Commissions are hereby authorized, empowered and directed to issue package store licenses, hotel licenses, restaurant licenses and club licenses to applicants who have duly qualified to receive the license.

"Section 308. QUORUM, APPEALS, COURT OF QUARTER SESSIONS, OPINIONS. Three members of each Zone Liquor Control Commission shall constitute a quorum for the transaction of business and the granting or dismissing of applications shall require the approval of at least three members of the Commission.

"Section 309. POWER TO ADMINSTER OATHS. Each Commissioner of each Zone Liquor Control Commission shall have power to adminster oaths and hear testimony of persons appearing before him.

"Section 310. SUBPOENA — ATTENDANCE OF WITNESSES. The character and qualifications of the applicant and the suitability of the place asked to be licensed and all questions of fact in regard to the same shall be found and determined by each Zone Liquor Control Commission and for this purpose each Commission shall have the power of subpoena or otherwise to compel the attendance of witnesses and to conduct hearings in the same manner and with the same effect as a Court of Record of this Commonwealth. Upon the refusal of any person to obey the subpoena issued by any Commissioner, such Commissioner may apply to the Court of Quarter Sessions of the County wherein the place licensed or proposed to be licensed is situated, setting forth such refusal and petitioning the said Court for the issuance of a subpoena by the said Court of Quarter Sessions directing such person to attend before the Commission and to testify; and the said Court of Quarter Sessions shall thereupon issue such subpoena.

"Section 311. RULES. Each Commission shall adopt promulgate and enforce such rules and regulations for the transaction of its business, but such rules and regulations shall not be inconsistent with this act, and each Commission shall fix by proper rules and regulations the time and place in each County within its zone at which applications for package store licenses, hotel licenses, restaurant licenses and club

licenses shall be heard, at which time and place all persons appearing or making objections to applications for licenses may be heard by evidence, petition, remonstrance or counsel, and ample opportunity shall be given to refute and rebut evidence which might or may be fairly considered to be a surprise to applicants or remonstrants.

"Section 312. INVESTIGATION. The Commission shall personally or by its agents visit and inspect premises, at which the applicant proposes to conduct or is conducting his business, and shall investigate the fitness of any person to engage in such business. It shall further investigate violations of this act by licensees and other persons and institute such proceedings as it deems right and proper through the Department of Justice or the District Attorney, as the case may be.

"Section 313. NOTES OF TESTIMONY. All hearings before the Zone Liquor Control Commission shall be matters of record, the testimony taken stenographically and transcribed and the original filed and a copy furnished to the licensee or applicant.

"Section 314. APPOINTMENT OF PERSONNEL. Each Zone Liquor Control Commission shall have power to appoint or dismiss a Secretary-Stenographer and such other employees as are necessary to properly carry out the functions of the Commission, but not exceeding one employee to each fifty thousand (50,000) population in the zone and to fix the salaries of such Secretary-Stenographer and other employes in accordance with the standards of the Executive Board of the Commonwealth of Pennsylvania, which salaries shall be on an annual basis payable semi-monthly and shall be paid from the Treasury of the Commonwealth of Pennsylvania.

"Section 315. GENERAL POWERS. Each Zone Liquor Control Commission being limited by the foregoing is authorzed and empowered to do all such things as are deemed necessary or advisable for the purpose of carrying into effect the provisions of this act and the regulations made thereunder."

Amend Article IV, page 13, line 26, by inserting in front of the word "The" the following: "Or off."

Amend Article IV, page 13, Section 401, line 28, by inserting in front of the word "hotels" the following: "package stores."

Amend Article IV, page 14, Section 401, by inserting after the word "the" and before the word "Board" the following: "Liquor Control Commission."

Amend Article IV, page 14, Section 401, line 1, by striking out the word "Board."

Amend Article IV, page 14, Section 401, line 2, by inserting after the letter "a" and before the word "hotel" the words "package store."

Amend Article IV, page 14, Section 401, line 4, by inserting after the word "the" and before the word "hotel" the words "package store."

Amend Article IV, page 14, Section 401, lines 4 and 5, by striking out the words "from a Pennsylvania Liquor Store."

Amend Article IV, page 14, Section 401, line 8, by inserting after the word "patrons" and before the word "or" the word "customers."

Amend page 14, lines 8 and 9, by striking out the following: "for consumption on the hotel restaurant or club premises."

Amend page 14, line 10, by inserting after the word "a" and before the word "hotel" the words "package store liquor license."

Amend Article IV, page 14, Section 402, as follows: Amend line 12 by inserting after the word "for" and before the word "hotel" the words "package store."

Amend line 13 by inserting after the letter "a" and before the word "hotel" the words "package store liquor license."

Amend line 15 by inserting after the word "the" and before the word "Board" the following: "Zone Liquor Control Commission."

Amend line 15 by striking out the word "Board."

Amend line 16 by striking out the word "Board" and substituting in lieu thereof the word "Commission."

Amend line 19 by inserting after the word "the" and before the word "hotel" the words "package store."

Amend line 22 by inserting after the word "the" and before the word "hotel" the words "package store."

Amend line 24 by striking out the word "Board" and substituting in lieu thereof the word "Commission."

Amend Article IV, page 15, Section 403, as follows: Amend line 6 by inserting after the word "of" and before the word "hotel" the words "package store."

Amend line 7 by inserting after the word "Licenses" and before the word "Upon" the following "(a)."

Amend line 10 by striking out the word "board" and inserting the word "commission" in lieu thereof.

Amend line 12 by striking out the words "from a Pennsylvania Liquor store."

Amend line 14 by inserting after the word "by" and before the word "upon" the following: "individual drink or sealed containers not exceeding one quart."

Amend line 14, page 15 by striking out the words "open bottle."

Amend line 21, page 15, by inserting a new provision after the word "thereunder," as follows: "(b) Upon receipt of the application fee and bond and upon being satisfied of the truth of the statements in the application and that the applicant is conducting a package store as defined in this Act, the Commisison shall grant and issue to the applicant a license entitling him to purchase liquor for purpose of resale for consumption off the premises and in accordance with the provisions of this Act and the regulations thereunder."

Amend Article IV, Section 434, pages 15 and 16, as follows: Amend line 22 by striking out the word "Board" and inserting in lieu thereof the word "Commission."

Amend line 23, page 15, by striking out the words "the board" and inserting in lieu thereof the words "a commission."

Amend line 24 by inserting after the letter "a" and before the word "hotel" the words "package store."

Amend line 26, page 15, by inserting after the word "the" and before the word "hotel" the words "package store."

Amend line 28 by striking out the word "board" and inserting in lieu thereof the word "Commission."

Amend line 1, page 16, by striking out the word "board" and inserting in lieu thereof the word "Commission."

Amend line 2 by inserting after the word "Justice" and before the word "At" the following: "in those zones consisting of more than one County, in zones consisting of only one county by the District Attorney."

Amend line 4, page 16, by striking out the word "board" and inserting in lieu thereof the word "Commission."

Amend line 5 by striking out the word "board" and inserting in lieu thereof the word "Commission."

Amend lines 6 and 7, page 16, by striking out the words "There shall be no further appeal."

Amend Article IV, page 16, Section 405, line 10, by inserting after the word "the" and before the word "hotel" the words "package store."

Amend Article IV, page 16, section 406, as follows:

Amend line 14, page 16, by inserting after the word "to" and before the word "any" the words "package store."

Amend line 16, page 16, by striking out the word "board" and inserting in lieu thereof the word "Commission."

Amend line 20, page 16, by striking out the word "board" and inserting in lieu thereof the word "Commission."

Amend line 23, page 16, by striking out the word "board" and inserting in lieu thereof the word "commission."

Amend line 25 by inserting after the word "Justice" and before the word "to" the following: "or district attorney as the case may be."

Amend Article IV, pages 16, 17 and 18, Section 407, as follows:

Amend line 28, page 16, by inserting in front of the word "hotel" the words "package store liquor license."

Amend line 29, by striking out the word "board" and inserting in lieu thereof the following words: "Treasurer of the Commission."

Amend page 17, line 2, by inserting after the word "which" and before the word "the" the words "package store."

Amend line 19 by inserting after the word "more" and before the word "inhabitants" the following words: "but less than 500,000 inhabitants."

Amend page 17, line 19, by inserting a new paragraph after the figures "(600.00)" the following: "in those having a population of five hundred thousand or more inhabitants, one thousand dollars ($1,000.00)."

Amend page 17, line 21, by striking out the word "board" and inserting in lieu thereof the word "Commission."

Amend page 17, line 22, by striking out the word "fifty" and inserting in lieu thereof the words "twenty-five."

Amend page 17, line 22, by striking out the figures "($50.00)" and inserting in lieu thereof the figures "($25.00);"

Amend page 17, lines 2, 3, 4, 5, 6, 7 and 8 by striking out all of said lines.

Amend page 18, lines 1 and 2, by striking out all of lines 1 and 2.

Amend page 18, line 3, by inserting ahead of the word "All" the following: "(C)."

Amend page 18, line 4, by striking out the word "board" and inserting the following words in lieu thereof "Treasurer of the Commission."

Amend page 18, line 7, by inserting after the word "to" and before the word "hotels" the words "package stores."

Amend page 18, line 8, by striking out the word "board" and inserting in lieu thereof the following words: "Treasurer of the Commission."

Amend page 18, line 10, by inserting a paragraph after the word "located" as follows:

"Section 408. Druggists shall not be required to obtain a license under the provisions of this act, but they shall not sell alcoholic liquor without a license, except upon the written prescription of a regularly registered physician."

Amend Article IV, pages 18 and 19, Section 408, as follows:

Amend page 18, line 11, by striking out the figures "408" and inserting in lieu thereof the figure "9."

Amend page 18, line 13, by striking out the word "board" and inserting in lieu thereof the word "Commission."

Amend page 18, line 13, by inserting after the word "any" and before the word "hotel" the following words "package store."

Amend page 18, line 16, by striking out the word "board" and inserting in lieu thereof the word "Commission."

Amend page 18, line 27, by striking out the word "board" and inserting in lieu thereof the word "Commission."

Amend page 19, line 3, by striking out the word "board" and inserting in lieu thereof the following words: "Treasurer of the Commission."

Amend Article IV, page 19, Section 409, as follows:

Amend page 19, line 5, by striking out the figures "409" and inserting in lieu thereof the figures "410."

Amend page 19, line 6, by striking out the word "board" and inserting in lieu thereof the word "Commission."

Amend page 19, lines 7, 8 and 9 by striking out the words "thirty-first day of December in the year for which the license is issued" and insterting in lieu thereof the following words: "date fixed by rule or order of the Commission."

Amend page 19, line 12, by striking out the word "board" and inserting in lieu thereof the word "Commission."

Amend page 19, line 14, by striking out the word "board" and inserting in lieu thereof the word "Commission."

Amend Article IV, page 19, Section 410, as follows: page 19, line 16, by striking out the figures "410" and inserting in lieu thereof the figures "411."

Amend Page 19, line 18, by inserting after the letter "a" and before the word "hotel" the words "package store."

Amend page 19, line 19, by striking out the words "Attorney General" and inserting in lieu thereof the words "Department of Justice."

Amend page 19, line 20, by inserting after the word "the" and before the word "hotel" the words "package store."

Amend page 19, line 25, by striking out the word "board" and inserting in lieu thereof the word "Commission."

Amend page 19, lines 28 and 29 by striking out the words "The action of the court in suspending or revoking a license shall be final."

Amend Article IV, page 20, section 411, as follows: page 20, line 6, by striking out the figures "411" and inserting in lieu thereof the figures "412."

Amand page 20, lines 18. 19, 20, 21 and 22 by striking out all the matter contained in lines 18, 19, 20, 21 and 22.

Amend line 23 by inserting in front of the word "Liquor" a new paragraph as follows: "Every package store licensee shall sell liquor in quantities of not less than one quart, and only for consumption off the premises and shall under no circumstances permit liquor to be consumed on the premises.

Amend page 20, lines 23 and 24 by striking out the words "twelve o'clock noon" and inserting in lieu thereof the words "five o'clock ante meridian."

Amend page 20, line 24, by striking out the words "twelve o'clock midnight" and inserting in lieu thereof "one o'clock ante meridian."

Amend page 20, line 25, by inserting after the word "Sunday" and before the word "or" the following words "and until five o'clock ante meridian on the following Monday."

Amend page 20, line 27, by adding after the word "held" the following "prior to nine o'clock post meridian."

Amend Article IV, section 412, pages 20 and 21, as follows: Amend page 20, line 28, by striking out the figures "412" and inserting in lieu thereof the figures "413."

Amend page 20, line 29, by inserting after the letter "a" and before the word "hotel" the following words "package store."

Amend page 21, line 1, by inserting after the word "such" and before the word "hotel" the following words "package store."

Amend page 21, line 5, by striking out the word "retail."

Amend Article IV, page 21, Section 413, as follows: Amend page 21, line 7, by striking out the figures "413" and inserting in lieu thereof the figures "414."

Amend page 22, line 4, by striking out the words "The board."

Amend page 22, lines 5, 6, 7 and 8 by striking out all the matter contained in lines 5, 6, 7 and 8.

Amend page 22, line 12, by inserting after the letter "a" at the end of the line the words "package store."

Amend Article IV, page 22, by inserting immediately after line 29 and the words "restaurant licensees," the following:

"Section 415. QUALIFICATIONS OF LICENSEES. Licenses shall be granted only to reputable persons of good moral character or to associations, partnerships or corporations whose members, officers and directors are reputable persons. Licenses shall be granted only to individual citizens of the United States twenty-one years of age who have been residents of this Commonwealth for at least three years immediately preceding and residents of the County wherein they apply for at least one year or to corporations organized under the laws of this Commonwealth to transact business in this Commonwealth."

Amend Article IV, page 22, by inserting immediately after the amendment offered and known as Section 415, Qualifications of Licensees the following:

"Section 416. BOOK ACCOUNTS, RECORDS OF LICENCEES. It shall be the duty of every package store, hotel and restaurant licensee to keep a true and correct account of the gross income arising from the sales of liquor and every such licensee shall keep on file in the licensed premises invoices of all purchases of liquor and malt beverages, a written record of daily gross sales of liquor and malt beverages and the Commission shall have the right to inspect such invoices and records at any time during regular business hours and failure to keep such records may be cause to revoke or suspend a license."

Amend Article IV, age 22, by adding immediately after amended paragraph known as Section 416 "Book Accounts, Records of licensees," the following new section:

"Section 417. NOTICE FORBIDDING SALES TO INTEMPERATE PERSONS. It shall be lawful for any member of the family of an intemperate person or any overseer of the poor or any magistrate of the district in which said intemperate person resides or the committee of an habitual drunkard to give written notice to a licensee forbidding him from furnishing knowingly said intemperate person or habitual drunkard with alcoholic liquor, and it shall be unlawful to furnish or cause to be furnished alcoholic liquor to such intemperate person or habitual drunkard until the notice is rescinded in writing, duly acknowledged before a notary public by the person who gave them notice."

Amend Article IV, page 22, by adding a new section known as "Section 418" immediately following the amended section 417. "Notice forbidding sales to intemperate persons," as follows:

"Section 418. LICENSE DENIED TO CERTAIN OFFICERS. No license shall be granted to any Sheriff, Deputy Sheriff, Constable, Justice of the Peace, Magistrate, Prosecuting Officer, Councilman or to any female who is a member of a household to whom a license has been refused, or by whom a license has been forfeited and no license shall be issued to any person convicted of any felony or crime of violence."

Amend Article IV, page 22, by adding a new section to immediately follow the amended Section known as Section 418. License denied to certain officers, which new section is as follows:

"Section 419. LIQUOR UNFIT FOR BEVERAGE PURPOSES. The provisions of this Act shall not apply to ar-

ticles of commerce which contain alcohol liquor and which are unfit for use as a beverage nor to medicinal preparations containing alcoholic liquor."

Amend Article V, page 23, Section 501, line 7, by striking out the word "board" and substituting in lieu thereof the word "Commission."

Amend line 7 by inserting after the word "to" and before the word "hotels" the following words "package stores."

Amend line 10 by adding after the word "clubs" the following words "and off the premises of such package stores."

Amend Article V, page 23, Section 502, as follows: Amend page 23, line 28, by striking out the words "on premises where sold."

Amend page 24, line 3, by striking out the word "board" and inserting in lieu thereof the word "commission."

Amend page 24, line 3, by inserting after the word "to" and before the word "hotels" the words "package stores."

Amend page 24, line 4, by striking out the word "on."

Amend page 24, line 5, by striking out the words "their premises."

Amend page 24, line 7, by striking out the word "board" and inserting in lieu thereof the word "commission."

Amend page 24, line 9, by inserting after the word "township" and before the word "under" the following "for consumption in such municipality or township."

Amend Article V, Section 3, page 24, as follows: Amend page 24, line 13, by striking out the words "for consumption."

Amend page 24, line 15, by striking out the words "for con-"

Amend page 24, line 16, by striking out the entire line.

Amend page 24, line 17, by striking out the words "or other place."

Amend page 24, line 17, by inserting after the word "area" and before the word "where" the following: "for consumption thereon."

Amend page 24, line 19, by striking out the word "retailers" and inserting in lieu thereof the words "licensees thereof."

Amend page 24, line 21, by inserting after the word "the" and before the word "beverage" the word "malt."

Amend Article 6, page 24, Section 601, as follows: Amend page 24, line 27, by striking out the words "the board" and inserting in lieu thereof the word "licensees."

Amend page 24, line 27, by striking out the words "for use in Pennsylvania."

Amend page 24, line 28, by striking out the word "Liquor Stores."

Amend Article VI, page 25, Section 602 as follows:

Amend page 25, line 3, by inserting after the word "person" and before the word "by" the following: "other than a licensee."

Amend page 25, Section 602, by striking out all the matter contained in lines 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29."

Amend page 26, line 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 14, and 15 by striking out all the matter contained in those lines

Amend page 26, line 9, by inserting a new paragraph immediately following the word "minor" as follows:

"(b) It shall be unlawful for any licensee or any employee of such licensee to knowingly sell, furnish or give any liquor or to permit any liquor to be sold, furnished or given to any person visibly intoxicated or to a person of known intemperate habits or to any insane person or to any minor."

Amend page 26 line 10, by striking out "(f)" and inserting in lieu thereof "(C)."

Amend page 26, line 13, by inserting after the word "member" and before the word "no" the following words "and excepting credit extended to any licensee."

Amend page 26, line 16, by striking out the letter "(G)" and inserting in lieu thereof the letter "(d)."

Amend page 26, line 16, by striking out the words "or the."

Amend page 26, line 17, by striking out the word "board."

Amend page 26, line 18, by striking out the words "or of."

Amend page 26, line 18, by striking out the word "board."

Amend page 26, line 22, by striking out the letter "(H)" and inserting in lieu thereof the letter "(E)."

Amend Article VI, page 23, Section 603, as follows: By striking out all the matter contained in lines 24, 25, 26, 27 and 28.

Amend Article VI, page 27, Section 604, as follows:

Amend page 27, line 1, by striking out the figures "604" and inserting in lieu thereof the figures "603."

Amend page 27, line 3, by striking out the words "or the board."

Amend page 27, line 4, by striking out the words "or of the board."

Amend Article VI, page 27, as follows:

Amend page 27, line 14, by striking out the figures "606" and inserting in lieu thereof the figure "604."

Amend page 27, line 15, by inserting after the word "Manufacturer" and before the word "It" the following words "and package store."

Amend page 27, line 16, by inserting after the word "facturer" and before the word "to" the words "package store."

Amend page 27, line 17, by inserting after the word "manufacturer" and before the word "on" the following words "and package store."

Amend Article VI, page 27, Section 606, as follows:

Amend page 27, lines 20, 21, 22, 23, 24, 25, 26, 27 and 28 by striking out all the matter contained in said lines.

Amend Article VI, pages 27 and 28, as follows:

Amend page 27, lines 29, by striking out the figures "607" and inserting in lieu thereof the figure "605.".

Amend page 28, line 6, by inserting after the word "Board" and before the letter "(a)" the following: "and commission."

Amend page 28, line 1, by inserting after the word "board" and before the word "shall" the words "and Commission."

Amend page 28, lines 7, 8, 9, 10, 11 and 12 by striking out all the matter contained in the lines 7, 8, 9, 10, 11 and 12, and inserting in lieu thereof the following new paragraph:

"(b) It shall be unlawful for the members of the Board or Commission or employee of either Board or Commission or employee of either Board or Commission to receive or accept directly or indirectly a gratuity of any kind whatsoever from any licensee or applicant for a license."

Amend page 28, line 14, by striking out the word "the" and inserting in lieu thereof the letter "a."

Amend page 28, line 15, by striking out the word "board" and inserting in lieu thereof the word "licensee."

Amend page 28, line 18, by striking out the word "Commonwealth" and inserting in lieu thereof the words "Board or Commission."

Amend page 28, line 18, by striking out the word "one" and inserting in lieu thereof the word "on."

Amend Section 608, pages 28, 29 and 30 as follows:

Amend page 28, line 20, by striking out the figures "608" and inserting in lieu thereof the figures "606."

Amend page 29, line 1, by striking out the words "Attorney General of the State" and inserting in lieu thereof "Department of Justice."

Amend Article VI, Section 609, pages 30, 31, as follows: Amend page 30, line 12, by striking out the figures "609" and inserting in lieu thereof the figures "607."

Amend page 30, line 14, by inserting after the letter "a" and before the word "hotel" the words "package store."

Amend page 30, line 16, by inserting after the word "any" and before the word "hotel" the words "package store."

Amend page 30, line 19, by inserting after the word "any" and before the word "hotel" the words "package store."

Amend page 30, line 20, by adding after the word "act" the following: "It shall be unlawful for a package store, hotel and restaurant licensee to borrow money from or through a person engaged in the manufacture or wholesale distribution of alcoholic liquor and it shall be unlawful for a package store, hotel, or restaurant licensee to enter into a lease for any premises which, by its terms, limits or restricts the licensee either as to the place where he may purchase alcoholic liquor or which limits or restricts the licensee as to the particular kind of alcoholic liquor that he may purchase for sale."

Amend page 30, line 24, by inserting after the word "a" and before the word "hotel" the following words "package store."

Amend page 30, line 27, by inserting after the word "any" and before the word "hotel" the following words "package store."

Amend page 31, line 1, by inserting after the letter "a" and before the word "hotel" the following words "package store."

Amend page 31, line 2, by striking out the following words "for use and consumption upon the premises."

Amend page 31, line 3, by inserting after the word "no" and before the word "hotel" the following words "package store licensee."

Amend page 31, line 4, by inserting before the word "restaurant" the word "or."

Amend page 31, line 4, by striking out the words "or club licensee."

Amend page 31, line 8, by inserting after the word "any" and before the word "hotel" the words "package store."

Amend page 31, line 8, by inserting after the word "hotel" and before the word "restaurant" the word "or."

Amend page 31, line 8, by striking out the words "or club."

Amend page 31, line 15, by inserting after the word "of" and before the word "hotel" the following words "package store."

Amend page 31, lines 15, 16 and 17 by striking out the words "and as herein provided of club licenses issued under this Act and."

Amend Article VI, page 31, Section 610, as follows: Amend page 31, line 19, by striking out the figures "610" and inserting in lieu thereof the figures "608."

Amend page 31, line 20, by striking out the words "or who shall import or attempt to im-."

Amend page 31, line 21, by striking out the word "port."

Amend Article VII, page 22, head lines and Section 701 as follows:

Amend page 32, line 14, by striking out the words "Moneys accruing from Pennsyl-" and inserting in lieu thereof the words "license fees".

Amend page 32, line 15, by striking out the word "vania Liquor stores and License fees".

Amend page 32, line 17, by striking out the word "board" and inserting in lieu thereof the following words "Treasurer of the Commission".

Amend page 32, line 25, by striking out the word "board" and inserting in lieu thereof the word "Commission".

Amend page 33, line 1, by striking out the word "board" and inserting in lieu thereof the word "Commission".

Amend page 33, line 4, by inserting after the word "to" and before the word "hotels" the following words "package stores".

Amend Article VII, page 33, Section 702, as follows:

Amend page 33, lines 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 by striking out all of the matter contained in the said lines.

Amend Article VIII, page 33, Section 801 as follows:

Amend page 33, line 24, by striking out the words "and except that the pro-".

Amend page 33, lines 25, 26, 27 and 28 by striking out all matters contained in those lines.

Amend page 34, lines 1, 2, 3, 4, 5, 6, 7, 8 and 9 by striking out all matter contained in those lines.

Amend Article VIII, page 34, by adding a new section after Section 802 and after the word "repeal" as follows:

Section 803, Repeal of inconsistent legislation. All Acts or parts of Acts inconsistent herewith are herewith repealed.

The CHAIRMAN. The Committee has just heard read the amendments as proposed by the gentleman from Allegheny, Mr. Steedle, and the gentleman from Philadelphia, Mr. Sowers. According to the program the Chair will now recognize the gentleman from Allegheny, Mr. Steedle.

Mr. STEEDLE. Mr. Chairman and ladies and gentlemen of the House. My amendments that I have offered, the first amendment on page 1 entitled By striking out all of the title from the word "to" to the word "penalties" and is nothing more than what necessary follows so that the act may be properly considered and it eliminates it its language particularly the so-called State liquor stores and creates or sets up the mechanics which follow the creation of the so-called Zone Commission.

The next amendment that I offered to House Bill No. 10 is amendment to section 2 on page 2 lines 23 and 24 by striking out the words "having a dining room for the use of its members and a kitchen apart therefrom in which food is regularly prepared for the members." The reason for that is that under a true interpretation of the law as presented by the original bill, it denies certain clubs; they have already been cared for in amendments, if they are sustained by this body, offered by Mr. McClure. Under the amendments of Mr. McClure, clubs that have been in business for twenty years are taken care of. In the Pittsburgh district now we have some old time singing societies who have a club room or an assembly room on the top floor of a certain bank building, or whatever that building may be. Now, they don't themselves have the necessary equipment for regular kitchen service. In their congeniality possibly at a meeting night, or a Saturday or a Sunday and after a little service they may properly tap a quarter or a half or a barrel of beer, as the case may be. They have an ice box in which they may keep some things, I am talking now of pre-prohibition days, it contains liquor and probably a bottle of wine and probably gin, whatever it may be, but however it is still liquor. Now, these men under the purview of the act of Mr. McClure's would be denied that right. They would have to build kitchens separate and distinct from their assembly hall. If it is fair enough to admit them into the picture for the bodies that existed twenty years or more then it is just as fair that these clubs be permitted to do business without all of these specific regulations, because it is a hardship on that kind of club. On these occasions in the way of serving meals probably all they serve is a limber on a plate or ham or cheese or some other type, probably smoked herring. They don't have a dining room, they have an assembly room where they sit down and enjoy what they do. So it was the intent, therefore, not to place a strict regulatory measure on such a club.

On page 2, section 2, the next amendment offered by myself is as follows—what does the Commission mean. "The Commission means the zone liquor control commission hereby created for the purpose of granting, regulating, suspending or revoking package store licenses, hotel licenses, restaurant licenses and club licenses, for the sale, purchase, transportation, importation, distribution of alcohol beverages as hereby defined." It means the sale of a quart or more over the counters and not for consumption on the premises. It is a new name for an old object. If this be transgression we had to arrange our language probably to meet the will of the public "hotel licenses, restaurant licenses, club licenses for the sale, purchase, transportation and the importation, distribution of alcoholic beverages as herein defined." That takes away or helps to take away in the language the so-called State owned liquor stores.

The next amendment is on page 2, section 2, line 26, by inserting in the paragraph ahead of the word "corporations" the amendment which is as follows: it is a definition for a consumer, "a consumer shall mean a person who buys liquor for any purpose other than for resale." In other words if I go to a package store house and buy a quart of liquor I am not permitted to resell that.

The other amendment offered by me was on page 2, article I, section 2, lines 28 and 29, by striking out lines 28 and 29 for the purpose of clarifying "importations." Under our present laws I can now go to France or any other country, and if I want to I can have shipped to whatever part of this country it is, anything that I want to buy, as long as I pay the tax.

Article I, section 2, page 3, line 4, we took away or detracted therefrom a fifteen room hotel requisite. To my mind we considered at the time we wrote this here that for the ordinary hotel in a small town five rooms would be amply sufficient, but, however, it was agreed that probably eight might answer the purpose. I am still however of the opinion that five to my mind is better than eight, because we must realize that every little hotel in a small town has to have quarters for its immediate family, and they may themselves occupy six or seven rooms, depending on the number in the household, and five

guest rooms would be suffcient, but possibly eight is not asking too much. Mr. McClure in his amendment changed it from fifteen to ten rooms, and we have just went him one better and took two more off.

Article I, section 2, page 3, line 9, after the word "public" as follows: this is just an expression of what the word "license" means. "License means and includes both the person making the application therefor and the premises upon which the privileges of the license are to be exercised."

The other amendment is with reference to malt liquors. The reason we did that was that if the licensee holding a restaurant or hotel liquor license and selling beer, he would not be restrained from selling Duffy's Malt Extract or any other liquor that is distilled from malt. So therefore, we protected that so that there would be no infringement upon the man that would have a beer license, and by permitting him to sell malt liquors, so we put in the word "undistilled", and that protects the man who may be in competition with him and that has a beer privilege.

The other amendment offered by me was the package stores. "Package stores means an establishment where liquor or alcoholic beverages are lawfully sold as herein provided in quantities of not less than one quart, and not for consumption on the premises, and in which liquors may be rectified."

The rectifier under the old Brooks High Law system had to apply to the Federal Court, and he paid for the additional privilege $200 for rectifying spirits. That granted him the right to reduce a high proof liquor to a blend, and it was to the Federal System which he had to apply, to the Federal Government, and he had to maintain an invoice as to the purchase, sale and everything beyond five gallons, so that the revenue agent coming around could check up on how much he had purchased, how much he had sold, and check to whom he sold it so the Federal Government could get the revenue out of it.

The other amendment offered by me has reference to the floor space total, and we took out the word "sixty". Mr. McClure made it fifty. We went it one better and only made it forty.

The next amendment is to Article I, page 3, and the amendment offered is by striking out the word "Board". At this time in the act it has the words "Alcohol Permit Board". We took that out and substituted the words "Pennsylvania Liquor Control Commission", and after the words, strike out the word "instrumentality", and insert in lieu thereof the word "instrumentalities", which is only a correction.

In Article I, section 2, page 4, line 10, by inserting after the word "transfer" and before the word "of" the following words: "And delivery". This amendment is permitting a man who takes out a package liquor license, so that he can deliver to your home and to my home upon a telephone order, or whatever method we may use, for the information and request for delivery to our particular premises, or a club, without the necessity of walking to the liquor store, and the delivery privilege grants to the individual some personal prerogatives.

I hope, ladies and gentlemen of the House, and it is not my intention to keep you here, but I hope you will give favorable consideration to the following amendments as well as the ones I have read to you, and the following amendments are the real nucleus in the eliminating of State owned liquor stores.

The CHAIRMAN. The Chair now recognizes the gentleman from Philadelphia, Mr. Sowers.

Mr. SOWERS. Mr. Chairman and members of the Committee, to discuss each amendment at length would take too much time. I will try to discuss with you the question of political policy and expediency and principle, rather than the clothing of the amendment or the clothing of the bill itself.

It was well said that what we do here today would be long remembered, and in opening my remarks and bringing to you the policies involved, I will start and give you this thought.

The Anti-Saloon League gave birth to one of the ugliest propositions that was ever given to the American people, the Eighteenth Amendment. That League today is trying to bring forth a second child, and that second child is House Bill No. 10. Members of the Committee, House Bill No. 10 is in all respects of policy and as to all respects to expediency, and all respect to its principle an exact duplicate of the Snyder-Armstrong Law in this Commonwealth. The amendments that we have offered, with Mr. Steedle, are amendments to change the policy or law in this Commonwealth other than the Eighteenth Amendment and from the retaining of the Snyder-Armstrong law. A vote for the bill unamended is to record yourself as still continuing to favor the Snyder-Armstrong act.

I propose an amendment to the article that creates the so-called state stores. That amendment strikes out all of the articles creating State stores. I propose a substitute for State stores and that substitute for State stores is the creation of ten liquor control Commissions. I have tried to divide the State as equally as possible, having in mind the population and the territory. The amendments creating a commission of four members each in each zone; four members not of the majority party, only four members on the local board and two members of each party, two of the dominant and two of the next highest party. We provide in these amendments that no decision of that commission shall be binding until at least three members of that commission agree to the decision, so that the commission cannot be used as a football of party politics. We propose for that commission to have the power to issue licenses; also to have the power to supervise and to watch. We propose that the commission shall have a secretary, stenographers, and such other employes, which by the natural course of events shall be equally divided between the two parties.

We propose by that amendment this policy; to take liquor out of politics, to take it out by putting the responsibility directly on the shoulders of both parties, because they are both equally represented. We propose a practical and a certain measure of taking liquor out of politics and we feel that the bill as unamended keeps liquor in politics worse than liquor was ever in politics before. We feel that in our amendments we are dealing with the second child of the Anti-Saloon League which is uglier and meaner than the first one ever was.

We feel that the system of Ben Tillman of the south that was in existence for twenty years, possibly, and then revoked and repealed is one of the meanest systems put over by a politician on a people to perpetuate his power. The system of by having state stores in the south was the system that kept him in political power against the will of the vast majority of the state for many years.

Now members of this committee this system that is proposed is not without precedent; it is not without experience back of it. This system is practically the system of California, practically the system of Ohio, practically the system of Canada. The word "package store" is not created by the sponsors of these amendments. The word "package-stores" you will find in the laws of state after state. The words "State stores" in what state of the Union today will you find it.

Now, members of the Committee, House Bill No. 10 lays down the policy that the enforcement of the liquor laws must come from Harrisburg. House Bill No. 10 is like the old prohibition laws, like the old 18th amendment, like the Snyder-

Armstrong law, that it does depend for its enforcement from a central place. Our amendments present you a different policy, a policy that was an American policy from the time the first settler landed here and stayed here, the policy of local government. I submit to you that the policy of local government is far preferable to that of a monarch sitting up here trying to prosecute the laws either at Philadelphia or in Erie. I submit to you that you cannot enforce any law that does not have the sentiment and the backing of the people in a community. Where do your jurors come from; where do the real enforcers of the law in America come from? Do they come from the state? Don't they come from the county? Don't they go to the court with a feeling of their own as to whether or not a law is good or is bad? How many prohibition cases have you heard in court argued where all the lawyer for the defense had to do—I guess I have done it too—was to say "here is another one of these liquor cases." Without the sentiment of the county back of the law there never can be enforcement. Our proposal is to give to the localities the enforcement of that law and let that locality have rules and regulations such as they may choose to propose to meet the requirements of that particular locality and in that way let the liquor law of the state be enforced and applied as wet Erie would like to have it in Erie, or as dry Tioga County might like it. In Erie you will never get a conviction unless you have a sensible policy. In Tioga County you would get a conviction up there probably, even if it was me.

Now, members of the jury, pardon me, members of the committee, but you are the jury, but not like a jury in court, you are not leaving this for the next legislature but you are leaving it to yourself. And remember the people won't worry about the next legislature correcting the bill but they will worry about correcting you.

Now, members of the committee, just for a moment, what about the provisions as to clubs? A club that is nineteen and one-half years old is a criminal and a club that is twenty years old is an innocent man. Did you ever hear of anything more ridiculous than that? I don't know why my friend Mr. McClure didn't put it in at twenty-one years so that the club might have reached its majority? Where, members of this committee, can you see a sound policy in House Bill No. 10. In the amendment offered by the gentleman from Allegheny county, Mr. McClure, saying that clubs should have been in existence for twenty years? How many incorporated clubs live twenty years? Gentlemen that belong to incorporated clubs, that have been incorporated for a year or two years or three years, must they necessarily be criminals; must they be robbed?

Now, members of the Committee, we maintain to you that House Bill No. 10 as unamended continues a policy that America wants no more. What was that policy? That policy was the creator of the bootlegger and the creator of the rum-runner and the creator of the murderer and the creator of gangs and blackjack groups that existed all over this State and all over America. That policy said to these people of America "Have no more faith in thy neighbor than in thy gang, because your gang will protect you more than your country will." That was the policy that the Eighteenth Amendment gave birth to. That was the policy of the child of the Anti-Saloon League. This House Bill No. 10 continues the same policy with possibilities that are worse probably and more frightful than the old Eighteenth Amendment created. Any man that practices in the criminal courts of our Commonwealth knows that when a State store sells a barrel of rum the purchaser will remove the label and the contents will always be there, the bottle will always be full. Nobody will ever fill it, but the bottle will always be full. Every hotel keeper that will buy from the State Store a quart of liquor at $4; won't he go around the corner and get stuff that did not come from State Stores. He will get it for a nominal sum of money and put it back in the bottle, and it will still be State Store liquor.

Remember, members of this Committee, in this connection that the Eighteenth Amendment educated our children in this Commonwealth to the manufacture of all kinds of intoxicating liquors. They are as good experts as anybody can be in the distillation of liquor. Remember, members of this Committee, that pretty good liquor can be made for 35 cents a gallon. Remember that today on the streets of Philadelphia fairly good shots are being sold for as little as fifteen cents and twenty cents a pint. Do you imagine that this competition is going to go out of existance because of the policy that is laid down in House Bill No. 10.

We offer amendments to change that policy; we offer amendments to make it possible for the liquor dealer to cease being a crook and a criminal, a hijacker and a murderer; we offer a policy that will put him in competition with the bootleggers and let him lick the bootlegger. We want to lick the bootlegger. We don't want to destroy House Bill No. 10, but that section of House Bill No. 10 makes the bootlegger a bigger and better bootlegger than ever existed before. The policy of House Bill No. 10—I would break an arm trying to describe how rotten it is.

Now, I listened to the cries from the rostrum, "I want to sit down and accomplish results. I don't want either the Republican Party or the Democratic Party to have anything to do with it. Oh, men, I want to operate the liquor stores, and let me do it." That is No. 10 bill. "I want the liquor stores and let me do it."

Members of this Committee, did you ever hear tell of one American, one single actual American, asking an American community of ten million inhabitants to give him authority that he might say "What thou shall drink I shall buy for you, and thou shall pay me what I ask." Did you ever in the history of a liberty loving people hear a policy, the policy set forth in House Bill No. 10, a policy that will tell you that, and which you will find worse than anything you have had before.

Today the sponsor of this measure offers an amendment to put the liquor dealer in religion. Put liquor dealers in religion!

President Roosevelt has said, he is chasing the money changers out of the Capitol, but the policy of House Bill No. 10 chases the liquor dealers into the Capitol. The poor priest must buy his wine after he gets his $100 permit or his friend gets it. The poor rabbi is in the same boat. I have drank some of their wine, it doesn't all stay in the church. He has to go around to get a permit and pay one hundred dollars to get wine to celebrate Christ, and the rabbi to celebrate in his devotion. I am astonished that my Christian friend from Allegheny ever attempted to put the liquor dealer into the Capitol of God when Roosevelt is doing all he can to chase out the money changers from the Capitol of the people. Which is worse, God knows they are both bad, but which is worse?

I am sorry that I did not have character enough to stand by my honest convictions, the convictions of my heart as to the furniture and as to the size of the room, of the bar, and the rail, with the railing for your legs to rest on. But No. 10, it is not as good as the old No. 6 was. Old No. 10 says that if you sell a drink to a man with one foot on a rail you are a crook and a criminal but if you sell a drink to a man with a girl sitting at a table you are talking to and giving her a drink at a table with a napkin and a clean white tablecloth,

then you are a saint. I wonder who is the better saint, the man at the bar who is not enticing a woman to drink, or the man at the table who is enticing your daughter or some other man's daughter to drink.

Members of this Committee, if the policies of House Bill No. 10 are so terrible, how can you consider it for any length of time? I wanted to, in fairness to you men and ladies of this House, to explain to you the policies that were laid down in our amendment, so that if you don't like them you can vote against them. If you don't like them and prefer the provisions of House Bill No. 10, you can again say American liberty is still not my desire.

Now when the Governor gets through with House Bill No. 10, you will get the search warrant. And then the search warrant will be out again for everybody that has a pint of whiskey. The search warrant will be out again for anybody that has any other varieties of liquors but those sold by the State stores.

Members of this Committee, I say that House Bill No. 10 continues all of the evils and all of the sins of the Snyder-Armstrong Law and all of the mean things of search warrants. Into your homes at midnight they will come with search warrants and hunt all over your house for contraband liquor. If you might have had good sense enough to buy a bottle of State liquor first and than drink it and fill up the bottle again you would be all right. I imagine the people of Pennsylvania will have sense enough to know that they should first buy a bottle of State stores liquor and use it and next buy good liquor at a lower price and then put it in the State store bottle. Can you imagine American people paying four dollars for a quart when they can get it for fifty cents. No, they won't do that, and if you have good sense when the search warrant officers wakes you up at midnight it will only be to find liquor in a State store bottle. Do you want a mean, contemptible system like that, the meanest system that the mind of man could invent, the first the system of the Eighteenth Amendment and the second will be the system of House Bill No. 10, another and a second baby of the Anti-Saloon League.

Now, members of the Committee, does Central Pennsylvania want to tell the City of Philadelphia how it should manage and control its liquor traffic? Does Philadelphia want to tell central Pennsylvania how it shall guide itself? Do you men in the country know better how to take care of yourselves than we in the city do and don't we in the city know better how to take care of ourselves than you in the country know how to do it? I can see the evils of the chain stores system of the A. and P. and the other stores in this. This is Pinchot's new venture but he ain't selling stock in it. What kind of a chain store system does the policy of House Bill No. 10 propose? If the chain store system is so terribly bad in the country, if it is so mean and contemptible in the country, taking in every small dollar and big dollar in a local community and putting it into the bank and sending it on to New York the next day, does not this House Bill No. 10 do that and do it in a worse manner than the A. & P. and the other chain stores or are all of them combined together? Where is the liquor money going to be handled, where is it going to be deposited; where is it going to be loaned out, how is it going to help the business in your locality. It is going to be shipped out of your community and sent to a bank and that bank will probably be in New York.

Now, members of the Committee, the American people voted down that Eighteenth Amendment because they were tired of bootlegging and our good clever President realizing that they were tired of it acted promptly in order to get a revenue on it, but I want you men to remember that when you put too much on it you destroy the very purpose of getting revenue.

Now, House Bill No. 10 and our amendments are in conflict with two policies. House Bill No. 10 is of itself a prohibition measure. Our amendments are liberal, progressive, sensible and reasonable.

House Bill No. 10 and its policy of taxation is only to assist to continue prohibition. Prohibition is gone out by law, but this says "Thou shalt not have" and the Lord knows that if you have not got the price to pay for it you won't have it either, so that House Bill No. 10 is only prohibition in another gown, in a different dress. State stores of prohibition in a different dress and a different suit of clothes.

Now, members of the committee, I am going to close with this thought. Some circus manager once said, "you could fool all of the people, all of the time." Some other circus managers say that that can be done. The American people have spoken.

Members of this committee during the last regular session, members of this body shed tears when they voted on the Sunday Blue Laws. Some of them shed tears when they voted on the search warrant repeal, but they both got through. But when the people came to vote on the Sunday Blue laws, I heard of one county where an advocate of the blue laws stood here on the floor of this House and shed tears as to what it would mean and I think that the county from which he came voted eight to one in favor of the repeal, so you can see what a good judge of sentiment in that community that advocate of the Sunday Blue Law was. Now, you cannot fool all the people. This House Bill No. 10 is simply an effort to continue the policy of prohibition. It was the meanest kind of an effort to have you think that a state store system is going to fool the people and still keep them under the yoke of prohibition and if you think they will do that you are mistaken. You are not here today with a year and a half ahead of you, for re-election; you are here today with only a few months ahead of you when you must answer the people and will you go to the people with a cry of prohibition; will you go to the people with the reply that you are an anti-saloon advocate; will you go to the people and say that you are interested only in the rich and those who have the price to drink? Will you not rather go before the people with an honest, fair and reasonable policy as written down in these amendments.

The CHAIRMAN. The clerk will read the amendments offered by the gentleman from Allegheny, Mr. Rectenwald.

The amendments were read as follows:

Amend sec. 301, page 8, line 24, by inserting after the word "act" the following: "Provided that in counties of the first and second classes not less than fifty liquor stories shall be established in each such county

The CHAIRMAN. The Chair recognizes the gentleman from Allegheny, Mr. Rectenwald. Does the gentleman from Allegheny desire to be heard? If not we will pass on to the next amendment.

The Clerk will read the amendment offered by the gentleman from Allegheny, Mr. L. P. Kane.

The Amendment was read by the Clerk as follows:

Amend bill, page 13, by adding thereto, after line 23, a new section 307, as follows:

Section 307. Distribution of Part of Profits of State Stores. One-half of all net profits arising annually from the operation of any Pennsylvania liquor store shall be for the use of the municipality in which such store is located, and for such purposes any moneys arising from such profits and deposited in any special fund are hereby specifically appropriated to be paid over as soon after the first day of each State fiscal year as the audit of the Auditor General of any such store for the fiscal year has been completed.

The CHAIRMAN. The Chair recognizes the gentleman from Allegheny, Mr. Kane.

Mr. LEONARD P. KANE. Mr. Chairman and members of the committee, the amendment I submitted is very brief and I will confine my remarks to a few words. In all this discussion that we have had here, it impresses me that we are forgetting one thing, and that is the so-called forgotten man. Our local taxpayers all need relief in the state of Pennsylvania. The average man does not pay any state tax directly but he does pay the local taxes and these local taxes are a burden to him. Just six months ago the city auditors of the city of Pittsburgh published a list of names of forty-five thousand people who are unable to pay their 1932 taxes, and from information I received the same condition exists in Philadelphia, Scranton, Wilkes-Barre, Erie, and other municipalities in the State of Pennsylvania. The local taxpayer is the man who needs relief. Practically for the last three years they have been promised and promised relief, but I don't think that we have ever done anything to relieve the local taxpayers. In my opinion this is a golden opportunity where we can give the taxpayers some relief. In this proposed bill the State of Pennsylvania will receive $25,000,000 floor tax. They will also receive $25,000,000 in manufacturers taxes, and it has been estimated that the profits from these stores will run anywheres from forty to seventy-five million dollars a year, but up until now no one has suggested that the local taxpayers get any benefit, nor anything. The State will be receiving approximately $600,000 a month from the beer license. That is a tremendous amount of revenue to come into the State without any relief for our local taxpayers. Regardless of how much revenue the State receives, the man back home, our constitutent, does not get any relief, and my amendment proposes that half of the profits from the State Stores will be returned to the municipalities in which the stores are located. Some members have said that their municipalities may not have a store, but I guarantee, gentlemen, that if this system of State Stores is put into effect, every municipality in Pennsylvania will demand a State Store. People are not going to travel thirty or forty miles to buy a bottle of liquor. They want it where they can walk down and get it and walk home, they want it as convenient as the average post office and drug store is. If you gentlemen are really sincere, and if you want to serve the Commonwealth and want to serve our constituents, the local taxpayers, I ask you to take advantage of this golden opportunity and vote "aye" when these amendments come up.

The CHAIRMAN. The amendments offered by the gentleman from Washington, Mr. Brown, will be read.

The amendments were read by the Clerk as follows:

Amend section 2, page 3, line 4, by striking out the word "fifteen" and inserting in lieu thereof: "six".

Amend section 2, page 3, line 6, by striking out the word "forty" and inserting in lieu thereof: "twelve".

Amend section 2, page 3, lines 7, 8 and 9, by striking out the words "and a kitchen apart from the public dining room in which food is regularly prepared for the public".

Amend section 2, page 4, line 3, by striking out the word "five" and inserting in lieu thereof: "three".

Amend section 2, page 4, line 4, by striking out the word "sixty" and inserting in lieu thereof: "ten".

Amend section 2, page 4, lines 5 and 6, by striking out the words "and a kitchen apart from such area regularly used for the preparation of food for the public".

Amend section 2, page 4, line 7, by striking out the words "three persons are" and inserting in lieu thereof: "one person is".

Amend section 302, page 9, line 4, by striking out the words "No officer or employe" and inserting in lieu thereof: "All officers and employes".

Amend section 302, page 9, lines 7 to 28, both inclusive, by striking out the words "by the board except as provided in this sec-" in line 7, and all the words in lines 8 to 28, both inclusive.

Amend section 302, page 10, lines 1 to 29, both inclusive, by striking out all the words in said lines.

Amend Sec. 302, page 11, lines 1 to 5, both inclusive, by striking out all the words in said lines.

Amend Sec. 304, page 11, line 18, by striking out the word "nine" where it first appears in said line, and inserting in lieu there of: "eleven"

Amend Sec. 304, page 11, line 18, by striking out the word "nine" where it appears for the second time in said line, and inserting in lieu thereof: "seven"

Amend Sec. 407, page 17, line 5, by striking out "one hundred fifty dollars ($150.00)" and inserting in lieu thereof: "fifty dollars ($50.00)"

Amend Sec. 407, page 17, lines 7 and 8, by striking out "two hundred dollars ($200.00)" and inserting in lieu thereof: "seventy-five dollars ($75.00)"

Amend Sec. 40, page 1, lines 10 and 11, by striking out "three hundred dollars ($300.00)" and inserting in lieu thereof: "one hundred fifty dollars ($150.00)"

Amend Sec. 407, page 17, lines 13 and 14, by striking out "four hundred dollars ($400.00)" and inserting in lieu thereof: "two hundred dollars ($200.00)"

Amend Sec. 407, page 17, line 17, by striking out "five hundred dollars ($500.00)" and inserting in lieu thereof: "four hundred dollars ($400.00)."

Amend Sec. 407, page 17, line 22, by striking out "fifty dollars ($50.00)" and inserting in lieu thereof: "ten dollars ($10.00)."

Amend Sec. 407, page 18, lines 5 to 10, by striking out the words "except townships of the second class in which" in line 5, and all the words in lines 6 to 10, both inclusive.

Amend Sec. 701, page 32, lines 25 and 26, by striking out the words "except townships of the second class."

Amend Sec. 701, page 32, line 29, by striking out the words "On the."

Amend Sec. 701, page 33, lines 1 to 5, both inclusive, by striking out all the words in said lines.

The CHAIRMAN. The Chair recognizes the gentleman from Washington, Mr. Brown. Is there explanation of these amendments to be made? If not, we will take up the next amendments.

The amendments of the gentleman from Philadelphia Mr. Hart, will be read.

The amendments were read by the Clerk as follows:

Amend Sec. 2, page 2, line 25 by striking out the word "regularly."

Amend Sec. 2, page 3, line 4 by striking out the word "fifteen" and inserting in lieu thereof: "eight."

Amend Sec. 302, page 9, line 18 by inserting after the word "prescribe" the following: "Provided, however, That the board shall not require an applicant to furnish a photograph of his or her self and that no application blank shall require the color of the applicant to be designated."

The CHAIRMAN. The Chair recognizes the gentleman from Philadelphia, Mr. Hart.

Mr. HART. Mr. Chairman and ladies and gentlemen of the Committee, I have three amendments. The first two have been covered already. Therefore it appears we are all in accord on those two amendments. The third amendment, however, is offered for the purpose of securing fair and just recognition of any colored applicant under the civil service provisions of this bill, and it simply states that there shall be no requirement for pictures to be furnished, or that there shall be no designation of color in the blank application.

I have received at the hands of this body fair recognition many other times. I hope the members of this Committee will vote for the adoption of this amendment when it comes up.

The CHAIRMAN. The amendments offered by the gentleman from Philadelphia, Mr. Gartner, will be read.

The amendments were read by the Clerk as follows:

Amend Sec. 2, page 2, lines 23, 24 and 25, by striking out the words "having a dining room for the" in line 23, and all the words in lines 24 and 25.

Amend Sec. 411, page 20, line 18, by inserting after the word "hotel" the word: "or."

Amend Sec. 411, page 20, line 18, by striking out the words "or club."

Amend Sec. 411, page 20, line 23, by inserting after the word "licensees" the words: "other than clubs."

The CHAIRMAN. The Chair recognizes the gentleman from Philadelphia, Mr. Gartner.

Mr. GARTNER. Mr. Chairman and members of the Committee, some of you, and I personally have been agitated in the last couple of days particularly as to clubs. I will take up these amendments. I will not talk on them at length, I will just talk generally on them and very, very briefly.

I only seek to protect the small club that has not the dining room feature or costly kitchen that many of the higher places and clubs have. I notice that Dr. Steedle has also offered such an amendment and I will be satisfied of course, if you follow out my thought and vote aye on either one of them.

The amendments offered on page 20, are just as important if not more so. We know what the club means to every member of this House and every individual in Pennsylvania. Nearly everyone of us belongs to some organization or other that has its club house. From time immemorial the club has been been a man's second home. He has gone there individually and he has gone there with his friends and fellow members and he goes there with his family. I don't think this act should restrict the freedom that the man has had in and about his club. It has been well said under the old law we have not bothered, nobody ever was concerned, that is quite correct, and that is because the club was not specifically mentioned. However, in this act the clubs are mentioned. Their hands are tied, and they are told how they should do this and when they should do that. I don't think that that is right. Many of us know from the course of the recent prohibition era that court decisions have held that the man's club is his second private home. Only recently in Delaware a prohibition agent was found guilty of perjury because the information he gave with his search warrant was solely that of becoming a member of the club and then using the key to go in there and get evidence upon which he later raided. The raid was set aside and the man who was quite a notable man in the prohibition ranks went out west and continued in the prohibition service, but he was brought back for trial and convicted in Wilmington, Delaware, for contempt of court—I may be wrong on that, but it had something to do with a search warrant.

I bring that thought to you to show you just how close the club is and must be to all of us. I don't think any of us will suffer a great hardship if clubs are left out of the provisions of this act. After all a hotel and restaurant is a public institution; everyone can go there; everyone has his right to the service, and quite rightfully so, whether it is this act or any other act, they should be governed as they were prior to prohibition, but the club should still keep its preference. The club should be the place where we can go. As a matter of fact if it is a real club, as it should be, it will be incorporated and is governed by the court and proper proceedings can be taken in court to eliminate it. Therefore, let us keep the private club, let us keep it in this country, and when these amendments are brought before you I hope you will vote favorably for them.

The CHAIRMAN. The amendments offered by the gentleman from Montgomery, Mr. Peters, will be read.

The amendments were read by the Clerk as follows:

Amend section 302, page 9, line 13, by adding after the word "establishments" the following: "but in all cases, persons appointed shall be citizens of the United States."

Amend section 403, page 15, line 21, by adding after the word "thereunder" the following: "Licenses shall be issued to applicants, if natural persons, only to such who are citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding the application for license; or, when corporations, only to such as were organized, or are duly authorized to transact business in this Commonwealth, and all of whose officers and directors shall be citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding the application for license.

The CHAIRMAN. The Chair recognizes the gentleman from Montgomery, Mr. Peters.

Mr. PETERS. Mr. Chairman, I do not wish to be recognized.

The CHAIRMAN. The Committee has heard read and explained the various amendments submitted to House Bill No. 10. As explained by the Chair prior to the consideration of the amendments, the several sets of amendments submitted do not dove-tail and if such inconsistent amendments should be incorporated in the bill the result would be a bill which, if adopted, could not be applied.

Consequently, it is the purpose of the Chair in calling for a vote on these amendments to follow the same procedure as was followed in the reading and discussion of the amendments: That is to take them up in the order submitted. The Chair now submits to the Committee the McClure amendments with which you are familiar and the question is, "shall the amendments to House Bill No. 10, proposed by the gentleman from Allegheny, Mr. McClure, be inserted in House Bill No. 10?" Those voting in "aye" will vote for the adoption of the amendments. Those voting "no" vote to reject the amendments.

On the question,

Will the House agree to the amendments offered by Mr. McClure?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. STEEDLE. Mr. Speaker, I arise to a question of parliamentary inquiry.

The CHAIRMAN. The gentleman from Allegheny, Mr. Steedle, will state his question of parliamentary inquiry.

Mr. STEEDLE. Mr. Chairman, in the event that the amendments offered by the gentleman from Allegheny, Mr. McClure, were to pass that practically would nullify the amendments that were passed or recommended by other members; is that right?

The CHAIRMAN. That is not correct.

Mr. STEEDLE. Mr. Chairman, do we vote on each one?

The CHAIRMAN. We do, we vote seriatim.

Mr. SOWERS. Mr. Chairman, may I offer a suggestion?

The CHAIRMAN. The gentleman from Philadelphia may offer his suggestion.

Mr. SOWERS. Mr. Chairman, if we start to vote on the amendments, it will take a long time. I will say that it took fifty-six hours of continuous time to prepare the amendments of Mr. Steedle and myself. There is but one issue here and that issue is: shall there be state stores or shall there not be state stores. If this committee decides against our thought that there should be state stores, our thought being

that there should not be state stores, then I would have no interest in any kind of amendments and I would suggest that before the committee proceeds to vote on each and every one of these amendments, which means striking out the word "or," or putting in the word "commission," numerous in number, that we frame a question of policy and that we go on record whether we are for state stores or whether we are not for state stores.

I think that maybe my friend from Allegheny, Mr. Steedle, will agree with me that if the committee votes that it is for state stores, then we can withdraw our amendments and if the committee votes that it does not want state stores, hen our amendments can be adopted almost en bloc.

The CHAIRMAN. The Chair informs the gentleman from Philadelphia that in the interest of celerity and expedition in this matter, the Chair has announced that the McClure amendments could be voted on in toto, and the same will be done with the amendments of the gentleman from Allegheny, Mr. Steedle, and the gentleman from Philadelphia, Mr. Sowers.

As has been well stated by the gentleman from Philadelphia, Mr. Sowers, there are principles at stake and those principles have to be voted upon by taking the entire amendments, or the amendments in toto rather than severally, otherwise we would be here indefinitely and the Chair desires to inform the committee that under regular parliamentary procedure we cannot recess, we must proceed with the business and cannot rise and report to the House until we have finished the business or cannot finish it. That is in explanation of the position of the chair.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WITKIN. Mr. Chairman, I arise to a question of parliamentary inquiry.

The CHAIRMAN. The gentleman from Philadelphia, Mr. Witkin, will state his question of parliamentary inquiry.

Mr. WITKIN. Mr. Chairman, what is the status of a member who desires to vote in the affirmative upon a large number of the amendments submitted by the gentleman from Allegheny, Mr. McClure, and who desires to vote in the negative concerning one particular amendment? How can we take up all the amendments in toto if the amendments deal with different sections and different subject matters?

I state very frankly, that I find myself in the position of favoring a number of the amendments offered by the gentleman from Allegheny, but not all of them, and I would like to know how I can express my vote before this committee.

Mr. JOHN M. FLYNN. Mr. Chairman, I would suggest that when it comes to voting on the amendments of the gentleman from Allegheny and the gentleman from Philadelphia that any member so desiring may ask for a division on the question.

The CHAIRMAN. That is perfectly proper.

Mr. WITKIN. Mr. Chairman, I therefore move that all of the amendments offered by the gentleman from Allegheny that do not deal with state stores be submitted before this committee and that separately there be submitted before this committee those amendments of the gentleman from Allegheny, that deal with state stores.

The CHAIRMAN. For the information of the gentleman from Philadelphia, the Chair desires to state that there are no amendments in the McClure bill pertaining to state stores, they are in that bill.

Mr. WITKIN. Mr. Chairman, does an affirmative vote upon the amendments submitted by the gentleman from Allegheny, Mr. McClure, indicate the thought of any member of this committee that he is either for or against state stores?

The CHAIRMAN. It would not, in my opinion.

Mr. WITKIN. Therefore I take it, Mr. Chairman, that the only question that arises by the amendments introduced by the gentleman from Allegheny are amendments dealing with certain portions of the bill, and that an affirmative vote or a negative vote does not indicate the member's position on state stores?

The CHAIRMAN. That is correct.

MOTION TO RECONSIDER VOTE

Mr. BECHTEL. Mr. Chairman, I now move you that the vote by which the motion of Mr. Sowers calling for the printing of the amendments and having them placed upon the desk of each member was defeated be reconsidered. I do not see personally how any member of the House can intelligently vote "no" or "yes" upon any amendment now before the House, because it is surely out of their power to immediately determine at this time how they affect the original Bill No. 10, on account of the number of amendments and the conflicting statements made in the discussion of those members.

Speaking for the members of Schuylkill county, I feel and we feel at this time that though it might not have been in error to have voted originally to sustain the Chair in this ruling, we do feel that it is in error that we do not have these amendments in front of us so that we can determine at this time how they affect the original Bill No. 10, and if the motion is not reconsidered, speaking for the members from Schuylkill, we cannot intelligently vote upon any of the amendments, and propose to vote "no" upon them all.

The CHAIRMAN. For the information of the gentleman from Schuylkill, Mr. Bechtel, the Chair desires to make this statement: In ruling this morning it was simply a question of an inherent situation. This committee of the whole is now sitting, we could not have these amendments printed unless we bring the printing presses up here or unless we bring the printing presses up here or unless we could tarry around without rising until the amendments were printed. So the Chair rules that the motion of the gentleman from Schuylkill, Mr. Bechtel, is out of order, and for the reason that we have before us now the question of the adoption of these amendments as proposed by the gentleman from Allegheny, Mr. McClure.

The CHAIRMAN. The gentleman from Elk, Mr. Flynn.

Mr. JOHN M. FLYNN. Mr. Chairman, I was merely going to state what the Chairman has stated in much better terms.

Mr. PEELOR. Mr. Chairman, suppose we vote on the amendments that have been suggested by the sponsor of the bill and amended to that extent, or suppose they fail and the amendments of the gentleman from Allegheny, Mr. Steedle and the gentleman from Philadelphia, Mr. Sowers, are adopted, what sort of a thing will we have and what shall we call it when we get through with it?

Supposing the proposed amendments of Mr. Steedle and Mr. Sowers are inconsistent with the intent of the original bill, we will not have anything that any of us can understand.

The CHAIRMAN. The Chair can only inform the gentleman from Indiana, Mr. Peelor, that that conclusion at which he has arrived, in event certain things happen, would be for the determination of the committee of the whole.

Mr. STEEDLE. Mr. Chairman, I am in sympathy with the gentleman from Philadelphia, Mr. Witkin. However, it has been ruled that it is out of order, but I can't in my mind, and possibly I am a little thick, but I can't understand how we as members of this committee can vote "aye" or "nay" on Mr. McClure's bill and then come back and vote "aye" or "nay" on the suggestions offered by Mr. Sowers and myself, because the physical structure is so disturbed by our amendments that our amendments practically go out of the window the minute we pass the amendments offered by Mr. McClure. We can't vote intelligently on two issues of different character, of different intent and still be sane in our judgments. So the only thing that I can see, if we are going to vote for the McClure amendments in toto, is for the members of this committee who are in sympathy with the abolishing of the state store program to vote down all the amendments of Mr. McClure. In other words, we vote to throw the whole picture out and then we go into a new picture, we resurrect it, and we vote upon it. So I can't see how under any parliamentary procedure we can vote on two different elements and at the same time be sane in our judgments, because it certainly will cause conflict as Mr. Peelor has stated. We would have something that would be so emasulated that it wouldn't even be intelligent reading. Therefore, I think, Mr. Chairman, if that group who are opposed to state stores—much as we dislike to vote against the amendments of the gentleman from Allegheny, Mr. McClure—there are lots of good features in this bill—therefore we would have to vote as a unit, vote down anything that would apply to the state store picture and all the rest, and the whole state store picture goes out of the window and only such amendments as are not disturbing elements of the act would be considered, such as the amendments of Mr. Hart, the amendment of Mr. Gartner, the amendments of Mr. Kane, and the amendments of Mr. Rectenwald, and those are probably only amending certain lines, after we have voted upon Mr. McClure's amendments, because they amend the bill, so there is no sane judgment in that position. We are mixed. So let us clarify the situation and see if there is not some way out of the picture. Probably we could accept the suggestion offered by Mr. Witkin, so that the liquor store people can vote in favor of it or vote against it and those opposing the liquor store plan could do likewise. I cannot see how we can intelligently vote on two different structures.

The CHAIRMAN. The chair desires to remind the gentleman from Allegheny, Mr. Steedle, that while we are in the committee of the whole, this bill must be reported back to the House and it will then be on second reading and it then can be considered for further amendments. As to the other point, if the McClure amendments should be adopted by this committee, for the time being it is true that the other amendments inconsistent therewith would be, to use the phrase of the gentleman from Allegheny, out of the window but by the very same token, if this House should subsequently adopt the amendments or part of the amendments as proposed by the gentleman from—I might say the entire amendments of the gentleman from Allegheny, then the McClure amendments would be out of the picture. It just depends on which stage of the parliamentary process we are discussing.

Mr. SOWERS. Mr. Chairman, in order to clear up the difficulty, I move that this House take up my amendment to House Bill No. 10, beginning with article three, page 13, by——

The CHAIRMAN. The Chair has already ruled, the gentleman from Philadelphia is informed, that the amendments will be taken up in the order of their sponsorship, and the question now before the House is on the adoption of the McClure amendments in toto.

Mr. SOWERS. Mr. Chairman, yes, but I wanted to submit to the body for their decision whether we cannot take up my amendments, striking out Article 3 and substituting another article for it, and then the whole difficulty is solved.

The CHAIRMAN. The amendments offered by the gentleman from Philadelphia, Mr. Sowers, will be taken up following the amendments proposed by the gentleman from Allegheny, Mr. Steedle.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Chairman, I arise to a question of parliamentary inquiry.

The CHAIRMAN. The gentleman from Cambria, Mr. Andrews, will state his question of parliamentary inquiry.

Mr. ANDREWS. Mr. Chairman, as a parliamentary proposition there are only two practical motions: motion one, that this committee of the whole report to the House, House Bill No. 10 as amended by the gentleman from Allegheny or on the other hand that this committee report to the House, House Bill No. 10 as amended by the gentleman from Philadelphia. Therefore I move that this committee report to the House, House Bill No. 10 as amended by the gentleman from Allegheny, Mr. McClure.

The CHAIRMAN. For the information of the gentleman from Cambria, Mr. Andrews, the question which was before the House upon the adoption is practically the same as the motion as he made.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HERMANSEN. Mr. Chairman, I arise to a question of parliamentary inquiry.

The CHAIRMAN. The gentleman from Luzerne, Mr. Hermansen, will state his parliamentary inquiry.

Mr. HERAMANSEN. Mr. Chairman, I would like to know that if an amendment that destroys the purpose of a bill is in order.

The CHAIRMAN. In answering the gentleman from Luzerne, Mr. Hermansen, the Chair will state that the question is entirely too general, and it would have to be more specifically framed in order to give an intelligent and proper answer. Furthermore, the inquiry in the opinion of the Chair is out of order, because we have for consideration the adoption of the McClure amendments. That is the sole question now before this committee, and these particular amendments, of course, do not change the intent or purpose of the bill.

Mr. BENNETT. Mr. Chairman, as a parliamentary consideration, I think what is in the minds of most of us in passing on these amendments by our votes: does this House, as the House, in bringing this bill No. 10 into committee lose its initiative and discretion in discussing the question of state stores?

Then don't we proceed to adopt the amendments, what there is to be adopted or defeated, and then bring the bill before the House for the purpose of discussing it on the basis of state stores? Since we are not losing time, which seems to agitate us on the only thought that may or may not be under discussion. It is only simply that we are making a little circuitous route in getting there. Let us proceed to discuss the amendments and discuss the amendments as

incorporated in House Bill No. 10. Let us proceed in an orderly manner, in whatever sense that is parlimentary, and bring House Bill No. 10 before the House.

The CHAIRMAN. In answering the parlimentary inquiry of the gentleman from Philadelphia, Mr. Bennett, the Chair desires again to state that we are in that process of parlimentary procedure known as the Committee of the Whole. This Committee reports to the House, the bill in the House remains on second reading and is subject to any amendments whatsoever while in the custody of the House on second reading, and full discussion can be had at that time.

On the question recurring,

Will the House agree to the amendments offered by Mr. McClure?

They were agreed to.

The CHAIRMAN. The next amendments for consideration of the Committee are the amendments proposed by the gentleman from Allegheny, Mr. Steedle, and these amendments are taken up in toto. They have been read by the Clerk and have been discussed by the sponsor. On the question of the adoption of these amendments——

MOTION FOR COMMITTEE OF WHOLE TO RISE

Mr. STEEDLE. Mr. Chairman, I move you that we now rise and the Committee of the Whole report back the McClure bill so that I can put into that bill our amendments, as offered by Mr. Sowers and myself.

Mr. Chairman, I move you that as a Committee of the Whole we report back to the House the bill as amended.

Mr. ANDREWS. Mr. Chairman, I second the motion.

On the question,

Will the Committee agree to the motion?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. BLUMBERG. Mr. Chairman, I rise to a question of parlimentary inquiry.

The CHAIRMAN. The gentleman will state his question of parlimentary inquiry.

Mr. BLUMBERG. Mr. Chairman, as I understand the situation, the Committee of the Whole has before it additional amendments to the McClure amendments?

The CHAIRMAN. That is correct.

Mr. BLUMBERG. Now, if this motion is amended, so that it provides that the bill as referred to the House has to be recommitted to the Committee of the Whole, in order to consider the other amendments, I think that motion is in order, otherwise it would prevent the Committee of the Whole from voting on amendments before it.

The CHAIRMAN. That is perfectly true, but that is a matter that must be decided by this Committee of course. On the other hand it is true that the amendments that are not acted upon by this Committee can be subsequently acted upon when the bill is on second reading before the House.

Mr. BLUMBERG. Mr. Chairman, I move to amend the motion of the gentleman from Allegheny, by adding to it the following; That House Bill No. 10, after being reprinted as amended by the Committee of the Whole, be recommitted to the Committee of the Whole to take up the others amendmends now before it.

The CHAIRMAN. In answering or passing upon the parlimentary question of the gentleman from Philadelphia, Mr. Blumberg, the Chair is of opinion that the motion is not in order, in fact it would not be within the power of this Committee to pass such a motion. The gentleman from Philadelphia, Mr. Blumberg, is again reminded that we are in that technical procedure in parliament law known as the Committee of the Whole, and all that Committee can do is report to the House, Now, then, the House may resolve itself into a Committee of the Whole but that would be under parlimentary procedure for its determination, not for this Committee. So, the Chair is of opinion that the motion of the gentleman from Philadelphia is perhaps premature.

Mr. BLUMBERG. Mr. Chairman, might I remind the Chair that in answering a parlimentary inquiry the Chair advised the Committee of the Whole that it would vote on each set of amendments? The effect of this motion would prevent this Committee of the Whole from following out that ruling of the Chair.

May I further elaborate, Mr. Chairman? There are members here who are in favor of the bill as amended by the McClure amendments with additional other amendments. This Committee of the Whole should have the opportunity of voting upon the amendments offered by Mr. Gartner. This motion would prevent such action by the Committee of the Whole.

The CHAIRMAN. The Chair recognizes the potency of this Committee, and whatever action is taken must be taken by the Committee. The Chair also recognizes the fact that in the case of the motion as made by the gentleman from Allegheny, Mr. Steedle, the amendments of the gentleman from Allegheny and the Sowers amendments would not be considered by the Committee of the Whole, but that would not be the fault of the Chair, that would be the fault of the Committee of the Whole in taking such action.

Mr. STEEDLE. Mr. Chairman, I withdraw that motion.

The CHAIRMAN. The Chair recognizes the gentleman from Philadelphia, Mr. Sowers.

POINT OF INFORMATION

Mr. WITKIN. Mr. Chairman, I rise to a point of information. Is there any motion now before this Committee?

The CHAIRMAN. The question before the Committee is on the adoption of the Steedle amendments. The gentleman from Philadelphia, Mr. Sowers, will proceed.

Mr. SOWERS. Mr. Chairman, I would suggest this method of solving the difficulty. That a motion be made that this Committee arise and report the bill with a negative recommendation, and that a vote to report the bill with a negative recommendation shall mean that we are against State Stores, and a vote to report it favorably will mean that we are in favor of State Stores and the bill with the McClure amendments.

The CHAIRMAN. The Chair desires to inform the gentleman from Philadelphia that the Committee has already by its action adopted the McClure amendments. Therefore, it will have to report the bill to the House as amended.

Mr. WILSON. Mr. Chairman, what is now before the Committee.

The CHAIRMAN. The Steedle amendments, if the Committee desires to take up those amendments, are before the Committee.

Mr. WILSON. Mr. Chairman, is there anything else in order except the adoption or rejection of the amendments?

The CHAIRMAN. For the information of the gentleman from McKean, Mr. Wilson, the Chair desires to inform the gentleman that a motion to rise at this time would be in order.

Mr. SOWERS. Mr. Chairman, may I suggest that the Steedle and my amendments be voted upon in one group, because they are all in harmony following each other and one vote would answer them all?

The CHAIRMAN. If the Committee has no objection to the suggestion as made by the gentleman from Philadelphia, Mr. Sowers, the Chair will so rule. Are there objections? The Chair hears none and the amendments of Mr. Steedle and Mr. Sowers will be considered in one group.

On the question,

Will the Committee agree to the amendments offered by Mr. Steedle and Mr. Sowers?

Mr. ANDREWS. Mr. Chairman, is a motion that this Committee to now rise in order?

The CHAIRMAN. It is.

Mr. ANDREWS. I make such a motion, Mr. Chairman, that the Committee rise and report to the House, House Bill No. 10 as amended.

On the question,

Will the Committee agree to the motion?

The CHAIRMAN. It has been moved by the gentleman from Cambria, Mr. Andrews, that this committee now arise and report House Bill No. 10 to the House as amended.

Mr. SOWERS. Mr. Chairman, I wanted to debate that motion.

The CHAIRMAN. Debate is in order.

Mr. SOWERS. Members of the committee, we are so close now to voting on the main proposition, shall there or shall there not be state stores, that we should not rise and report to the House. The amendments of Mr. Steedle and myself are now in order for you to vote upon. If you vote affrmatively for our amendments you vote against state stores. If you vote "no" on our amendments, you vote for state stores, and I suggest that we do not rise, and that we vote now, and that we vote on this motion.

POINT OF ORDER

Mr. ANDREWS. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman from Cambria, Mr. Andrews, will state his point of order.

Mr. ANDREWS. Mr. Chairman, the gentleman is out of order. His remarks are distinctly out of order.

The CHAIRMAN. The Chair was informed that the gentleman desired to discuss the motion.

Mr. WILSON. Mr. Chairman, I arise to urge the members of this House to vote this motion down. We have now before us these amendments. We have voted on the McClure amendments. We can't hurry this thing by reporting this bill out and putting it on second reading when these amendments can be made again. We have to face them. We are here in the committee of the whole, which is the proper place to face these amendments. We voted on the McClure amendments. These gentlemen are entitled to have their amendments voted on by the committee of the whole. We will have to vote on them anyway either here or upon second reading after we report. Let us proceed in this manner and let us get done with these motions which attempt to impede us. We ought to dispose of them and vote on these particular amendments. I think we ought to dispose of these matters, and then report back this bill and get through with it. I urge the members of this House to vote down these motions and proceed to vote on these amendments one by one as they come up and then report to the House.

The CHAIRMAN. For the information of the Committee the Chair desires to state again that the motion that is before this committee is the motion made by the gentleman from Cambria, Mr. Andrews. It is that this committee do now rise and report to the House, House Bill No. 10, as amended.

On the question recurring,

Will the Committee agree to the motion?

It was not agreed to.

On the question recurring,

Will the Committee adopt the amendments offered by Mr. Steedle and Mr. Sowers?

The CHAIRMAN. The question now before the committee is on the adoption of the Steedle-Sowers amendments.

Mr. SOWERS. Mr. Chairman, there is no use or need to debate these again. Therefore, I would ask for a roll call. A vote, as I understand it, of "aye" is a vote to abolish state stores and to accept my amendments.

The CHAIRMAN. The Chair informs the gentleman that the question is as to the adoption of the Steedle-Sowers amendments in their entirety. That is the question that is now before this committee.

POINT OF ORDER

Mr. ANDREWS. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman from Cambria, Mr. Andrews, will state his point of order.

Mr. ANDREWS. Mr. Chairman, in order to present the amendments as presented by the gentleman from Philadelphia, they must be presented as amendments to amendments. The bill has already been amended, and the gentleman from Philadelphia must present his amendments as amendments to amendments.

The CHAIRMAN. The point of order is not well taken.

Mr. BENNETT. Mr. Chairman, may I ask another question for my own enlightenment, at least.

Voting on this set of amendments, again dealing with the fundamental question of state stores, I have heard it said here on the floor of the House audibly a moment ago that a vote of "aye" would mean the abolishment of the opposition to the consideration of state stores?

The CHAIRMAN. That is not correct.

Mr. BENNETT. Mr. Chairman, I want to ask briefly as to the status. Does it put the question of state stores before the House, as the House, and not as a committee?

The CHAIRMAN. The entire bill, whatever action is taken by the members, subsequently is before the House. Therefore, any member can do as he pleases at that time.

Mr. BENNETT. Mr. Chairman, in all of its consideration?

The CHAIRMAN. Exactly so.

Mr. SOWERS. Mr. Chairman, I will only delay you a moment. A vote "yes" for these amendments means a vote against the state store program, because these amendments amend out the state stores and substitute and put in its stead and place a commission, and when you vote "no" on the amendments you vote to retain the state stores.

Mr. JONES. Mr. Chairman, ladies and gentlemen of the committee. I would like to clear up a statement which the gentleman from Philadelphia, Mr. Sowers, made in one of his speeches a short while ago. He said that this bill No. 10 is the child of the Anti-Saloon League. I want to say that that isn't so. As I understand it the Anti-Saloon League only had one child and that died on November 7th. If I understand right from the communications that I have received and which other members of the House have received, the Crusaders whose headquarters are in Philadelphia—their president being Joseph Clark—claim they are the father of this baby. The ladies who compose the anti-prohibition league one million strong, claim that they are the mother of this baby. Members of this House, I would like to know who is the father of the kid.

Mr. GEORGE W. WILLIAMS. Mr. Chairman, would it not be a fact if the Steedle-Sowers amendments are adopted and the bill is returned with the McClure and the Steedle-Sowers amendments included in the bill. Will not the amendments seriously conflict with one another?

The CHAIRMAN. The Chair is of opinion that that is a correct statement. The bill would be terribly mutilated.

On the question recurring,

Will the House adopt the amendments offered by Mr. Steedle and Mr. Sowers?

The yeas and nays were required by Mr. Sowers and Mr. Schwartz and were as follows:

YEAS—47

Baldi,	Gorman,	Maloney,	Roth,
Bennett,	Green,	Melchiorre,	Sautter,
Blumberg,	Greenstein,	Moore,	Schwartz,
Carey,	Harris,	Munley,	Shenkel,
Conner,	Hart,	Murphy,	Shugarts,
Cooke,	Heffernan,	Myers,	Sowers,
Craig,	Jaffe,	O'Connor,	Stank,
Denning,	Laubach,	O'Neill,	Steedle,
Duffy,	Lenahan,	O'Rourke,	Stiteler,
Fleisher,	Lewis,	Pennock,	Tahl,
Gallagher, W. J.,	Long,	Perry, J. J.,	Wasserman,
Gartner,	Lynch, J. R.,	Rectenwald,	Witkin,
Gillette,			

NAYS—143

Andrews,	Harmuth,	McElwee,	Shortz,
Baker,	Hartman,	McGinnis,	Shreiner,
Barnhardt,	Hefferon,	McGrail,	Simon,
Bechtel,	Heffner,	McGregor,	Sinwell,
Beech,	Hermansen,	McHenry,	Snyder,
Bernhard,	Hester,	McKay,	Spann,
Boyd,	Hewitt,	McKinney,	Sterling, P.,
Brancato,	Himes, H. E.,	Meredith,	Sterling, R. B.,
Brennan,	Himes, L. R.,	Merrell,	Stevens,
Brown, J. E.,	Hoffman,	Mohn,	Stone,
Brown, W. L.,	Holmes, J. B.,	Mumford,	Storb,
Brownfield,	Holmes, J. L.,	Nothnagle,	Stott,
Cannon,	Hoopes,	O'Keefe,	Surface,
Caputo,	Horst,	Patterson,	Terry,
Carson,	Hough,	Peelor,	Trout,
Chervenak,	Howard,	Perry, D. R.,	Turner,
Cohen,	Hutton,	Peters,	Wade,
Cordier,	Jones,	Powers,	Walker, W. A.,
Cramer,	Kane, J. J.,	Price,	Wall,
Dane,	Kane, L. P.,	Quinn,	Way,
Davies,	King,	Raub,	Weidemann,
DeFrehn,	Kinney,	Reed,	Westrick,
Downey, G. E.,	Labar,	Rhodes,	White,
Downey, J.,	Lane,	Rice,	Wike,
Dunmire,	Lord,	Roan,	Williams, G. W.,
Ederer,	Lose,	Royle,	Williams, J. J.,
Emhardt,	Lovett, J. E.,	Ruby,	Wilson, L. M.,
Eroe,	Lovett, W. S.,	Ruth,	Wilson, T. B.,
Evans,	Lynch, M.,	Sarig,	Wood,
Fitzgerald,	Male,	Schrock,	Woodside,
Flanagan,	Malina,	Schrope,	Wright,
Flynn, J. M.,	Marcks,	Schwab,	Yeakel,
Forrest,	Mason,	Scott,	Yourishin,
Gallagher, T. J.,	McBride,	Sheffer,	Zimmerman,
Griffith,	McCandless,	Shellenberger,	Talbot,
Habbyshaw,	McClure,	Shettel,	Speaker.
Haines,	McCreary,		

So the question was determined in the negative and the amendments were not agreed to.

The CHAIRMAN. The next amendment before the Committee is that proposed by the gentleman from Allegheny, Mr. Rectenwald.

On the question,

Will the House adopt the amendments offered by Mr. Rectenwald?

They were not agreed to.

The CHAIRMAN. The next amendment is that proposed by the gentleman from Allegheny, Mr. L. P. Kane.

On the question,

Will the Committee adopt the amendment offered by Mr. L. P. Kane?

The yeas and nays were required by Mr. L. P. Kane and Mr. O'Rourke and were as follows:

YEAS—96

Baldi,	Gorman,	Mason,	Reilly,
Beech,	Green,	McBride,	Roth,
Bennett,	Greenstein,	McCandless,	Ruby,
Blumberg,	Harmuth,	McCreary,	Sarig,
Brancato,	Harris,	McGinnis,	Sautter,
Cannon,	Hartman,	McGrail,	Schwartz,
Caputo,	Heffernan,	McGregor,	Scorza,
Carey,	Hefferon,	Melchiorre,	Shugarts,
Carson,	Hester,	Merrell,	Sowers,
Cohen,	Hoffman,	Moore,	Spann,
Conner,	Hough,	Munley,	Stank,
Cooke,	Howard,	Myers,	Steedle,
Cordier,	Jaffe,	Negley,	Sterling, P.,
Craig,	Kane, L. P.,	O'Connor,	Sterling, R. B.,
Dane,	Lane,	O'Keefe,	Stiteler,
Davies,	Laubach,	O'Neill,	Tahl,
Denning,	Lenahan,	O'Rourke,	Wagner,
Duffy,	Lewis,	Pennock,	Walker, W. A.,
Eroe,	Long,	Perry, J. J.,	Wasserman,
Flanagan,	Lord,	Powell,	Welsh,
Flinchbaugh,	Lovett, J. E.,	Powers,	Westrick,
Furman,	Lynch, J. R.,	Quinn,	Williams, J. J.,
Gallagher, T. J.,	Lynch, M.,	Raub,	Yourishin,
Gallagher, W. J.,	Malina,	Rectenwald,	
Gartner,	Maloney,	Reed,	

NAYS—80

Andrews,	Griffith,	Mumford,	Surface,
Baker,	Habbyshaw,	Patterson,	Terry,
Barnhardt,	Haines,	Peelor,	Trout,
Bechtel,	Heffner,	Perry, D. R.,	Turner,
Bernhard,	Hermansen,	Peters,	Wade,
Boyd,	Hewitt,	Rhodes,	Wall,
Brennan,	Himes, L. R.,	Rice,	Way,
Brown, J. E.,	Holmes, J. L.,	Royle,	Weidemann,
Brown, W. L.,	Hoopes,	Schrock,	Williams, G. W.,
Chervenak,	Horst,	Schrope,	Wilson, L. M.,
Cramer,	Hutton,	Schwab,	Wilson, T. B.,
DeFrehn,	King,	Scott,	Wood,
Downey, G. E.,	Kinney,	Sheffer,	Woodside,
Downey, J.,	Lose,	Shellenberger,	Wright,
Dunmire,	Male,	Shortz,	Yeakel,
Ederer,	Marcks,	Shreiner,	Zimmerman,
Emhardt,	McElwee,	Simon,	Talbot,
Evans,	McKay,	Sinwell,	Speaker,
Fitzgerald,	McKinney,	Snyder,	
Flynn, J. M.,	Meredith,	Stevens,	
Gillette,	Mohn,	Stone,	

So the question was determined in the affirmative and the amendments were agreed to.

Mr. PEELOR. Mr. Chairman, the vote as recorded, have we amended bill No. 10, the original bill No. 10, or have we amended it as amended? Have we amended the original bill or have we amended the original bill as amended by the amendments?

The CHAIRMAN. For the information of the gentleman from Indiana, Mr. Peelor, by the adoption of this amendment the bill itself is amended and it is not an amendment to an amendment.

The next amendments for the consideration of the Committee, are the amendments proposed by the gentleman from Washington, Mr. Brown.

On the question,

Will the Committee adopt the amendments offered by Mr. Brown?

They were not agreed to.

The CHAIRMAN. The next amendments are those proposed by the gentleman from Philadelphia, Mr. Hart.

On the question,

Will the Committee adopt the amendments offered by Mr. Hart?

Mr. HART. Mr. Chairman, we are making another appeal to the members of this committee. I am actuated solely by the desire that fair play may be given to the members of my group in the civil service branch provision of this bill.

It has nothing at all to do with whether we are going to have liquor by stores or anything to do with the administration of the bill, but it is a precautionary measure to guard against conditions that have prevailed in many sections in this country where colored men and women who are applicants under the civil service provisions are forced to present pictures of themselves or the blanks contain some designation as to the color of the applicant. I appeal to the members of this committee for fair play in the adoption of this amendment.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WILSON. Mr. Chairman, I rise to a question of parliamentary inquiry.

The CHAIRMAN. The gentleman from McKean, Mr. Wilson, will state his parliamentary inquiry.

Mr. WILSON. Mr. Chairman, the gentleman from Philadelphia, Mr. Hart, said to the House earlier in the day that two of his amendments had already been taken care of. Do I now understand that the only amendment which he is now presenting is an amendment which he thinks will take care of his people?

Mr. HART. That is right, sir.

Mr. WILSON. There is nothing else in the amendment, Mr. Chairman, except that which the gentleman from Philadelphia desires and believes will take care of his race?

Mr. HART. That is all, Mr. Chairman.

Mr. WILSON. Is there anything about hotels or rooms in it now?

Mr. HART. No, Mr. Chairman, I will withdraw those amendments. I am only standing by this one amendment.

Mr. WILSON. Mr. Chairman, might I ask to have the amendment read, so that the House may hear it? I have no objection to it, but I would only like to hear the amendment read.

The Clerk again read the amendment.

The CHAIRMAN. Will the gentleman from Philadelphia Mr. Hart, withdraw the first two amendments?

Mr. HART. I have already withdrawn the first two amendments, Mr. Chairman.

The CHAIRMAN. Those amendments having been withdrawn, the question before the committee is on the adoption of the amendment as just read.

On the question,

Will the Committee adopt the amendment offered by Mr. Hart?

It was adopted.

The CHAIRMAN. The next amendments for the consideration of the Committee are those proposed by the gentleman from Philadelphia, Mr. Gartner.

On the question,

Will the Committee adopt the amendments offered by Mr. Gartner?

The yeas and nays were required by Mr. Gartner and Mr. Long and were as follows:

YEAS—149

Andrews,	Gartner,	Malina,	Sautter,
Baldi,	Gorman,	Maloney,	Schrope,
Barnhardt,	Green,	Marcks,	Schwab,
Beach,	Greenstein,	Mason,	Schwartz,
Bennett,	Griffith,	McBride,	Shenkel,
Bernhard,	Haines,	McGinnis,	Shettel,
Blumberg,	Hamilton,	McGrail,	Shreiner,
Boyd,	Harmuth,	McGregor,	Shugarts,
Brennan,	Harris,	McKay,	Simon,
Brown, W. L.,	Hart,	McKinney,	Sowers,
Brownfield,	Hartman,	Melchiorre,	Spann,
Cannon,	Heffernan,	Mohn,	Stank,
Caputo,	Hefferon,	Moore,	Steedle,
Carey,	Hermansen,	Munley,	Sterling, R. B.,
Carson,	Hester,	Murphy,	Stevens,
Chervenak,	Himes, L. R.,	Myers,	Stiteler,
Cohen,	Hoffman,	Negley,	Stott,
Conner,	Holmes, J. B.,	Nothnagle,	Terry,
Cooke,	Holmes, J. L.,	O'Connor,	Wade,
Cordier,	Hoopes,	O'Keefe,	Wagner,
Craig,	Horst,	O'Neill,	Walker, G. E.,
Cramer,	Hough,	Patterson,	Walker, W. A.,
Dane,	Howard,	Pennock,	Wasserman,
Davies,	Jaffe,	Perry, D. R.,	Way,
Denning,	Kane, L. P.,	Perry, J. J.,	Weidemann,
Downey, G. E.,	King,	Peters,	Welsh,
Downey, J. J.,	Kinney,	Powell,	Westrick,
Dunmire,	Labar,	Powers,	Williams, J. J.,
Ederer,	Lane,	Rectenwald,	Wilson, L. M.,
Eroe,	Laubach,	Reed,	Wilson, T. E.,
Flanagan,	Lenahan,	Reilly,	Witkin,
Fleisher,	Lewis,	Rhodes,	Yeakel,
Flynn, J. M.,	Long,	Roan,	Yourishin,
Flynn, J. W.,	Lord,	Roth,	Zimmerman,
Forrest,	Lovett, J. E.,	Royle,	Talbot,
Furman,	Lovett, W. S.,	Ruby,	Speaker.
Gallagher, T. J.,	Lynch, J. R.,	Ruth,	
Gallagher, W. J.,	Male,	Sarig,	

NAYS—27

Baker,	Himes, H. E.,	Schrock,	Trout,
Brown, J. E.,	Hutton,	Shellenberger,	Wall,
DeFrehn,	Jones,	Sinwell,	Williams, G. W.,
Evans,	McElwee,	Snyder,	Wood,
Habbyshaw,	Peelor,	Stone,	Woodside,
Heffner,	Rice,	Surface,	Wright,
Hewitt			

So the question was determined in the affirmative and the amendments were agreed to.

The CHAIRMAN. The next amendments proposed are those of the gentleman from Montgomery, Mr. Peters.

On the question,

Will the Committee adopt the amendments offered by Mr. Peters?

They were adopted.

COMMITTEE OF THE WHOLE RISES

Mr. WILSON. Mr. Chairman, I move you that the committee do now arise, and that the Chairman of the committee report House Bill No. 10, to the House as amended.

On the question,

Will the Committee agree to the motion?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. COHEN. Mr. Chairman, I rise to a question of parliamentary inquiry.

The CHAIRMAN. The gentleman from York, Mr. Cohen, will state his parliamentary inquiry.

Mr. COHEN. Mr. Chairman, in the matter of the action taken on the McClure amendments, there were several amendments that I was personally in favor of and several that I was not in favor of. I am in favor of extending the hours in which state stores may be allowed to be open, and I am strongly opposed to the restriction that women and girls shall not be allowed to be employed in tap rooms. I desire to know whether or not——

The CHAIRMAN. What is the point of inquiry?

Mr. COHEN. Mr. Chairman, I desire to know whether it is in order to move to strike out that section of the bill which deprives female labor of the opportunity of employment in tap rooms or stores or hotels that are selling liquor.

The CHAIRMAN. That matter may be taken care of by the gentleman from York when the bill comes up on second reading before the House.

On the question recurring,

Will the Committee agree to the motion?

It was agreed to.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., WEDNESDAY, NOVEMBER 22, 1933. No. 7.

SENATE

WEDNESDAY, November 22, 1933

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo offered the following prayer:

O Thou Infinite and Eternal God, our Heavenly Father, we thank Thee for this bright and cheerful day. We thank Thee because Thou hast spared us through another night. Grant that all Thy revelation may bring us to a realization that the things which we see are temporal, the things which are unseen are eternal. Therefore keep us all in touch with the Infinite and Eternal as well as with all these material worries which today amount to so much and tomorrow amount to nothing. Let us see Thee as Thou art. In all of our cares and worries and anxieties, may we keep our souls in touch with the Infinite, and that while our heads are in the skies we may keep our feet on the ground. Abide with us and protect us. For Christ's sake. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANIUS, the further reading was dispensed with, and the Journal was approved.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the the Senate will be in order.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 22, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

G. Paul Moore, Wilkinsburg.
A. August Smith, 2850 Second Avenue, Pittsburgh.

BEAVER COUNTY

J. Walter Lewis, New Brighton.

BUCKS COUNTY

C. Harold Terry, Perkasie.

DELAWARE COUNTY

William T. Ward, Ridley Park.

ERIE COUNTY

Mrs. Mildred V. Johnston, Erie.
Miss Esther G. Nodes, Erie.

LEHIGH COUNTY

Miss Margaret G. Casarotto, Allentown.
Miss Gladys A. Nagle, Allentown.

PHILADELPHIA COUNTY

Harry A. McGehee, 6935 Garman St., Phila.

GIFFORD PINCHOT.

MEMBER OF THE VALLEY FORGE PARK COMMISSION

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 22, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Col. Augustine J. Janeway, of Phoenixville, Chester County, as a member of the Valley Forge Park Commission, vice Fred F. Hallowell, of Wayne, resigned, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

Chas. Wm. Morris, of Washington, Washington County, as Alderman of the 8th Ward of the City of Washington, Washington County, vice Loyal T. Hart, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

MEMBER OF THE BOARD OF TRUSTEES OF THE EASTERN STATE PENITENTIARY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 21, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Doctor Louis N. Robinson, of Swarthmore, Delaware County, as a member of the Board of Trustees of the Eastern State Penitentiary, vice Henry N. Woolman, removed from office November 20, 1933, for the term of four years, and until his successor is qualified.

GIFFORD PINCHOT.

REPORTS FROM COMMITTEES

Mr. BELL, from the Committee on Finance, reported as committed, Senate Bill No. 17, entitled:

An Act to amend section seventeen of the act, approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws, five hundred seven), entitled "An Act to provide revenue for State and county purposes, and, in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by excluding interest bearing accounts in any bank or banking institution, savings institution, or trust company from the provisions thereof.

Mr. BUCKMAN, from the Committee on Finance, reported as amended, Senate Bill No. 12 (House Bill No. 13), entitled:

An Act to amend certain sections of the act, approved the fifth day of May, one thousand nine hundred thirty-three (Act number one hundred four), entitled: "An act imposing a State Tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties," by restricting the provisions of the act to malt liquors, as defined therein and clarifying certain provisions of the act.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 4, entitled:

An Act authorizing officers, departments, boards and commissions of the Commonwealth, and also cities, counties, boroughs, incorporated towns, townships, school districts and poor districts to cancel certain supply contracts and to relieve contractors of obligations thereunder, under certain circumstances, and validating like cancellations made heretofore.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Ealy,	Lanius,	Rice,
Aron,	Fay,	Mansfield,	Roberts,
Batchelor,	Frazier,	Miller,	Salus,
Baumer,	Gelder,	Norton,	Scott,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Ziesenheim,
Coyne,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 7, as follows:

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties and interest imposed on delinquent city and school taxes and any other charges including any costs due on such taxes in cities of the first class for the tax year one thousand nine hundred and thirty-one or any previous tax year may be abated by the council of any such city if such taxes are paid in full on or before the thirtieth day of June one thousand nine hundred and thirty-four All penalties and other charges not including interest due on such delinquent city and school taxes for the tax year one thousand nine hundred and thirty-two may be abated by the council of any such city if such taxes and the interest due thereon are paid in full on or before the thirtieth day of September one thousand nine hundred and thirty-four

This act shall be construed to apply to all city and school taxes whether or not liens for such taxes have been filed in the office of the prothonotary of the county or any proceedings for the collection of such taxes have been instituted in any court in said county

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Ealy,	Lanius,	Rice,
Aron,	Fay,	Mansfield,	Roberts,
Batchelor,	Frazier,	Miller,	Salus,
Baumer,	Gelder,	Norton,	Scott,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Ziesenheim,
Coyne,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 11 (House Bill No. 9), entitled:

An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties.

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. SNYDER. Mr. President, I think it is my duty to ask the indulgence of the Senate. There are some phases of this bill which I think need most careful consideration. I don't want to be misunderstood that I am trying to oppose or delay any action which we all regard as being very essential in these days of emergency; but I believe that the gentleman who wrote this bill was given over in part to the haste with which I understand this legislation is to pass this Senate.

I have, perhaps, three objections to this bill in its present form: The first goes to the lanuguage of the bill itself. I have no doubt that every man here is in agreement that it was never intended that anybody but those persons who have liquor in storage or in bond should be affected. We have come to the point where the appellate courts of this State can pretty well be relied upon to interpret an Act of Assembly in the spirit of the act itself. They go beyond the mere language, in other words, and get to the primary purpose. But I want to call your attention, gentlemen of the Senate, to the fact that the language of the act does not exempt the private citizen who happens to have liquor in his possession. You can read Section 3 in both ways.

I take it that it was the purpose of the Governor of this Commonwealth to derive as much revenue from the tax which he has proposed as possible, I take it that it was his purpose to catch as it were, every gallon of liquor that may now be in the State of Pennsylvania and that will be in the State as of the effective date of this act, if it passes. If you will look at Section 3 of this act you will find that it can be read in both ways, and particularly do I call the attention of the lawyers of the Senate because of the fact that when any industry, regardles of its character, is to be taxed in an estimated amount of $25,000,000 for purposes which in themselves are entirely worthy, we should be just a little bit careful as to language to which we subscribe.

You will notice that Section 3—perhaps themost important section of the act—contains this lanuguage: "A State floor tax is hereby imposed upon spirituous and vinous liquors lodged or stored in this Commonwealth at any time between" certain dates, the effective date of the act and, as we have been given to understand, December 5th or 6th.

I notice that there is some complaint made because of the fact that certain parties are trying to get rid of the liquor in Pennyslvania and get it across the border. I can understand that, although I question that that is done in any substantial way, for the reason that I believe no liquor can be moved without a Federal permit. But is it the purpose of the act that the liquor which is to be taxed is limited to that which is lodged between these two dates?

I tell you, gentlemen of the Senate, what I believe originally to have been the purpose, and that is this: that the liquor which was to be taxed was that in storage when this act became effective, and such other liquor as was then stored and lodged. I have no doubt that you notice the difference. And if you will follow that lanuguage to the next section you will find that every person must make a report. I take it that it is not necessary for us to be called upon to guess at just who is included in this act and who is excluded from its provisions.

I can very readily read into this act, and so can you, that every person must make such a report; but there is something beyond that, which, in itself, I believe, is ambiguous. When I spoke a moment ago about the natural desire of those who have liquor to remove it before this act becomes effective, I am asking you to agree with me, gentlemen, that the very language of the act invites removal before its effective date.

If there is any gentleman in the Senate who can read for me, in the light of the language that is before us, Section 5, and follow over to Section 6, I am frank to admit that it will take a wiser head than mine to understand that language. In the first place, every time that the word "removal" is used in the act there is an invitation that this liquor shall be removed before the act becomes effective.

Section 3, on page 4, and Section 6, on page 6—the latter section containing the word "thereafter"—the word "thereafter" in that section is dangerous for this reason—and, in order to explain that, let me call attention to that language: "Every person having possession or custody"—not "every person having liquor in storage or in bond," but "every person having in his possession or custody either as owner or bailee of spirituous and vinous liquors in this Commonwealth"—between the effective date of this act and the date of the ratification of the Twenty-first Amendment to the Constitution of the United States, inclusive, who shall thereafter use or remove, or cause or permit to be removed, any spirituous or vinous liquors from the place or places in which they are lodged or stored, before the tax herein imposed shall have been paid, shall be guilty of a misdemeanor."

I ask you to interpret for me what the word "thereafter" means there. I imagine the purpose of the Act was that any person who had such liquor in possession, and any day after he came into possession removed that liquor, would, under certain circumstances, be guilty of a misdemeanor; but you can very readily see that if you use the word "thereafter" in its ordinary sense, as we use it upon the streets, it would refer to after the date, December 5th, 1933; and immediately, I think, you realize the difficulties we would get into if that were the construction of it.

But beyond that, gentlemen of the Senate, I think it is fundamentally true that distillers, people in the liquor industry, have a perfect right to be in the liquor business in the State of Pennsylvania. I hold no brief for them; although I do, may now be considered to be speaking for them in that I do not want to subscribe to the unfairness of the manner in which this bill came over here and the speed with which, without, I think, substantial consideration on our part, enaction of it is sought.

I might say, perhaps, in a more humorous vein, that my ancestral forefather came over from Switzerland to Lehigh

County and opened up a distillery—and he wasn't much of a success at it; but it may be for the that reason I am pleading their cause. But there is another reason: This is an act to destroy the industry. Did you ever, those of you who are members of the bar, find in one act penalties such as these? For the use or removal of this liquor before the tax is paid, from one to three years must be imposed. Anybody, any person—you or I—whether by accident or otherwise, who would happen to accept a bottle or container that is unlabeled, is subject to a fine of $25.00, or up to ten days in jail. If you find false labels on any bottle, a fine of $25.00 or from six months to three years in prison.

And here is an item which, gentlemen, I think deserves our most careful consideration. In this act you will find this language: "Any person who shall fail, neglect or refuse to make any report required by this act, or who shall refuse to permit the department or any agent appointed by it, in writing, to examine his books, records, invoices or other papers pertaining to, or stock of spirituous and vinous liquors in his possession or custody, or who shall make any incomplete * * * report"—an incomplete report—a fine of up to one thousand dollars—not "and or"—"and six months' to three years' imprisonment."

An incomplete report can be made in any business accidentally. You want to say that our courts will have good judgment. You want to say that our prosecuting attorneys will be thoughtful. You want to say, perhaps, that nobody would be so ridiculous as to have any prosecution instituted on an incomplete report; but I think in every other Act of Assembly which provides in any way for the punishment of any crime committed there is the wilfullness at least held out,—wilfully making mistakes, wilfully making an incomplete report. And I can understand why that should be.

And, beyond that, the Alcohol Permit Board,—if anybody is found violating these provisions,—can, if it then exists,—I suppose, after some new legislation that may come along, perhaps it will be discontinued,—but if it then exists, can revoke the license.

And in addition to that, gentlemen of the Senate, the Commonwealth of Pennsylvania has a lien on all this liquor, which lien under this act, is to be recorded in the judgment docket of the Prothonotary's office of the county in which the case may happen to come up.

Bring to my attention, if you will, such a provision in any other act. I would like to see one other Act of Assembly with such punishments quite so severe, or one with language which is, perhaps, more easily misunderstood. To me it is the first constructive invitation for the bootleggers to remain in Pennsylvania, and actively on the job.

It has become an agreement, I know,—and the purpose of everyone who is sincerely interested in this problem,—to keep taxes so low that those against whom we have had cause to complain will be driven out of business. But this, in my humble judgment, is the first invitation, not only because of the provisions in the act itself but because of the fact that the act itself is of a prohibitive and confiscatory nature.

I do not know very much about the liquor business but I do know this much,—if the information that I have is correct: The State of Pennsylvania has three of the nine, I think, distilleries that have been legitimately operating under existing law. Do you know that if anyone of those companies has in its possession, we will say, four million gallons of liquor, they will be called upon within ninety days of the effective date of this act to pay $8,000,000. And $8,000,000, gentlemen of the Senate, may be four times as much in amount as the original capital investment for real estate and equipment and what not. That, to me, looks unfair.

If it is the purpose of the Governor to destroy the industry in the State, and drive it into other States,—if that is the consensus of opinion here, then we might just as well yield any opposition to this bill; but you and I have knowledge of the fact that this industry, under the existing law, has also provided employment for people, has had a right to exist. And if you and I, by chance or by choice, have been in that business even before 1917, it would have been our hope and our purpose, I assure you, to so conduct our business and so preserve the whiskey which we had on hand, as to look forward to the day when the people of the United States would turn their backs on this colossal mistake which was made some time ago.

Now the day is here. The investment has been made. Somebody told me that a barrel of whiskey which contained forty-eight gallons in 1917 may, today, contain seventeen or eighteen or perhaps twenty gallons. If it is the policy of the State Senate to drive the industry out of the State; if it shall be the policy of the State Senate to make it impossible for those who have been legitimately conducting this business to compete with others who are in the same business, in adjoining States, then again any of us who are in opposition to this bill might yield.

The Governor of the State of Pennsylvania, I think even before we were in session, gentlemen, gave out the information there was an estimated income of $25,000,000 to be derived. It has become the custom, if not the habit, to give out information of that kind. I should like to know, and so would you, just what the enforcement of this bill would cost. I should like to know, and so would you, whether it is correct or not that there are twelve million gallons of whiskey in the State of Pennsylvania which would yield nearly $4,000,000; or whether the other information that comes to you from the public press is correct, that there are only six million gallons in the State of Pennsylvania. I don't know. But I do know this,—and I venture the prophecy, that the Governor of the State will not succeed in deriving enough money from this particular item to provide for unemployment relief, to provide for old age assistance, and to provide for such other subjects as were mentioned in his preliminary information given out.

The people of the State of Pennsylvania have a right to reply upon such information; they probably have a right to think that anybody who opposes the passage of this legislation would, in turn, at least indirectly, oppose the obtaining of the funds for causes that might be worth while. But let me venture the prophecy that if anyone here makes a careful investigation upon the subject, he would find that it would be impossible to obtain sufficient funds from these revenues derived from taxation to provide, perhaps, more than one quarter of the funds which would be necessary as suggested.

But beyond all this I mentioned certain things in the bill. I am looking beyond this bill, gentlemen. Three years ago I listened with very much interest to those of you who stood before me and pleaded for the retention in this body of the independence and the supremacy of action, if I may put it that way, of the State Senate.

Gentlemen of the Senate, I am asking you to agree, finally, with me in this: People from outside the State have been called into Pennsylvania to conduct affairs in the State; people from outside of Lehigh County have been sent into Le-

high County to conduct the affairs of Lehigh County pertaining to welfare and what not. Regardless of the emergency, regardless of the necessity of obtaining such revenue for worthwhile purposes, I am not, as an individual member of the Senate, ready to subscribe to the theory that one man, regardless of the position which he holds,—if it be the highest in the Commonwealth,—should by manipulation, by chance or by choice or by astute practices, establish for himself an absolute control, might I say, of the State Highway Department, might I say of all of the welfare funds that go out from the State; and this control, might I say, in one who, by virtue of personal choice and personal opinion, has been the leader of the dry forces in a State which is preeminently wet,—I say, I do not care yet to yield, sir,—and I now address you who spoke so eloquently of the supremacy of the State Senate,—I am not ready to yield now, as far as this particular legislation is concerned, and as to that which I understand is coming over from the House, on the theory that there is any emergency, that there is any cause whatsoever sufficient to compel us to turn our backs on our original principles established in the State Senate of Pennsylvania generations ago.

The difficulty with this bill is just this, gentlemen: It is link in a chain,—it is a link, and a very important link, in the chain, which was created before we were called into session, to drive the industry out of Pennsylvania; to have those who have subscribed consistently to the dry cause to be absolutely in crontrol, in a State which has always been wet. And the practical difficulty with the bill is this: That it is a floor tax instead of a sales tax. Where will industry be able, within the ninety days, to get $12,000,000 or $25,000,000? How is it that the surrounding States have sales taxes? If this were a sales tax there would not be any question of the private individual; there would not be any question at all concerning the difficulties which I have mentioned, but why should the State of Pennsylvania, or any industry in it, be again placed in competition with the surrounding States?

Gentlemen of the Senate, for these reasons,—perhaps for others which I have neglected to mention, but which I hope will be mentioned by others in this body,—I hope this bill will be defeated.

Mr. REED. Mr. President, I do not want to detain the Senate long; but, in view of the vote which I intend to cast on this bill, I wish briefly to state my reasons. As this time I do not propose to take any position as to whether or not the imposition of a two-dollar tax is a wise or an unwise legislative policy. My objection to this bill is entirely owing to the fact that I do not feel that the bill is clear in its provisions, that it is doubtful legislation, as it is improperly, or at least not carefully drawn. As the distinguished Senator from Lehigh has stated, section three is the important section of the bill. Therein "A State floor tax is hereby imposed upon spirituous and vinous liquors lodged or stored in this Commonwealth." What do these words mean? Is it to be confined to vinous liquors which are contained in storage, or is it in fact a tax upon all such liquor, even that which may be in the possession of each individual? That language to me is not clear; but, when we turn to the title, which I think the courts will have to refer to for construction as to the legislative intent, we find it is "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth." Therefore it seems to me to be a construction of the title. The language of section three is that every and all liquor coming under the definition comes within this act, and the private individual is just as liable to make report and to pay the tax as is the distillery company, and failure to comply therewith by the individual who may have one or two or three gallons in his possession may subject him to the very serious penalties provided in the act, namely, a year to three years imprisonment.

When we go on we find the tax on "each proof gallon or wine gallon when below proof." The words "proof gallon" are defined in the act, but I have searched the four corners of the act to find out the definition of "wine gallon when below proof." Possibly that is a term well known to the trade; but, as the act stands, I submit it will be necessary for the courts to determine and to define what clearly should be defined in the act, namely, the exact meaning of the words "wine gallon when below proof." Then comes the question, Is this proper classification? I am still old fashioned enough to believe, especially in matters of taxation, that we should be very careful to see to it that our tax laws are not within the prohibition of the Constitution of Pennsylvania; and to my mind the question is raised instantly right in the title, because the tax is levied against certain alcoholic liquors. To my mind alcoholic liquor is a proper subject of classification; but, when we consider section three, levying the tax in part on liquor which is defined in the act and in part on liquor which is not defined in the act, it raised, to my mind, a very serious question as to whether there is the uniformity of taxation which is required by the Constitution of the Commonwealth of Pennsylvania.

I have searched the authorities carefully and the more I have read the more I am in doubt. I simply want to quote one authority, the decision of the Supreme Court of Pennsylvania, emanating from Mr. Justice Brewer, of the Supreme Court of the United States, which court said:

"Equality in right, in protection and in burden is the thought, which has run through the life of this nation and its constitutional enactments from the Declaration of Independence to the present hour. Of course, absolute equality is not attainable, and the fact that a law, whether tax law or other, works inequality in its actual operation does not prove its unconstitutionally. But where a tax law directly, necessarily and intentionally creates an inequality of burden, it then becomes imperative to inquire whether this inequality, thus intentionally created, can find any constitutional justification."

And that is precisely my inquiry at the present moment. As I have stated, I shall not vote against this bill on the ground of policy. I believe it is the duty of this present legislative session, especially in reference to a bill which is as momentous in its possible consequences as the present bill, to see to it that the bill is carefully and clearly drawn so that the legislative thought, the legislative intent, can be clearly understood; and it is purely on this ground, because in its present form I question seriously the constitutionality of this measure; and under my oath of office I will be compelled to vote in the negative.

And the question recurring,

Will the Senate agree to the bill?

Mr. BUCKMAN. Mr. President, in view of the fact that certain members of this Senate have raised the question that there are some ambiguous words in this bill, and also in view of the fact that there are certain other questions as to the payment of this tax, which may or may not have paid immediately, I now move that further consideration of this bill be postponed for the present in order that the Attorney General may be called upon by the Committee on Finance

to explain some of the wording and some of the phrases in this bill

BILL POSTPONED

Mr. BUCKMAN. Mr. President, I move that the question together with the further consideration of this bill be postponed for the present.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

ACTING PRESIDENT PRO TEMPORE (Mr. Clarence J. Buckman), in the Chair.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 13 (House Bill No. 14), entitled:

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled November thirteenth Anno Domini one thousand nine hundred thirty-three in pursuance of the proclamation of the Governor of the Commonwealth dated the ninth day of November Anno Domini one thousand nine hundred thirty-three.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 45

Armstrong,	Ealy,	Lanius,	Rice,
Aron,	Fay,	Mansfield,	Roberts,
Batchelor,	Frazier,	Miller,	Salus,
Baumer,	Gelder,	Norton,	Scott,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Ziesenheim,
Coyne,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 15, as follows.

An Act To enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of the authority of their respective warrants or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases in which the period of the limitation of the warrants of the duplicates of the county State dog poor road city township ward school and borough tax collectors have expired and in case where the power and authority of said tax collectors have expired or shall expire during the year one thousand nine hundred and thirty-three by virtue of the expiration of their terms of office and said tax collector or collectors have or shall become personally liable for the taxes contained in said duplicates and warrants or any part thereof by reason of the personal payment or otherwise by the said tax collector or collectors of the said taxes, or any part thereof without having recovered or collected the same from the person or persons against whom they have been levied and assessed or without having recovered or collected the same from the person or persons owning the property against which the said taxes have been levied and assessed or without having recovered or collected the same from the person or persons owning the property against which the said taxes have been levied and assessed the said duplicates and warrants and the power and authority of the said tax collectors in all such cases are hereby revived and extended for a period of two years after the passage of this act and the said tax collector or collectors their executors and administrators if they are deceased or either surety or sureties are hereby empowered to proceed and collect said taxes from all such persons who have not paid them residing in said district within which said taxes are assessed as well as from all persons who may remove or have removed from said city ward township or townships or boroughs and have neglected to pay the taxes as aforesaid assessed with the like effect as if said warrant or warrants have not expired or the term of office of said tax collector had not expired Provided That the provisions of this act shall not apply to warrants issued prior to the year one thousand eight hundred and ninety-four and that nothing in this act shall release any bondsman or security Provided That this act shall not apply to cities having special laws on this subject Providing also That no collector or the sureties thereof who take advantage of this act shall be permitted to plead the statute of limitations in any action brought to recover the amount of any duplicate or warrant so extended or renewed Provided further That no statute of limitations shall prevent the collection of any tax for which the warrants and powers and authorities of the said tax collectors have been so as aforesaid extended renewed and revived

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Ealy,	Lanius,	Rice,
Aron,	Fay,	Mansfield,	Roberts,
Batchelor,	Frazier,	Miller,	Salus,
Baumer,	Gelder,	Norton,	Scott,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Ziesenheim,
Coyne,			

NAYS— 0

A majority of all the Senators having voted "aye" the questions was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 16, entitled:

A Supplement to act number three hundred—A, approved the third day of June, one thousand nine hundred thirty-three

(One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," making an appropriation for the payment of certain expenses of the General Assembly convened in Extraordinary Session on the thirteenth day of November, one thousand nine hundred thirty-three.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Ealy,	Lanius,	Rice,
Aron,	Fay,	Mansfield,	Roberts,
Batchelor,	Frazier,	Miller,	Salus,
Baumer,	Gelder,	Norton,	Scott,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Ziesenheim,
Coyne,			

NAYS—0

A majority of all the Senators having voted "aye" the questions was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 19, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Ealy,	Lanius,	Rice,
Aron,	Fay,	Mansfield,	Roberts,
Batchelor,	Frazier,	Miller,	Salus,
Baumer,	Gelder,	Norton,	Scott,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause	Reed,	
Coyne,			

NAYS— 0

A majority of all the Senators having voted "aye" the questions was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 29, entitled:

An Act to amend paragraph (a) of section nine of article three of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entiled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" by authorizing the commission in special cases to grant relief to common carriers from the long and short haul and the aggregate of intermediate rates provisions.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Ealy,	Lanius,	Rice,
Aron,	Fay,	Mansfield,	Roberts,
Batchelor,	Frazier,	Miller,	Salus,
Baumer,	Gelder,	Norton,	Scott
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause	Reed,	Ziesenheim,
Coyne,			

NAYS— 0

A majority of all the Senators having voted "aye" the questions was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

MEETING OF COMMITTEE ON FINANCE

Mr. MANSFIELD. Mr. President, I move that the meeting of the Committee on Finance be held in the Senate Caucus Room at 2 o'clock this afternoon for the purpose of allowing all the members of the Senate to hear the explanation of the Attorney General of the tax levying bill.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

TIME OF NEXT MEETING

Mr. GELDER offered the following Resolution which was twice read considered and agreed to:

In the Senate, November 22, 1933.

Resolved (If the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, November twenty-seventh, at nine o'clock; and when the House of Representatives adjourn this week it reconvene on Monday evening, November twenty-seventh, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence

RECESS

Mr. SALUS. Mr. President, I move that the Senate do now take a recess until 4:30 this afternoon

Mr. WILLIAMSON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT PRO TEMPORE (Mr. Harry B. Scott) in the Chair.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order

BILL INTRODUCED

Mr. BUCKMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection. The Chair hears none.

Mr. BUCKMAN, read in his place and presented to the Chair Senate Bill No. 35, entitled:

An Act relating to milk and the products thereof; declaring an emergency with respect to their production and marketing; creating a Milk Control Board in the Department of Agriculture; defining its jurisdiction, powers and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery, and sale of milk and the products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring licenses to furnish bonds for the protection of producers; authorizing the examination of the business, papers, and affairs of, and requiring the filing of reports by, licensees and other milk dealers, and permitting with limitations the dissemination of information obtained therefrom; authorizing the issuance of subpoenas by the Board or its agents, and conferring jurisdiction upon courts to punish contempts; providing for appeals to the courts from decisions of the Milk Control Board; imposing penalties; and making an appropriation.

Which was committed to the Committee on Agriculture

BILL SIGNED

The PRESIDENT PRO TEMPORE (Mr. Harry B. Scott) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 14 entitled:

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled November thirteenth Anno Domini one thousand nine hundred thirty-three in pursuance of the proclamation of the Governor of the Commonwealth dated the ninth day of November Anno Domini one thousand nine hundred thirty-three.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. Harry B. Scott) in the presence of the Senate signed the same.

BILL ON THIRD READING POSTPONED FOR THE PRESENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 11, (House Bill No. 9), on third reading, postponed for the present, entitled:

An Act imposing a Sate floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-First Amendment to the Constitution of the United States is ratified; describing the method and manner of collection of such tax; conferring powers and imposing duties on certain State officers and departments, and certain individuals, forms and corporations, and imposing penalties.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. TRAINER. Mr. President and members of the Senate, as an humble Senator I desire to beg the pardon of the people who are interested in the liquor business, representing an investment of twenty-five million dollars, who have not had an opportunity in this Legislature either in the halls of the Senate or House to present their case. It is one of the biggest interests in the State of Pennsylvania, and when the representatives come here as a reputable body of men

and request a hearing and it is denied, it is a slap at the dignity of the Senate, and it is natural that anyone should be irritated. Let me go into another phase of the question. You are putting out this bill for the help of the poor, for old-age pensions, and the various commissions to spend money to try to employ people—and where is it coming from? It is coming from the liquor-control bill where it is estimated there is twenty-five million dollars to be turned over from that business.

I want you to distinctly recollect that on the seventh of November sixteen million people in the State of Pennsylvania voted for a fair-play bill, and that is all they expected or want; but when bills are brought into the Legislature and railroaded through the House and railroaded through here without giving anybody the opportunity to express himself, it certainly makes the Legislature look as though they are a lot of jackals.

And I want to say to you now and I want to give you figures from the United States Government Prohibition Office, that there was in the State of Pennsylvania on the first day of November 4,682,000 gallons—I am not going into the hundreds—of alcohol; 6,771,000 gallons of whiskey; 121,000 gallons of rum; 98,000 gallons of gin; practically 230,000 gallons of brandy and 14,000 gallons of wine.

Taking it on the basis of stuff that was made prior to 1917 and on down the line, there is an average loss in the absorption of whiskey and in its evaporation, in the whiskey alone of 24.7%, in the rum 47.3%, in the gin 43%, and a loss of 59% in brandy. This is one of the reasons why you were told this afternoon in the meeting that whiskey was being sold at sixty dollars a case.

When you stop to consider that the men who fourteen years ago suffered under the prohibition law and were wiped out, that they didn't have a chance to turn a dollar over, but could stand in the warehouses and see the stuff go out the windows; and that is the way it went. I want to give you just as an example the Government returns from the warehouse with which I happened to be connected that, of eight barrels of whiskey placed in bond, there were three hundred and ninety proof gallons when they were tax paid; and one hundred and ninety-eight months they were in the warehouse before they could be used. When they came out they had one hundred and thirty-eight proof gallons, a loss of 67%. You can readily understand why whiskey is [illegible] that are spoken of; and I want to say for your information that that whiskey was sold on a general basis of from thirty-five to forty dollars a case, until now, in the whole United States, there are about 3,500,000 gallons of it left to go over th whole forty-eight States of the Union.

That is a sample of the whiskey end of it. Apple brandy, made in the State of New Jersey, kept one hundred and ninety-nine months in the warehouse, went in with one hundred and eleven proof gallons, and came out with forty-five gallons, a loss of 59.6%.

You can then go into rum that was made in Massachusetts and was entered at forty-five gallons and came out at twenty-four gallons, a loss of 47.3%.

Now then, when they argued before you downstairs as to the whiskey, the United States Government did not give an opportunity to distillers to make whiskey between the years 1917 and 1930, a variance of thirteen years; and of the whiskey that was made in 1930, taking two barrels as a basis out of a thousand, ninety-eight gallons went in, and today there are only eighty gallons in them, making a loss of 18.4%.

Of that which was made in 1931, one hundred and one gallons went in, and there is left now ninety-two gallons, showing a loss of 9.2%. That which was made in April of this year went in with ninety-six, and now is ninety-three, showing a loss of 4.8%.

That whiskey which they are now, under this bill, asking to pay two dollars tax on, was, in the last two or three years, manufactured at a cost of seventy-eight cents. This new stuff in the last three years was manufactured at a cost of seventy-eight cents. They have been able to carry it and hold onto it and satisfy the people who wanted it for legitimate purposes. Then to think of putting this tax on it, and charging six dollars a case to any of your constituents who want to buy a case of whiskey!

And I might add now that today, in this Government return, there are 4,682,000 gallons the officials of the State of Pennsylvania were able to dig up. Roughly there are 12,500,000 gallons of liquor on hand, but that is reduced to practically 4,200,000 gallons of taxable whiskey; and when you are going, in this great Commonwealth of Pennsylvania, to put out your money for the various causes you need it for—and there is nobody in Pennsylvania more willing to pay their share of the tax and do their part than those men in the distilling business—why should they be asked to pay the enormous tax of more than three times the cost of the product?

I want to say to you gentlement now that the alcohol placed here at 4,682,000 gallons has been denatured, and there goes $9,000,000 of your $25,000,000 right out. Take down the balance of this—and I am giving you the benefit of the doubt—$15,000,000, and you will receive only $10,000,000; and I want to warn you gentlemen of the Senate, when you are preparing to spend the peoples' money for these needed aids, don't think you are going to get it out of the liquor business.

Another thing I want to call to your attention is this: In the State of Pennsylvania within the last six months there were 2,300,000 gallons, and it will have to remain in bonded warehouses for a period of three years; and yet you are going to ask the distillers to produce a tax of two dollars a gallon on that, which they cannot get out of it for three years. It is the most unbearable and unjust tax ever put over by the State of Pennsylvania.

When the Government of the United States wants to collect taxes it is not from bonded warehouses. The whiskey is there and nobody can touch it. And I want to tell you that the United States Government does not collect this tax until the goods are taken out of the warehouse and put on the market.

Another unfair thing is to ask any man to pay three years in advance two dollars tax on something that he does not know will be his at the end of the three years.

Another illustration of the high cost of whiskey: When a barrel of whiskey is made and put into a bonded warehouse it may hold fifty gallons. Under the Carlisle Regauging Act you are entitled to a loss of eight gallons and a half. If there happens to be a cracked stave in that barrel and the whiskey happens to leak out, the day the tax collector reaches the warehouse and finds the barrel empty he tells the distiller he has to pay the tax on thirty-two and a half gallons, even though it all has been lost in evaporation. And when you listen to the large prices paid for whiskey there is a reason behind it.

I want to say, gentlemen, talking about the immense withdrawals of whiskey from Pennsylvania, 1,116,000 gallons between November 9th and November 17th, in the natural course of business, I want to say to you that that stuff was taken down to the Christian street wharf and shipped to Los Angeles, Seattle and San Francisco in order to help those people out there, so that when the 5th of December comes

along they will be able to get something real—Pennsylvania whiskey. And in industry in the State of Pennsylvania, Pennsylvania rye stands out preeminently to any one of them; and now you are trying to destroy the business.

I have today received a telegram from the Schenley Distilling Company—perhaps the rest of the Senators have also—in which they say that twelve hundred and twenty-five persons were laid off at their plant. In the Publicker Alcohol Company's plant in Philadephia twelve hundred employes are out of employment; and from the Continental Distilling Company's plant seventeen hundred were put out of business—because they cannot stand it.

In Philadelphia all we have to do is to cross the river, take our machinery and everything, and start in business over there, because New Jersey is inviting us.

Then, when we come down to the Overholt Distilling Company, employing five hundred and sixty men and one hundred women, with a payroll of $550,000, railroad revenues of $750,000; supplies $2,195,000; with whiskey in bond in Pennsylvania as of November 1st, 1932, according to the Government figures—when produced in 1917 it amounted to 1,000,000 gallons, with outage of 500,000 gallons, leaving 500,000 gallons of this whiskey that you want to tax and would be entitled to tax, that is now in the warehouses.

In 1930, and on to November 1933, there were 6,203,000 gallons of whiskey made, and from it there was a loss of 620,000 gallons leaving 5,583,000 gallons. In the alcohol there were 4,663,000 which has been completely denatured; and the State of Pennsylvania won't get a nickel of tax from that.

I am calling these things to your attention, gentlemen, so that when you are voting on this bill—and this is the second time I have ever stood on the floor of the Senate to address you, but I happen to be the president of one of these organizations, and if I don't know my own business and what would be unjust to it, I ought to get out—I am appealing to you now not to pass this tax for the reason that it is an imposition on people who have been suffering for fourteen years; and God knows if you are going to take the teeth out of them they won't be able to take soft milk.

I want to tell you that these distilleries are going to close, and also call your attention to the fact that on the borderlines of Pennsylvania and on the southern end, where West Virginia comes along the line, the Union Carbide Company is going to manufacture alcohol as a by-product, and that will not cost them a cent, and it will be toted into Pennsylvania, and the bootlegging game is going on higher and bigger than ever.

We are just coming now to a stage where prohibition was born in sin and raised in iniquity before going back to the Devil's own den.

I am going to ask you, gentlemen, in all fairness and in all sincerity—I have tried before the House committee, I have tried before this body and before the general body to let these men be heard, and when they are not able to be heard I have to talk to you in my own defense and their defense, and tell you the injustice of the bill. Senator Snyder told you, Senator Reed told you, and I want to take another step and say that when you are passing this bill you are treading on dangerous ground. A barrel of whiskey that goes into a United States Government bonded warehouse is the property of the United States Government, and nobody can touch it. I say that to you for this reason, that when it goes into bond the distiller is compelled to put up a bond that that whiskey cannot be touched or taken out of the warehouse until the tax is paid, and then and not until then can anything be taken out for the benefit of anybody, and the result of it is, I question whether, under the law, the State of Pennsylvania, under this bill, is going to have a right to go into a bonded warehouse and touch an article that belongs to the United States Government, and if they do so they will be tried at law. I am advising you now that when you are banking on this thing to raise twenty five million dollars, it s a question in my mind whether you are going to get eight million dollars out of it. I am going to ask you, gentlemen, to bear these facts in mind and at least do one thing, bear in mind that we had fourteen years of torture, and for heaven's sake do not try to crucify us.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Armstrong,	Clark,	Hunsicker,	Quigley,
Aron,	Coyne,	Krause,	Rice,
Batchelor,	Ealy,	Lanius,	Salus,
Baumer,	Fay,	Mansfield,	Sones,
Bell,	Frazier,	Miller,	Staudenmeier,
Bennett,	Gelder,	Owlett,	Thompson,
Boyd,	Harris,	Parkinson,	Williamson,
Brandt,	Harvey,	Pethick,	Ziesenheim,
Buckman,	Homsher,	Pierson,	Scott,
Chapman,	Howell,	Prince,	Pres. Pro. Tem.

NAYS— 6

Graff,	Reed,	Snyder,
Norton,	Roberts,	Trainer,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

House Bill No. 10, (Senate Bill No. 36), entitled:

An Act to regulate and restrain the sale, importation and use of certain alcoholic beverages; conferring powers and imposing duties upon the Pennsylvania Alcohol Permit Board, the Department of Public Instruction, other officers of the State government, courts and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses subject to local option to sell such beverages for consumption on the premises; forbidding importation of such beverages into the State except by State stores; prohibiting certain sales of, practices in connection with, and transactions in such beverages by licenses and others; making disposition of the receipts from State stores and of license fees; and imposing penalties.

Which was committed to the Committee on Judiciary General.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 9

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 9, entitled:

An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified; describing the method and manner of collection of such tax; conferring powers and imposing duties on certain State officers and departments, and certain individuals, firms and corporations, and imposing penalties.

BILL SIGNED

The PRESIDENT PRO TEMPORE (Mr. Harry B. Scott), announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 9, entitled:

An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified; describing the method and manner of collection of such tax; conferring powers and imposing duties on certain State officers and departments, and certain individuals, firms and corporations, and imposing penalties.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. Harry B. Scott), in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. GELDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection, the Chair hears none.

Mr. GELDER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 36 (House Bill No. 10), entitled:

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation of such beverages into the State except as herein provided prohibiting certain sales of practices in connection with and transactions in such beverages by licenses and others making disposition of the receipts from State stores and of license fees and imposing penalties.

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection, the Chair hears onne.

Mr. OWLETT, from the Committee on Finance, reported as committed, Senate Bill No. 33, entitled:

An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board.

Mr. CLARK. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection, the Chair hears none.

Mr. CLARK, from the Committee on Agriculture, reported as committed, Senate Bill No. 35, entitled:

An Act relating to milk and the products thereof; declaring an emergency with respect to their production and marketing; creating a Milk Control Board in the Department of Agriculture; defining its jurisdiction, powers, and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery, and sale of milk and the products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring licenses to furnish bonds for the protection or producers; authorizing the examination of the business, papers, and affairs of, and requiring the filing of reports by, licensees and other milk dealers, and permitting with limitations the dissemination of information obtained therefrom; authorizing the issuance of subpoenas by the Board or its agents, and conferring jurisdiction upon courts to punish contempts; providing for appeals to the courts from decisions of the Milk Control Board; imposing penalties; and making an appropriation.

MOTION TO READ BILLS THE FIRST TIME

Mr. ARON. Mr. President, I move that all bills reported from Committees at today's session be read for the first time.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 12 (House Bill No. 13), entitled:

An Act to amend certain sections of the act, approved the fifth day of May, one thousand nine hundred thirty-three (Act number one hundred four), entitled: "An act imposing a State Tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties," by restricting the provisions of the act to malt liquors, as defined therein and clarifying certain provisions of the act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 17 entitled:

An Act to amend section seventeen of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred seven), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by excluding interest bearing accounts in any bank or banking institution, savings institution, or trust company from the provisions thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 33, entitled:

An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 35, entitled:

An Act relating to milk and the products thereof; declaring an emergency with respect to their production and marketing; creating a Milk Control Board in the Department of Agriculture; defining its jurisdiction, powers, and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery, and sale of milk and the products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring licensees to furnish bonds for the protection or producers; authorizing the examination of the business, papers, and affairs of, and requiring the filing of reports by, licensees and other milk dealers, and permitting with limitations the dissemination of information obtained therefrom; authorizing the issuance of subpoenas by the Board or its agents, and conferring jurisdiction upon courts to punish contempts; providing for appeals to the courts from decisions of the Milk Control Board; imposing penalties; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 36 (House Bill No. 10), entitled:

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation of such beverages into the State except as herein provided prohibiting certain sales of practices in connections with transactions in such beverages by licenses and other making disposition of the receipts from State stores and of license fees and imposing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. BOYD. Mr. President, I move that the Senate do now adjourn until tomorrow morning at ten o'clock.

Mr. Aron. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:34 P. M. until Thursday, November 23, 1933, at 10 o'clock A. M.

HOUSE OF REPRESENTATIVES

WEDNESDAY, November 22, 1933.

The House met at 11.00 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

O Spirit of God, Thou who didst brood over the hearts, and guide the destinies of our fathers and forefathers, from the beginning, brood over us this day we pray, for we need Thy sustaining grace and power.

Overshadow the Speaker and members of the House, that their minds may be enlightened to see more than there is to seen, until the unseen becomes reality and the difficult problems of the Commonwealth be solved in the glory of Thy presence.

Comfort and sustain the millions of our citizens who look to Capitol Hill for help and the solution of their problems—may they never be disappointed in us their servants. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. Reilly, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. McCREARY. HOUSE BILL No. 83.

An Act involving the police power of this Commonwealth staying all executions and other process for the collection of money obligations, and all judicial and tax sales, and all sales on distress for rent for a period of one year.

Referred to the Committee on Judiciary General.

By Mr. McCREARY. HOUSE BILL No. 84.

An Act fixing the salaries of county officers in counties of the fourth class.

Referred to the Committee on Counties.

By Mr. McCREARY. HOUSE BILL No. 85.

An Act to amend section one hundred and seventy-one of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," as amended; by decreasing and limiting the compensation of the members of the board of viewers in counties of the fourth class.

Referred to the Committee on Counties.

By Mr. HARRIS. HOUSE BILL No. 86.

An Act to prohibit discrimination and intimidation on account of race or color in employment under contracts for public buildings or public works, and fixing penalties therefor.

Referred to the Committee on Municipal Corporations.

By Mr. PHILIP STERLING. HOUSE BILL No. 87.

An Act appropriating the moneys in The State Stores Fund

Referred to the Committee on Appropriations

By Mr. PHILIP STERLING. HOUSE BILL No. 88.

An Act making an appropriation out of the General Fund to the Pennsylvania Alcohol Permit Board for the administration and enforcement of the Pennsylvania Liquor Control Act, including the establishment, operation, maintenance and equipment of Pennsylvania Liquor Stores, and places for the storing and testing of liquors, and providing for the partial reimbursement of the General Fund by making an appropriation from The State Stores Fund, to be transferred in installments to the General Fund.

Referred to the Committee on Appropriations.

By Mr. JOHN J. KANE. HOUSE BILL No. 89.

An Act providing for the abolishment of all poor houses and alms houses and directing the Department of Welfare of the Commonwealth to devise and submit to the next regular ses-

sion of the General Assembly a pension system to be jointly financed by the Commonwealth and the respective counties, the Commonwealth's appropriation for this purpose to be taken from profits derived from the sale of liquor.

Referred to the Committee on Judiciary General.

By Mr. THOMAS J. GALLAGHER. HOUSE BILL No. 90.

An Act to amend section two hundred and one of the act approved the twenty-second day of May, one thousand nine hundred and thirty-three, (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws; making the real estate of public service and companies subject to taxation and providing certain exceptions

Referred to the Committee on Municipal Corporations.

By Mr. O'KEEFE. HOUSE BILL No. 91.

An Act to authorize the investment of funds by political subdivisions, banks, trust companies, building and loan associations, insurance companies, financial institutions and fiduciaries in bonds of the Home Owners' Loan Corporation.

Referred to the Committee on Banking.

By Mr. MARCKS. HOUSE BILL No. 92.

An Act to amend the act approved the twenty-second day of June, one thousand nine hundred and thirty one (P. L. 594), entitled "An act establishing certain township roads at State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" adding a certain route in Lehigh County.

Referred to the Committee on Highways.

By Mr. HOOPES. HOUSE BILL No. 93.

An Act to provide for the investigation and study of wages of women and minors employed in trade and industry in the Commonwealth of Pennsylvania, and for the determination and establishment of minimum fair wage standards for such workers, and for the purpose of preventing unfair and oppressive exploitation of such workers, and for other purposes.

Referred to the Committee on Labor.

By Mr. MALINA. HOUSE BILL No. 94.

An Act to repeal the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (P. L. 34), entitled, "An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws."

Referred to the Committee on Judiciary General.

LEAVE OF ABSENCE

Mr. HESTER asked and obtained leave of absence for Mr. Hale on account of death in the family.

REPORT FROM COMMITTEE

Mr. PETERS, from the Committee on Ways and Means, reported as amended, House Bill No. 8, entitled:

An Act imposing States taxes, payable by those herein defined as manufacturers and importers, on the privilege of manufacturing, selling or using in this Commonwealth certain spiritous and vinous liquors, providing for the collection of the taxes and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments, and upon manufacturers, importers and upon those using or engaging in the sale of spirituous and vinous liquors; and providing penalties.

RESOLUTION

REQUESTING FEDERAL APPROPRIATION FOR PHILADELPHIA PUBLIC WORKS

Miss BRANCATO offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, November 22, 1933.

Whereas, The work of the United States Government in the Frankford Arsenal at Philadelphia is of such a nature as to require modern machine tools and equipment to cost approximately seven hundred and fifty thousand dollars ($750,000), more properly and economically to manufacture and perfect those items of ordinance material as may best serve the United States by their use as manufactured or as models for manufacture; therefore be it

Resolved, (if the Senate concur), That the attention of the Representatives of Congress from Pennsylvania be hereby invited to the need for said modern machine tools and equipment and, that said Representatives are hereby respectfully urged to divert the necessary funds from moneys now appropriated or to secure the appropriation of funds at the forthcoming session of Congress for the procurement of such modern or up-to-date machine tools and equipment for Frankford Arsenal as may be recommended by the Secretary of War;

Resolved, That the Federal Emergency Administrator of Public Works be urged to allocate the necessary funds to Frankford Arsenal as authorized by Section 202 of the National Industrial Recovery Act, which states, "provision for original equipment for the mechanization or motorization of such army tactical units as he (the President) may designate;"

Resolved, That a copy of this resolution be furnished the President, the Secretary of War, the Assistant Secretary of War, the Federal Emergency Administrator of Public Works, each Senator and Representative in Congress from Pennsylvania, the Chief of Staff, U. S. Army, and the Chief of Ordnance, U. S. Army.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 37 (Senate Bill No. 3), entitled:

An Act to amend sections one four and five of the act approved the sixteenth day of March one thousand nine hundred thirty-three (Act number ten) entitled "An act authorizing the Department f Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges authorizing the construction and maintenance of such bridges approaches and connecting roads to State highways by the Department of Highways providing for the condemnation of property necessary for the construction thereof and the assessment and payment of damages therefor providing for the collection of tolls upon certain terms and conditions and the deposit thereof in the State Treasury in a special fund providing for the payment of toll collection costs maintenance charges and repayments to the Reconstruction Finance Corporation from said funds providing for the cessation of tolls and payments of subsequent maintenance costs from the Motor License Fund and appropriating certain money in the Motor

License Fund to carry out the provisions of said act" by authorizing similar arrangements to be made with other agencies of the Federal Government.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 39, as follows:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a certain proposed amendment to article nine of the Constitution of Pennsylvania which reads as follows

"Section 16 In addition to the purposes stated in article nine section four of this Constitution the State may be authorized by law to create debt and to issue bonds to the amount of fifty millions of dollars for the payment of compensation to certain persons from this State who served in the Army Navy or Marine Corps of the United States during the war between the United States and Spain between the twenty-first day of April one thousand eight hundred and ninety-eight and the thirteenth day of August one thousand eight hundred and ninety-eight or who served in the China Relief Expedition in the Philippines or Guam between the twenty-first day of April one thousand eight hundred and ninety-eight and the fourth day of July one thousand nine hundred and two or who served in the Army Navy or Marine Corps of the United States during the World War between the sixth day of April one thousand nine hundred and seventeen and the eleventh day of November one thousand nine hundred and eighteen" having been adopted by the people at the municipal election in November one thousand nine hundred and thirty-three the Governor the Auditor General and the State Treasurer in accordance with the provisions thereof and on behalf of the Commonwealth of Pennsylvania are heheby authorized and directed during the fiscal biennium beginning June first one thousand nine hundred and thirty-three from time to time to borrow on the credit of the Commonwealth of Pennsylvania such sum or sums of money not exceeding in the aggregate the sum of fifty million dollars ($50,000,000) as may be found necessary to carry out the purposes of said amendment and statutes passed in conformity therewith

Section 2 Bonds Issue Maturity interest et cetera

(a) As evidence of the indebtedness herein authorized bonds of the Commonwealth of Pennsylvania shall be issued from time to time for such total amounts in such form in such denominations and subject to such terms and conditions of issue redemption and maturity not to exceed thirty years rate of interest not to exceed four and one-half per centum per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall direct

(b) All bonds issued under the authority of this act shall bear the facsimile signatures of the Governor Auditor General and State Treasurer and a facsimile of the great seal of the Commonwealth of Pennsylvania and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agent of the Commonwealth

(c) The principal and interest of such bonds shall be payable in lawful money of the United States All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes

(d) Such bonds may be issued with or without interest coupons attached In case interest coupons are attached they shall contain facsimile signatures of the State Treasurer and the Auditor General

(e) The Governor the Auditor General and the State Treasurer shall proceed to have the necessary bonds prepared and printed The bonds as soon as they are prepared and printed shall be forthwith deposited with the duly authorized loan and transfer agent of the Commonwealth there to remain until sold in accordance with the provisions of this act

Section 3 Sale of Bonds Whenever bonds are so issued they shall be offered for sale at not less than par and accrued interest and shall be sold by the Governor the Auditor General and State Treasurer to the highest and best bidder or bidders after due public advertisement on such terms and conditions and upon such open competitive bidding as the Governor Auditor General and State Treasurer shall direct The manner and character of such advertisement and the times of advertising shall be prescribed by the Governor the Auditor General and the State Treasurer

Any portion of any bond issue so offered and not sold or subscribed for may be disposed of by private sale by the Governor the Auditor General and the State Treasurer in such manner and at such prices not less than par and accrued interest as the Governor shall direct No commission shall be allowed or paid for the sale of any bonds issued under the authority of this act

Section 4 Disposition and Use of Proceeds The proceeds realized from the sale of bonds under the provisions of this act shall be paid into a special fund in the State Treasury hereby created to be known as the Veterans' Compensation Fund and shall be used for the payment of compensation to certain veterans as provided for in the Constitutional amendment hereinbefore cited and in legislation passed in conformity therewith

Section 5 Registration of Bonds The Auditor General shall prepare the necessary registry books to be kept in the office of the duly authorized loan and transfer agent of the Commonwealth for the registration of any bonds at the request of owners thereof All bonds which are issued without interest coupons attached shall be registered in the registry books kept by the duly authorized loan and transfer agent of the Commonwealth

Section 6 Information to General Assembly It shall be the duty of the Governor to include in every biennial budget submitted to the General Assembly full information relating to the issuance of bonds under the provisions of this act to enable the General Assembly to provide by appropriation the moneys necessary for the sinking fund of the Commonwealth for the payment of the interest on said bonds and the principal thereof at maturity

Section 7 Special Fund Investments Redemption of Bonds All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from the Veterans' Compensation Sinking Fund For specific purpose of redeeming said bonds at maturity and paying all interest thereon in accordance with the information received from the Governor the General Assembly shall appropriate biennially the moneys necessary for the payment of the interest on said bonds and the principal thereof at maturity All moneys so appropriated shall be paid into the Veterans' Compensation Sinking Fund by the State Treasurer and all of such moneys not necessary to pay accruing interest shall be invested by the Board of Finance and Revenue in such securities as are provided by law for the investment of the sinking funds of the Commonwealth

The Board of Finance and Revenue is authorized at any time to use any of the money in the Veterans' Compensation Fund not necessary for the payment of compensation to veterans in accordance with the provisions of the Constitutional amendment hereinbefore cited and the legislation passed in conformity therewith for the purchase and retirement of all or any part of the bonds issued under the authority of this act In the event that all or any part of said bonds shall be purchased by the Board of Finance and Revenue they shall be cancelled and returned to the State Treasurer as cancelled and paid bonds and thereafter all payments of interest thereon shall cease and the cancelled bonds and coupons shall be destroyed within two years after cancellation in the presence of the Governor the Auditor and the State Treasurer and a certificate evidencing the destruction satisfactory to the duly authorized loan and transfer agent of the Commonwealth shall be furnished to it All

canceled bonds and coupons shall be so marked as to make the canceled bonds and coupons non-negotiable

Section 8 Present Biennium Requirements The Board of Finance and Revenue shall determine the amount of money necessary for the payment of interest on the bonds for the two fiscal years beginning June first one thousand nine hundred and thirty-three and the times and amounts of such payments and the sums so determined shall be paid into the Veterans' Compensation Sinking Fund from the moneys realized from the sale of such bonds by the State Treasurer and for such purposes any of such moneys are hereby appropriated

Section 9 Quorum Whenever in this act any action is to be taken or decision made by the Governor the Auditor General and the State Treasurer and the three officers shall not be able unanimously to agree the action or decision of the Governor and either the Auditor General or State Treasurer shall be binding and final except that it shall be the mandatory duty of the Governor the Auditor General and the State Treasurer to issue bonds in accordance with the Constitutional amendment quoted in the first section of this act in such time that payments of compensation to veterans as provided for in said Constitutional amendment and legislation passed in conformity therewith may be made upon the establishment of the qualifications of those entitled thereto

Section 10 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceedd to the second reading and consideration of House Bill No. 40, as follows:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of he United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation

Section 1 Be is enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be cited as the "Veterans' Compensation Act"

Section 2 As used in this act the word "veteran" includes any individual a member of the military or naval forces of the United States during the war between the United States and Spain between the twenty-first day of April one thousand eight hundred and ninety-eight and the thirteenth day of August one thousand eight hundred and ninety-eight or who served in the China Relief Expedition in the Philippines or Guam between the twenty-first day of April one thousand eight hundred and ninety-eight and the fourth day of July one thousand nine hundred and two or during the World War between the sixth day of April one thousand nine hundred and seventeen and the eleventh day of November one thousand nine hundred and eighteen but does not include (a) any individual at any time during such periods or thereafter separated from such forces under other than honorable conditions (b) any conscientious objector who performed no military duty whatever or refused to wear the uniform or (c) any alien at any time during such periods or thereafter discharged from military or naval forces on account of his alienage

The term "legal resident of this Commonwealth" means any individual who gave the State of Pennsylvania or any specific place in this Commonwealth as his place of residence at the time of entering the military or naval forces of the United States for such period without regard to the place of enlistment commission or induction The proof of such residence shall be the official records on file in the War Department of the United States

Section 3 Compensation shall be payable under this act to any legal resident of this Commonwealth and shall be computed on the basis of ten dollars ($10.00) for every month and major fraction thereof of active service in the military or naval forces of the United States ..fter the fifth day of April one thousand nine hundred and seventeen and before the twelfth day of November one thousand nine hundred and eighteen between the twenty-first day of April one thousand eight hundred and ninety-eight and the thirteenth day of August one thousand eight hundred and ninety-eight or in the China Relief Expedition in the Philippines or Guam between the twenty-first day of April one thousand eight hundred and ninety-eight and the fourth day of July one thousand nine hundred and two as shown by the service oi other record of the veteran No veteran woh served less than sixty days active service shall be entitled to receive any compensation under this act Any veteran who was in active service during the periods specified shall be allowed the per monthly compensation as designated until his separation from service but no veterans shall be entitled to receive compensation under this act in a sum to exceed two hundred dollars ($200.00)

Section 4 In computing time in the service for compensation no allowance shall be made to

(a) Any civilian officer or employe of any branch of the military or naval forces contract surgeon cadet of the United States Military Academy midshipman cadet of the Coast Guard member of the Reserve Officers Training Corps member of the Students' Army Training Corps (except an enlisted man detailed thereto) Philippine Scout member of the Philippine Guard member of the Philippine Constabulary member of the Porto Rico Regiment of Infantry member of the National Guard of Hawaii member of the insular forces of the Navy member of the Samoan native guard and band of the Navy or Indian scout in each case for the period of service as such

(b) Any member of the Public Health Service for any period during which he was not detailed for duty with the Army or the Navy

(c) Any individual granted a farm or industrial furlough for the period of such furlough

(d) Any individual detailed for work in the Spruce Production Division of the Air Service for the period during which his pay was equalized to conform to the pay of civilian employes in the same or like employment

Section 5 In computing the compensation of any veteran under this act effect shall be given to all sub-divisions of section four which are applicable

Section 6 With respect to veterans of the World War for the purpose of section three in the case of members of the National Guard or the National Guard Reserve called into service by proclamation of the President the time of service between the date of call into service as specified in such proclamation and the fifth day of August one thousand nine hundred and seventeen both dates inclusive shall be deemed to be active service in the military or naval forces of the United States Provided That in case of members of the National Guard or National Guard Reserve called into the service by proclamation of the President before the sixth day of April one thousand nine hundred and seventeen active service in the military or naval forces of the United States for the purpose of this act shall be deemed to commence on the sixth day of April one thousand nine hundred and seventeen

Section 7 Application for compensation shall be made to the Adjutant General on such forms and in such manner as he shall prescribe

All applications shall be made (1) personally by the veteran or (2) in case of physical or mental incompetency preventing the making of a personal application then by such representative of the veteran as the Adjutant General shall by regulation prescribe An application made by a representative other than one authorized by such regulation shall be held void

Section 8 Applicants shall state on their applications whether or not they have applied for or received a bonus gratuity or compensation of a nature similar to that provided for by this act from any other state in the Union

Section 9 In the case of veterans who died while in the military or naval forces of the United States before the twelfth day of November one thousand nine hundred and eighteen the amount of compensation payable under this act shall be computed up to and including the eleventh day of November one thousand nine hundred and eighteen

Section 10 In case of the death of any veteran who would if living be entitled to compensation under this act the same

shall be paid to the following persons in the order named and none other (a) Surviving wife or husband (b) surviving child and if there be more than one child surviving then equally among such children (c) surviving mother (d) surviving father

Section 11 Every person making application for compensation as herein provided shall set forth in his application the names and addresses of all persons who under this act would be entitled to receive the same in the event of the death of the applicant and if such applicant shall die before the payment of such compensation then such application shall be deemed to inure to the benefit of the person or persons next entitled thereto and payment shall be made to such person or persons upon proof of identity satisfactory to the Adjutant General If all persons designated herein as entitled to compensaton shall die before payment thereof the right to the compensaton shall cease and determine Application for compensation made in behalf of minor children shall be made by the duly appointed guardian of such children or by any person who stands in loco parentis to such minor children.

Sectoin 12 No sum payable under this act to a veteran or to his beneficiaries as shown in section ten shall be subject to attachment levy or seizure under any legal or equitable process and shall be exempt from all state taxation. No right to compensation under the provisions of this got shall be assignable except as hereinafter provided or serve as a security for any loan nor be regarded as the assets of the deceased veteran nor be made the basis of administration thereof Any assignment or loan made in violation of this section shall be held void Provided however That assignments to any group or organization of veterans incorporated or unincorporated or to any non-profit corporation heretofore formed solely for aiding disabled or incapacitated veterans and assignments to the State Veternas' Commission shall be valid The State Veterans' Commission is hereby authorized to accept such assignments which shall be treated as confidential and the funds realized from such assignments shall be expended by said commission solely for the aid of needy veterans and their families Except as in this section provided the Adjutant General shall not direct the payment nor shall payment be made under this act to any person other than the veteran or his beneficiaries as set forth in section ten or such representatives of the veteran as the Adjutant General shall by regulation prescribe

Section 13 Any person who charges or collects or attempts to charge or collect either directly or indirectly any fee or other compensation for assisting in any manner a veteran in obtaining any of the benefits to which he is entitled under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than five hundred dollars ($500.00) or imprisonment for not more than one year or both at the discretion of the court This provision shall not apply to the fees authorized by law that may be collected by a notary public or other officer having power to administer oaths for necessary affidavits required under this act

Section 14 The Adjutant General shall as soon as practicable after the approval of this act prepare and publish a pamphlet or pamphlets containing a digest and explanation of the provisions of this act accompanied by such statements as he believes may be of assistance to the veterans in filing their applications and shall from time to time prepare and publish such additional or supplementary information as may be found necessary

The said pamphlet or pamphlets shall be distributed in such manner as the Adjutant General may determine to be most effective to inform veterans of their rights under this act and the Adjutant General shall enlist as far as possible the services of veteran organizations in this Commonwealth in the dissemination of such information

Section 15 Immediately upon the passage of this act the Adjutant General shall ascertain the individuals who are veterans as defined in section two and as to each veteran the number of months of service as defined in section three for which he is entitled to receive compensation and his decisions shall be final and not subject to review In all cases not within the express purview of this act the decision of the Adjutant General as to payment or nonpayment of compensation or eligibility therefor shall be in all things final

Section 16 Whoever knowingly makes any fasle or fraudulent statement of a material fact in any application certificate or document made under the provisions of this act or of any regulation made by the Adjutant General in administering this act shall be guilty of a misdemeanor and upon conviction thereof be fined not more than one thousand dollars ($1,0000.00) or undergo imprisonment of not more than five years or both at the discretion of the court.

Section 17 For the purpose of carrying into effect the provisions of this act the Adjutant General of the Commonwealth is charged with the administration thereof and for that purpose he shall prepare and distribute application blanks investigate all claims and applications filed with him and if satisfied of the proof of such claim or application approve the same and direct payment thereof and shall make any regulations necessary to the efficient administration of the provisions of this act

The books papers and records together with the filing cases and equipment procured and used in the administration of this act shall become a part of the permanent records of the office of the Adjutant General

Section 18 All printing necessary to carry out the provisions of this act shall be done by the Bureau of Publications on the requisition of the Adjutant General to the Department of Property and Supplies

Section 19 The Adjutant General may employ the necessary clerical help and fix their salaries and pay for postage and other expenses incurred in the administration of this act In all appointments under this act preference shall so far as practicable be given to veterans

Section 20 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not effect or impair any of the remaining provisions of the act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein.

Section 21 For the purpose of paying for the clerical services postage and other necessary expenses incurred by the Adjutant General in the administration of this act the sum of four hundred and sixty-two thousand six hundred and twenty-five dollars ($462,625.00) or as much thereof as may be necessary is specifically appropriated from funds realized from the sale of bonds issued in conformity with the constitutional amendment authorizing the creation of indebtedness for the purposes set forth in this act and other statutes passed in conformity with said constitutional amendment

Section 22 The compensation payable under this act shall be paid by the State Treasurer from the Veterans' Compensation Fund created or about to be created by accompanying legislation upon requisition by the Adjutant General

Section 23 The act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred thirty-six) entitled "An act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation" is hereby repealed

All other acts or parts of acts inconsistent herewith are hereby repealed

Section 24 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading

STATEMENT BY MR. WILSON

Mr. WILSON asked and obtained unanimous consent to make the following statement:

Mr. WILSON. Mr. Speaker and members of the House, yesterday afternoon, after the Committee of the Whole rose, I made a motion to strike from the bill the amendment of the gentleman from Allegheny, Mr. L. J. Kane, which sent back to the municipalities one-half of the money provided for in the section. I hesitated very much to do it, not only out of my personal regard for the gentleman from Allegheny, in which the whole House shares, but also from the fact that by doing so I was preventing the municipalities from

receiving money which they very urgently need. With that in view and because of that reason I ask unanimous consent now to read to the House a statement which covers my position.

When I last addressed you yesterday afternoon, I was tempted then to give you the information which I am about to convey, but refrained from prolonging the discussion, realizing as I did that the House was exceedingly weary. The impression seems to prevail that there is an ample, unlimited supply of funds for unemployment relief. I think every member of the House should understand the financial aspects of this relief situation. As I understand it, it is as follows:

We are spending an average of five million six hundred thousand dollars for relief. The figure I have named includes allocations to counties, medicine, clothing, cost of administration and sundry items.

Up to the present time the state has provided $47,000,000 in actual cash, and the federal government has given us $56,281,849. This makes a total of over $103,000,000, which will be exhausted by December 1st next. It should be noted from these figures that the state is about $9,000,000 behind the federal government in actual money contributed.

We have immediately available twenty million dollars from the twenty-five million dollar bond issue just approved by the people. On a strict basis of matching we will have that twenty million and eleven million dollars from the federal government or a total of $31,000,000 which on the monthly average basis of $5,600,000 should last us until June 1st, 1934.

If we appropriate $20,000,000 out of the liquor revenues at this session and the government matches that sum we will have $40,000,000 which on the monthly average basis will cover these needs only until the end of 1934. You will note that this leaves no provision for the last five months of the present biennial period and it means further that if we make no more generous provision than I have outlined above we are leaving to our successors the problem of providing in midwinter for relief needs as one of the first problems it will have to solve when the Legislature convenes in January, 1935.

You may say that I am unduly pessimistic in not speculating upon the result of the revival of industry. Let me remind you that I am probably unduly optimistic when I predicate this picture upon the fact that the federal government will go along with us during all of the year 1934, on a fifty fifty basis of matching dollar for dollar which we provide for unemployment relief.

If there are millions of dollars just around the corner as we are given to understand we certainly have a place to put this money without looking very far. Before we become unduly generous in other directions we had better provide for what we know is an imperative demand from our people everywhere in the Commonwealth for food, clothing, medicine and shelter for our unemployed.

I make this statement, Mr. Speaker and ladies and gentlemen of the House, in order that I may have on this record—understand here that I am interested very much in the purpose of this bill of the gentleman from Allegheny and this purpose in offering the amendments and for him I have great regard,——but I make the statement in order that I may have on this record the reasons why I made the motion to strike from the bill the amendment which gave the municipalities certain sums of money, which the Commonwealth needs, and without which it would be absolutely impossible for the Commonwealth to get through until the time when the next Legislature meets on the first Monday of January of 1935.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TURNER. Mr Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TURNER. My Speaker, I would like to know whether it is permissible for one member of the Legislature to use another member's alibi.

The SPEAKER. The Chair would hesitate to rule on such a question of parliamentary inquiry.

If another member's alibi is used he has methods to pursue outside of this forum.

QUESTION OF PERSONAL PRIVILEGE

Mr. TURNER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Delaware, Mr. Turner, will state his question of personal privilege.

Mr. TURNER. Mr. Speaker and members of the House, in view of the very able statement just made by my friend from McKean, Mr. Wilson, protecting his record on the vote yesterday, I would like to ask the permission of the House that the same statement be made on behalf of all those who voted on that question yesterday, so that the record of all the rest of the members will be the same, and he alone will not be placed in that position.

The SPEAKER. Does the Chair understand from the gentleman from Delaware, Mr. Turner, that he is apologizing for his vote on the measure yesterday?

Mr. TURNER. Mr. Speaker, as a member of the Bar, I often have to sit in Court and have the Court say things to me on which I cannot come back.

The SPEAKER. The gentleman from Delaware, Mr. Turner, is advised that he is in Court at the present time.

Mr. TURNER. But when I stand on the floor of this House, I concede no right to the Speaker to say anything to me on which I cannot come back at him. I think that the gentleman who is presiding over this House with his long acquaintance with the gentleman from Delaware who is now speaking, knows that he is not in the habit of apologizing for any of his votes, except those that he casts when the Speaker requests him to.

I think that all the members that voted against this amendment yesterday, to take it out of the bill, that they all wish to avoid any consequences that might come to them back home by reason of the fact that some municipality might say that they took some of this money away from them. It cannot affect me personally in any way because I live out in that part of the country where there cannot be any liquor stores, and no municipality in my section of the county would get any of this money, but Uncle Ed. Nothnagle living in Chester would get all of the money that would come into Delaware County. However, I do feel that some of the members might be misunderstood at home. I think the gentleman from McKean, Mr. Wilson, made a very fine statement, and the rest of us should be given the opportunity to say the same thing also.

QUESTION OF PERSONAL PRIVILEGE

Mr. WILSON. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WILSON. I wish to state, Mr. Speaker and members of the House, my statement was not made in any way with a view

to protecting myself or with any thought of any political consequences that might arise. The Speaker was present the other evening when one of the leading officials of the Commonwealth said, when the question arose as to whether or not I would be adversely affected by the things that I might do, that it was too late in the day to make my record any worse than it now is.

I made this statement because I thought that we ought to realize the serious financial situation with which this Commonwealth is faced. I wished to get that before the members as well as to get my reasons for the motion I made before the House. I do not expect to ever be a candidate for public office again, and I make a promise to the House that I will not be in the Legislature in the future, so I don't want to get myself on the record as making this statement to protect myself politically.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

QUESTION OF PERSONAL PRIVILEGE

Mr. SOWERS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Philadelphia, Mr. Sowers, will state his question of personal privilege.

Mr. SOWERS. Mr. Speaker, I would like to make an inquiry from the gentleman from McKean, Mr. Wilson and the gentleman from Delaware, Mr. Turner, whether or not their motion before the House is a motion for a new trial on the ground of after-discovered evidence.

The SPEAKER. Does the gentleman from Philadelphia, Mr. Sowers, desire to interrogate the gentleman from McKean and the gentleman from Delaware?

Mr. SOWERS. Mr. Speaker, the gentlemen can both explain themselves very well.

PETITION

The SPEAKER laid before the House the following petition, presented by Mr. Boyd, which was read by the Clerk.

URGING LEGISLATION SIMILAR TO BROOKS LAW

Owners or Operators of hotels in Westmoreland County.

Referred to the Committee on Judiciary General.

REPORT FROM COMMITTEE

Mr. CONNER, from the Committee on Ways and Means, reported as amended, House Bill No. 17, entitled:

An Act to amend the title and certain sections of the act approved the nineteenth day of February, one thousand nine hundred twenty-six (Pamphlet Laws, sixteen), entitled "A supplement to the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, thirty-four), entitled 'An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; repealing existing alcoholic liquor laws and alcoholic liquor license laws'; providing for the registering of federal permits; also regulating, under permit, through a Pennsylvania Alcohol Permit Board created in the Department of Welfare, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, recovery, reuse, holding in bond, holding in storage by bailees for hire, sale at wholesale, and transportation for hire, of any alcohol or alcoholic liquid, by certain persons; also providing for fees and the disposition thereof; also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act," by making the act consistent with the repeal of the Eighteenth Amendment, changing definitions and exemptions, bringing rectifiers within the act, providing for the abatement of nuisances, and increasing fees.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 3:00 o'clock P. M. Are there objections? The Chair hears none and (at 11:25 o'clock A. M.) a recess is declared until 2:45 o'clock P. M

AFTER RECESS

The House reconvened at 2:45 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair

BILLS INTRODUCED AND REFERRED

By Mr. SPANN. HOUSE BILL No. 95.

An Act to provide for the investigation and study of wages of men, women and minors employed in trade and industry in the Commonwealth of Pennsylvania, and for the determination and establishment of minimum fair wage standards for such workers and for the purpose of preventing unfair and oppressive exploitation of such workers; providing procedure to enforce the payment of such minimum wages; and prescribing penalties.

Referred to the Committee on Judiciary General.

By Mr. BOYD. HOUSE BILL No. 96

A Joint Resolution proposing an amendment to section seven of article nine of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. McCLURE. HOUSE BILL No. 97.

An Act authorizing officers, departments, boards and commissions of any political subdivision of the Commonwealth, and cities, counties, boroughs, incorporated towns, townships, school districts, to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances.

Referred to the Committee on Municipal Corporations.

By Mr. HOUGH. HOUSE BILL No. 98.

An Act to regulate commerce and prevent unfair competition; defining fair prices, prescribing remedies to uphold the same, and providing penalties.

Referred to the Committee on Judiciary General.

By Mr. REED. HOUSE BILL No. 99.

An Act for the relief of financially distressed taxpayers; providing for the payment in installments of delinquent county, city, borough, incorporated town, township, school and poor taxes in certain cases, and abating penalties and interest thereon.

Referred to the Committee on Municipal Corporations.

By Mr. QUINN. HOUSE BILL No. 100

An Act to regulate the employment of minors.

Referred to the Committee on Labor.

By Mr. DAVID R. PERRY. HOUSE BILL No. 101.

An Act to amend section two of the act approved the twenty-seventh day of May one thousand nine hundred and nineteen (Pamphlet Laws three hundred six) entitled "An act relating to criminal procedure before aldermen justices of the peace and magistrates in cases of assault and assault and battery and providing for the assessment of costs in such

cases upon the prosecutor defendant or county and the commitment of the prosecutor or defendant in case of default" by preventing the imposition of costs upon the county in such cases

Referred to the Committee on Judiciary General.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair gives notice that the Sergeants-at-arms are about to distribute copies of House Bill No. 10. Due to the fact that these copies are limited the Chair requests the members to preserve the bills placed upon their desks.

COMMUNICATION

The SPEAKER laid before the House a communication addressed to Hon. William Lane, which was read by the Clerk.

SUGGESTING AMENDMENTS TO LIQUOR CONTROL BILLS

First Hungarian Beneficial Society of Daisytown.

Referred to the Committee on Judiciary General

COMMITTEE APPOINTMENTS

The SPEAKER. The Chair gives notice that he has made the following Committee appointments to fill the places on the standing committees made vacant by death and resignation.

WILLIAM J. GALLAGHER: Labor, Cities, Elections, Law and Order, Railroads and Railways.

PETER W. MURPHY: Cities, Elections, Law and Order Railroads and Railways, Federal Relations.

HARRY E. TROUT: Education, Ways and Means, Legislative Apportionment, Printing, State Government.

The SPEAKER. If the gentleman from Philadelphia, Mr. Flynn, will announce his desires to the Chair so far as committees are concerned he will be glad to make the assignments.

STATEMENT BY MR. THOMAS J. GALLAGHER.

Mr. THOMAS J. GALLAGHER. Mr. Speaker I ask unanimous consent to make a statement.

The SPEAKER. The Chair desires to inform the House that it is not necessary to ask for unanimous consent, and the gentleman will proceed.

Mr. THOMAS J. GALLAGHER. Mr. Speaker and ladies and gentlemen of the House, I want to call your attention to the fact that you have a majority report under House Resolution No. 91, to investigate labor conditions in the State of Pennsylvania.

I urge upon the members of this House careful consideration of that report and when the time comes that the bills are placed before you concerning this legislation, such as minimum wage laws for women and old age pensions, I hope that each and very member of this House will give favorable consideration to the findings of this Committee and I urge you to adopt those laws.

The SPEAKER. The remarks of the gentleman will be spread upon the Journal.

SENATE MESSAGE

TIME OF NEXT MEETING.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 22, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, November twenty-seventh, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, November twenty-seventh, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

One the question.

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 14.

An act to provide for the expenses of the extraordinary session of the Legislature assembled November thirteenth Anno Domini one thousand nine hundred thirty-three in pursuance of the proclamation of the Governor of the Commonwealth dated the ninth day of November Anno Domini one thousand nine hundred thirty-three.

With the information that the Senate has passed the same without amendment.

RESOLUTION

APPOINTMENT OF ASSISTANT SERGEANT AT ARMS.

Mr. MYERS asked and obtained unanimous consent to offer the following resolution which was twice read, considered and adopted·

In the House of Representatives, November 22nd, 1933.

Resolved, That the resignation of Justus D. Battis, as Assistant Sergeant-at-Arms of this House, which has been presented to the Speaker, be accepted and that William F. Connor of 3801 Market Street, Philadelphia, be appointed in his stead

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, November 22, 1923.

Hon. Grover C. Talbot, Speaker of the House of Representatives, Harrisburg, Pa.

Dear Mr. Speaker:

In accordance with the conclusions reached at our recent conference, this is to notify you that upon the passage of legislation creating the Pennsylvania Liquor Control Board, I will at once nominate for membership upon that Board the three following gentlemen:

Robert S. Gawthrop of West Chester
Thomas W. Phillips, Jr., of Butler
A. Marshall Thompson of Pittsburgh.

Sincerely yours,

GIFFORD PINCHOT.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL NO. 14.

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled November thirteenth Anno Domini one thousand nine hundred thirty-three in pur-

suance of the proclamation of the Governor of the Commonwealth dated the ninth day of November Anno Domini one thousand nine hundred thirty-three.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SPECIAL ORDER (HOUSE BILL No. 10)

The SPEAKER. The hour of 3:00 o'clock having arrived the Chair lays before the House the special order of business fixed for this time, being House Bill No. 10, Printer's No. 16.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 10, as follows:

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation of such beverages into the State except as herein provided prohibiting certain sales of practices in connections with the transactions in such beverages by licensees and others making disposition of the receipts from State stores and of license fees and imposing penalties

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1 Short Title This act shall be known and may be cited as the "Pennsylvania Liquor Control Act"

Section 2 Definitions The following words or phases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Association" shall mean a partnership limited partnership or any form of unincorporated enterprise owned by two or more persons

"Board" shall mean the "Pennsylvania Liquor Control Board" of this Commonwealth

"Club" shall mean any group of individuals associated together not for profit for legitimate purposes of mutual benefit entertainment fellowship or convenience which if incorporated has been in continuous existence for at least six months and if unincorporated for at least twenty years immediately preceding the date of its application for a license under this act and which regularly occupies as owner or lessee a clubhouse

"Corporation" shall mean a corporation or jointstock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Hotel" shall mean any reputable place operated by responsible persons of good reputation where the public may for a consideration obtain sleeping accommodations with meals and which has at least ten permanent bedrooms for the use of guests a public dining room operated by the same management accommodating at least forty persons at one time and a kitchen apart from the public dining room in which food is regularly prepared for the public

"Liquor" shall mean and include any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic and all drinks or drinkable liquids preparations or mixtures which contain more than one-half of one per cent of alcohol by volume except alcohol and malt liquors.

"Malt Liquor" means any beer lager beer ale porter or similar fermented malt liquor containing one-half of one per centum or more of alcohol by volume by whatever name such liquor may be called.

"Manufacturer" shall mean any person association or corporation engaged in the producing manufacturing distilling rectifying or compounding of liquor in this Commonwealth

"Municipality" shall mean any city borough incorporated town or township of this Commonwealth

"Package" shall mean any container or containers or receptacle or receptacles used for holding liquor as marketed by the manufacturer.

"Person" Every natural person association or corporation Whenever used in a clause prescribing or imposing a fine or imprisonment or both the term "person" as applied to "association" shall mean the partners or members thereof and as applied to "corporation" shall mean the officers thereof

"Restaurant" shall mean a reputable place operated by responsible persons of good reputation and habitually and principally used for the purpose of providing meals for the public the place to have an area within a building of not less than five hundred square feet equipped with tables and chairs accommodating at least fifty persons at one time and a kitchen apart from such area regularly used for the preparation of food for the public and in which at least three persons are regularly employed in the preparation of meals or work incidental thereto

"Sale" or "Sell" shall include any transfer of liquor for a consideration and any gift in connection with or as a part of a transfer of property other than liquor for a consideration

Section 3 Interpretation of Act (a) This act shall be deemed an exercise of the police power of the Commonwealth for the protection of the public welfare health peace and morals of the people of the Commonwealth and to prohibit forever the open saloon and all of the provisions of this act shall be liberally construed for the accomplishment of this purpose

(b) The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

(c) Except as otherwise expressly provided the purpose of this act is to prohibit transactions in liquor which take place wholly within the Commonwealth except by and under the control of the board as herein specifically provided and every section and provision of the act shall be construed accordingly The provisions of this act dealing with the importation sale and disposition of liquor within the Commonwealth through the instrumentality of the board and otherwise provide the means by which such control shall be made effective This act shall not be construed as forbidding affecting or regulating any transaction which is not subject to the legislative authority of this Commonwealth.

(d) Any reference in this act to the provisions of law on any subject shall apply to statutes becoming effective after the effective date of this act as well as to those then in existence.

(e) Section headings shall not be taken to govern or limit the scope of the sections of this act The singular shall include the plural and the masculine shall include the feminine and the neuter

ARTICLE II

GENERAL POWERS AND DUTIES OF PENNSYLVANIA ALCOHOL PERMIT BOARD

Section 201 General Powers of Board Under this act the board shall have the power and its duty shall be

(a) To buy import or have in its possession for sale and sell liquor in the manner set forth in this act

(b) To control the possession sale consumption and delivery of liquor in accordance with the provisions of this act

(c) To determine the municipalities within which Pennsylvania Liquor Stores shall be established and the locations of the stores within such municipalities

(d) To grant and issue liquor licenses as provided in this act

(e) To lease through the Department of Property and Supplies as agent and furnish and equip such buildings rooms and other accommodations as shall be required for the operation of this act

(f) To appoint fix the compensation and define the powers and duties of such managers officers inspectors clerks and other employes as shall be required for the operation of this act subject to the provisions of The Administrative Code of 1929 except as otherwise provided in this act

(g) To determine the nature form and capacity of all packages to be used for containing liquor kept or sold under this act

(h) Without in any way limiting or being limited by the foregoing to do all such things as are deemed necessary or advisable for the purpose of carrying into effect the provisions of this act and the regulations made thereunder

Section 202 General Power to Make Regulations The board may from time to time make such regulations not inconsistent with this act as it may deem necessary for the efficient administration of this act The board shall cause such regulations to be published and disseminated through the Commonwealth in such manner as it shall deem necessary and advisable Such regulations adopted by the board shall have the same force as if they formed a part of this act

Whenever it is provided in this act that any act matter or thing may be done if permitted or authorized by the regulations or may be done in accordance with the regulations or as provided by the regulations prescribed by the board under this act the board subject to the provisions of this act shall have the power to prescribe regulations respecting such act matter or thing

Section 203 Specific Subjects on which Board may Adopt Regulations Subject to the provisions of this act and without limiting the general power conferred by the preceding section the board may make regulations regarding

(a) The equipment and management of Pennsylvania Liquor Stores and warehouses in which liquor is kept or sold and the books and records to be kept therein

(b) The duties and conduct of the officers and employes of the board

(c) The purchase of liquor and its supply to Pennsylvania Liquor Stores

(d) The classes varieties and brands of liquor to be kept and sold in Pennsylvania Liquor Stores

(e) The issuing and distribution of price lists for the various classes varieties or brands of liquor kept for sale by the board under this act

(f) The sealing and labeling of liquor sold under this act

(g) Forms to be used for the purposes of this act

(h) The issuance of licenses to hotels restaurants clubs and railroad pullman or steamship companies and the conduct management and equipment of licensed places

(i) The place and manner of depositing the receipts of Pennsylvania Liquor Stores and the transmission of balances to the Treasury Department through the Department of Revenue

ARTICLE III

PENNSYLVANIA LIQUOR STORES

Section 301 Board to Establish State Liquor Stores The board shall establish operate and maintain at such places throughout the Commonwealth as it shall deem essential and advisable stores to be known as "Pennsylvania Liquor Stores" for the sale of liquor in accordance with the provisions of and the regulations made under this act When the board shall have determined upon the location of a Liquor Store in any municipality it shall give notice of such location by public advertisement in at least two newspapers of general circulation If within five days after the appearance of such advertisement fifteen or more taxpayers residing within a quarter of a mile of such location shall file a protest with the Court of Quarter Sessions of the county averring that the location is objectionable because of its proximity to a church a school or to private residences the court shall forthwith hold a hearing affording an opportunity to the protestants and to the board to present evidence The court shall render its decision immediately upon the conclusion of the testimony and from its decision there shall be no appeal If the court shall determine that the proposed location is undesirable for the reasons set forth in the protest the board shall abandon it and find another location The board may establish operate and maintain such establishments for storing and testing liquors as it shall deem expedient to carry out its powers and duties under this act

The board may lease the necessary premises for such stores or establishments but all such leases shall be made through the Department of Property and Supplies as agent of the board The board through the Department of Property and Supplies shall have authority to purchase such equipment and appointments as may be required in the operation of such stores or establishments

Section 302 Selection of Personnel to Operate Pennsylvania Liquor Stores No officer or employe shall be appointed or employed by the board to operate or assist in the operation of Pennsylvania Liquor Stores or other establishments maintained by the board except as provided in this section The board is hereby authorized to prescribe from time to time by rule or regulation the qualifications to be possessed by persons desiring employment in such stores or establishments the qualifications shall be such as will best promote the efficient operation and management of such stores or establishments but in all cases persons appointed shall be citizens of the United States

Every person desiring employment in a Pennsylvania Liquor Store or establishment shall file with the board an application under oath or affirmation which shall be in such form and shall set forth such information as the board shall prescribe Provided however That the board shall not require an applicant to furnish a photograph of his or her self and that no application blank shall require the color of the applicant to be designated Upon receiving such application the board shall transmit the same to the Department of Public Instruction which shall determine whether under the rules or regulations of the board the applicant is qualified for the employment he seeks If so the applicant shall be admitted to competitive examination when examinations shall next be held for positions in the class of employment he seeks Such competitive examinations shall be practical in character and as far as may be possible shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to perform the duties of the service to which they seek to be appointed

The Department of Public Instruction shall conduct such examinations at such places in the Commonwealth as to make it reasonably convenient and inexpensive for applicants to attend them When there are positions to be filled examinations shall be held at least twice in each year The Department may divide the State into districts for the purpose of conducting such examinations Every candidate admitted to such examinations shall be given a number so that when his paper is marked and graded it will be impossible for the person passing upon the examination papers to ascertain his identity until his grade has ben established The examination papers of such candidates shall be marked by committees composed of representatives of the Department and of persons not employed by the Commonwealth in any other capacity designated by the presidents of the colleges and universities receiving State aid from the Comonwealth All such outside examiners shall receive compensation at the rate of fifteen dollars per day for their services The number of committees which may be necessary shall be determined by the Department and each committe shall consist of three persons The selections made by the presidents of State-aided colleges and universities shall be submitted to the Department in writing by each president and the Depatrment shall designate committee member from the lists so submitted in rotation

All offices place and employments in Pennsylvania Liquor Stores or establishments operated by the board shall be filled by selections from persons who have satisfactorily passed the examinations The person receiving the highest grade shall be first appointed and so on The list of eligibles in any district shall be valid only until the next examination is held in such district

Section 303 Management of Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall be conducted by a person appointed in the manner provided in this article who shall be known as the "manager" and who shall under the directions of the board be responsible for carrying out the provisions of this act and the regulations adopted by the board under this act as far as they relate to the conduct of such stores

Section 304 When Sales May be Made at Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall be open for business week days except legal holidays or any day on which a general municipal special or primary election is being held from nine A. M. to nine P. M. The board may with the approval of the Governor temporarily close any store in any municipality during any period of emergency proclaimed to be such by the Governor

Section 305 Sales by Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall keep in stock for sale such classes varieties and brands of liquor as the board shall

prescribe If any person shall desire to purchase any class variety or brand of liquor which any such store does not have in stock it shall be the duty of such store immediately to order the same upon the payment of a reasonable deposit by the purchaser in such proportion of the approximate cost of the order as shall be prescribed by the regulations of the board The customer shall be notified immediately upon the arrival of the goods

Unless the customer pays for and accepts delivery of any such special order within five days after notice of arrival the store may place it in stock for general sale and the customer's deposit shall be forfeited

Every Pennsylvania Liquor Store shall sell liquors at wholesale to hotels restaurants clubs and railroad pullman and steamship companies licensed under this act and under the regulations of the board to pharmacists duly licensed and registered under the laws of the Commonwealth and to manufacturing pharmacists or chemists All other sales by such stores shall be at retail No liquor shall be sold except for cash

No liquor shall be sold to any purchaser except in a package sealed with the official seal of the board required by this act which package shall not be opened on the premises of a Pennsylvania Liquor Store No manager or other employe of the board employed in a Pennsylvania Liquor Store shall allow any liquor to be consumed on the store premises nor shall any person consume any liquor on such premises

Every purchaser of liquor from a Pennsylvania Liquor Store shall receive a numbered receipt which shall show the brand of liquor the price paid therefor and such other information as the board may prescribe Copies of all receipts issued by a Pennsylvania Liquor Store shall be retained by and shall form part of the records of such store

Section 306 Audits by Auditor General It shall be the duty of the Department of the Auditor General to make all audits which may be necessary in connection with the administration of the financial affairs of the board and the Pennsylvania Liquor Stores operated and maintained by the board

At least one audit shall be made each year of the affairs of the board and all collections made by the Pennsylvania Liquor Stores shall be audited quarterly

Special audits of the affairs of the board and the Pennsylvania Liquor Stores maintained and operated by the board may be made whenever they may in the judgment of the Auditor General appear necessary and shall be made whenever the Goevrnor shall call upon the Auditor General to make them

Copies of all audits made by the Department of the Auditor General shall be promptly submitted to the board and to the Governor

Unless the Department of the Auditor General shall neglect or rufuse to make annual quarterly or special audits as hereinabove required it shall be unlawful for the board to expand any money appropriated to it by the General Assembly for any audit of its affairs except for the payment of the compensation and expenses of such auditors as are regularly employed as part of the administrative staff of the board

ARTICLE IV

LICENSES TO SELL LIQUOR FOR CONSUMPTION ON THE PREMISES

Section 401 Authority to Issue Liquor Licenses to Hotels, Restaurants and Clubs (a) Subject to the provisions of this act and regulations promulgated under this act the board shall have authority to issue a liquor license for any premises kept or operated by a hotel restaurant or club and specified in the license entitling the hotel restaurant or club to purchase liquor from a Pennsylvania Liquor Store, and to keep on the premises such liquor and subject to the provisions of this act and the regulations made thereunder to sell the same and also malt liquor to guests patrons or members for consumption on the hotel restaurant or club premises Such licenses shall be known as hotel liquor licenses restaurant liquor licenses and club liquor licenses repectively

Section 402 Application for Hotel Restaurant or Club Liquor Licenses Every applicant for a hotel liquor license restaurant liquor license or club liquor license shall file a written application with the Board in such form as the board shall from time to time prescribe which shall be accompanied by an application fee of ten dollars the prescribed license fee and the bond hereinafter specified Every such application shall contain a description of that part of the hotel restaurant or club for which the applicant desires a license and shall set forth such other material information description or plan of that part of the hotel restaurant or club where it is proposed to keep and sell liquor as may be required by the regulations of the board The application shall be signed and verified by oath or affirmation by the owner if a natural person or in the case of an association by a member or partner thereof or in the case of a corporation by an executive officer thereof or any person specifically authorized by the corporation to sign the application to which shall be attached written evidence of his authority If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officer thereof

Section 403 Issuance of Hotel Restaurant and Club Liquor Licenses Upon receipt of the application the proper fees and bond and upon being satisfied of the truth of the statements in the application and that the applicant is a hotel restaurant or club as defined in this act the board shall grant and issue to the applicant a license entitling him to purchase liquor from a Pennsylvania Liquor Store and in that part of the hotel restaurant or club set out in the license to sell by open bottle glass or other container or in any mixture the liquor so purchased and also malt liquor to the patrons guests or members for consumption in that part of the hotel restaurant or club habitually used for the serving of meals to patrons guests or members or in private rooms of the building as hereinafter provided and in accordance with the provisions of this act and the regulations made thereunder Licenses shall be issued to applicants if natural persons only to such who are citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding the application for license or when corporations only to such as were organized or are duly authorized to transact business in this Commonwealth and all of whose officers and directors shall be citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding the application for license

Section 404 Appeals From Refusal of Board to Issue Licenses Any person aggrieved by the refusal of the board to issue a hotel restaurant or club liquor license may appeal to the court of quarter sessions of the county in which the hotel restaurant or club is located Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the board whereupon a hearing shall be held upon the petition by the court upon ten days' notice to the board which shall be represented in the proceeding by the Department of Justice At such hearing testimony may be presented by the applicant and the board after the consideration of which the court shall either sustain the refusal of the board or order the issuance of the license to the applicant There shall be no further appeal

Section 405 Display of License Every license issued under this act shall be constantly and conspicuously exposed in that part of the hotel restaurant or club specified in the license where liquor may be kept sold and consumed under such license

Section 406. All Licensees to Furnish Bond A liquor license shall not be granted and issued to any hotel restaurant or club until the applicant therefor has filed with the board a surety bond payable to the Commonwealth of Pennsylvania in the amount of two thousand dollars ($2,000) Such bond shall have as surety a duly authorized surety company or two individuals to be approved by the board All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to liquors and malt liquors Such bonds shall be filed with and retained by the board Every such bond shall be turned over to the Department of Justice to be sued out if and when the licensee's license shall have been revoked as provided in this act

Section 407 License Fees (a) Every applicant for a hotel liquor license or restaurant liquor license shall before receiving such license pay to the board the following license fees which shall be graduated according to the population of the municipality as determined by the last preceding decen-

nial census of the United States in which the hotel or restaurant is located as follows

In municipaltities having a population of less than fifteen hundred inhabitants one hundred fifty dollars ($150.00)

In those having a population of fifteen hundred and more but less than ten thousand inhabitants two hundred dollars ($200.00)

In those having a population of ten thousand and more but less than fifty thousand inhabitants three hundred dollars ($300.00)

In those having a population of fifty thousand and more but less than one hundred thousand inhabitants four hundred dollars ($400.00)

In those having a population of one hundred thousand and more but less than one hundred forty thousand inhabitants five hundred dollars ($500.00)

In those having a population of one hundred forty thousand and more inhabitants six hundred dollars ($600.00)

(b) Every applicant for a club liquor license shall before receiving such license pay to the board a license fee of fifty dollars ($50.00)

(c) The fees for hotel restaurant or club licenses when applied for and issued on or after

April first but prior to July first shall be three-fourths of the annual fee

July first but prior to October first shall be one-half of the annual fee

October first but prior to January first one-fourth of the annual fee

(d) All license fees authorized under this section shall be collected by the board for the use of the municipalities except townships of the second class in which such fees were collected License fees for liquor licenses issued to hotels restaurants or clubs located in townships of the second class shall be collected by the board for the use of the school districts coextensive with such townships

Section 408 Licenses Not Assignable Transfers (a) Licenses issued under this act may not be assigned The board is hereby authorized to transfer any hotel restaurant or club liquor license from one person to another or from one place to another within the same municipality as the board may determine but no transfers shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not originally have been issued lawfully Any such transfer of a license may be made at any time Upon any refusal to grant a transfer the person aggrieved shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to grant licenses.

(b) Applications for any such transfers shall be filed with the board at least one week before the transfer is made Whenever any license is transferred no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current license year except a fee of twenty dollars ($20.00) to be paid to the board for the use of the Commonwealth

Section 409 License Year Renewal of Licenses (a) Unless previously revoked every license issued by the board under this act shall expire and terminate on the thirty-first day of December in the year for which the license is issued

(b) Licenses issued under the provisions of this act shall be renewed annually upon the filing of applications in such form as the board shall prescribe but no license shall be renewed until the applicant shall file with the board a new surety bond and shall pay the requisite application fee and license fee specified in this act

Section 410 Revocation and Suspension of License by Court of Quarter Sessions After a license has been issued to a hotel restaurant or club under this act the Attorney General the district attorney or fifteen or more taxpayers residents of the municipality where the hotel restaurant or club is located may petition the court of quarter sessions of the proper county for the revocation of such license If after notice and hearing it shall appear to the court that the licensee has violated any law of this Commonwealth or regulation of the board relating to liquor malt liquor or alcohol the court may suspend or revoke the license The court shall assess or remit the costs in its discretion The action of the court in suspending or revoking a license shall be final

Any licensee whose license is revoked shall be ineligible to have a license or permit under this act or under any other act relating to the manufacture sale or distribution of liquor or malt liquor until the expiration of five years from the date his license was revoked

Section 411 Sales of Liquor by Licensees Every hotel restaurant or club licensee may sell liquor for consumption only in that part of the hotel restaurant or club habitually used for the serving of meals to guests patrons or members and in the case of hotels and clubs to guests or members in their private rooms in the hotel or club In the case of a restaurant located in a hotel which is not operated by the owner of the hotel and which is licensed to sell liquor under this act liquor may be sold for consumption in that part of the restaurant habitually used for the serving of meals to patrons and also to guests in private guest rooms in the hotel

A hotel or restaurant licensee shall not maintain any counter or bar at or over which liquors are sold to guests patrons or members and it shall be unlawful for any such licensee to keep display or mix drinks in any part of a public dining room or to employ or permit any female to serve liquor or malt liquor to guests patrons or members

Liquor may be sold by licensees other than clubs only after seven o'clock ante meridian of any weekday and until two ante meridian of the following week day and shall not be sold on Sunday or on any day on which a general municipal special or primary election is being held

The Board may with the approval of the Governor temporarily close all licensed places within any municipality during any period of emergency proclaimed to be such by the Governor

Section 412 Sale of Malt Liquor Every license issued to a hotel restaurant club or a railroad pullman or steamship company under this act for the sale of liquor shall authorize the licensee to sell malt liquor at the same places but subject to the same restrictions and penalties as apply to sales of liquor It shall not be necessary for such licensees to obtain malt liquor retail licenses under the provisions of the Malt Liquor License Law

Section 413 Public Service Liquor Licenses Subject to the provisions of this act and regulations promulgated under this act the board upon application shall issue liquor licenses to railroad or pullman companies permitting liquor and malt liquor to be sold in the dining club or buffet cars to passengers for consumption while en route on such railroad and may issue liquor licenses to steamship companies permitting liquor or malt liquor to be sold in the dining compartments of steamships or vessels wherever operated in the Commonwealth except when standing or moored in stations terminals or docks within a municipality wherein sales of liquor for consumption on the premises are prohibited Such licenses shall be known as public service liquor licenses

For the purpose of considering an application by a steamship company for a public service liquor license the board may cause an inspection of the steamship or vessel for which a license is desired The board may in its discretion grant or refuse the license applied for and there shall be no appeal from its decision except that an action of mandamus may be brought against the board in the manner provided by law

Every applicant for a public service liquor license shall before receiving such license pay to the board for each dining club or buffet car for which a license is desired an annual fee of twenty dollars ($20.00) and for each steamship or vessel for which a license is desired an annual fee of one hundred dollars ($100.00) The board shall collect a proportionate license fee for such licenses issued during a license year in such proportions as elsewhere povided in this act in the case of hotels restaurants or club liquor licenses

A public service liquor license shall not be granted and issued to any railroad pullman or steamship company until the applicant therefor has filed with the board a surety bond similar to that required to be filed by a hotel restaurant or club licensee under this act except that in the case of a railroad or pullman company such bond shall cover every dining club or buffet car of such company for which a license is issued under this section

Unless previously revoked every license issued by the board under this section shall expire and terminate on the thirty-first day of December in the year for which the license is issued Licenses issued under the provisions of this section shall be renewed annually upon the filing of applications in such form as the board shall prescribe but no license shall be renewed until the applicant shall file with the board a new surety bond and shall pay the requisite license fee specified in this section

Sales of liquor and malt liquor by public service company licensees shall be made in accordance with and shall be subject to the provisions of this act relating to the sale of liquors by restaurant licensees

Section 414 Sacramental Wine Permits The board may upon application endorsed by the highest authority within this Commonwealth of at least one religious denomination or sect grant to responsible persons of good character sacramental wine permits The fee for such permits shall be one hundred dollars per annum and before any such permit shall be granted the applicant shall file with the board a bond in the sum of ten thousand dollars conditioned for the faithful observance by the permittee of all of the laws of this Commonwealth relating to the distribution sale and use of liquor and of the regulations of the board

Holders of such permits may import into this Commonwealth wine to be used for sacramental or religious purposes and to sell the same only to priests clergymen or rabbis for such purposes under such regulations as the board shall prescribe Priests clergymen and rabbis may lawfully make purchases from such permittees under the regulations of the board but any wine purchased under authority of this section shall not be used for any other than sacramental or religious purposes

Any such permit may be revoked by the board upon proof satisfactory to it that the permittee has violated any law of this Commonwealth relating to the distribuion sale or use of liquor or any regulation of the board

Section 415 Importer's Licenses The board may upon application grant to responsible persons of good reputation importer's licenses Such licenses shall permit the holders thereof to import liquor from foreign countries to be sold outside of this Commonwealth and exclusively to Pennsylvania Liquor Stores within this Commnwealth

The fee for such licenses shall be one hundred dollars per annum and before any such license shall be granted the applicant shall file with the board a bond in the sum of ten thousand dollars conditioned for the faithful observance by the licensee of all of the laws of this Commonwealth relating to the distribution sale and use of liquor and of the regulations of the board

Any such permit may be revoked by the board upon proof satisfactory to it that the licensee has violated any law of this Commonwealth relating to the distribution sale or use of liquor or any regulation of the board

ARTICLE V

LOCAL OPTION

Section 501 Local Option Areas Authorized In any municipality an election may be held but not oftener than once in four years on the date of any general or municipal election to determine the will of the electors with respect to the granting of licenses by the board to hotels restaurants and clubs within the limits of such municipality for the sale of liquor for consumption upon the premises of such hotels restaurants and clubs

Section 502 Petition of Electors for Local Option Whenever electors equal to at least ten per centum of the highest vote cast for any office in the municipality or township at the last preceding general election shall petition the corporate authorities of the municipality or township for a referendum on the question of granting such licenses the respective corporate authorities shall cause a question to be submitted at the general or municipal election occurring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners for submission of such question on the ballot or on voting machines at such election in the manner provided by the election laws of the Commonwealth

Such question shall be in the following form

Do you favor the granting of liquor licenses for the sale of liquor for consumption on premises where sold in of ?	Yes No	———

If a majority of the persons voting on such question vote "Yes" then liquor licenses shall be granted by the board to hotels restaurants and clubs in such municipality or township for the sale of liquors for consumption on their premises under the provisions of this act but if a majority of the persons voting on such question vote "No" then the board shall thereafter have no power to grant or to renew upon their expiration any liquor licenses in such municipality or township under the provisions of this act unless and until the people therein shall at a later time have again voted on the question and decided in the affirmative

Section 503 Unlawful to Sell Liquor for Consumption in Certain Local Option Areas It shall be unlawful for any person firm or corporation to sell liquor for consumption on the premises of any hotel restaurant club or other place in any local option area where the electors have voted against such sales but the sale of malt liquors by retailers shall not be unlawful in such areas unless the electors have also voted to prohibit such sales as provided in the Beverage License Law

ARTICLE VI

ILLEGAL ACTS PENALTIES

Section 601 Restrictions on Sales by Manufacturers or Licensed Importers It shall be unlawful for any manufacturer or licensed importer of liquor in this Commonwealth to sell or offer to sell any liquor in this Commonwealth except to the board for use in Pennsylvania Liquor Stores or to the holder of a sacramental wine permit but a manufacturer or licensed importer may sell or offer to sell liquor to persons outside of this Commonwealth

Section 602 Sales by Persons Other than Manufacturers (a) Except as provided in this act it shall be unlawful for any person by himself or by an employe or agent to expose or keep for sale or directly or indirectly or upon any pretense or upon any device to sell or offer to sell any liquor within this Commonwealth but this clause shall not be construed to prohibit hospitals physicians dentists or veterinarians who are licensed and registered under the laws of this Commonwealth from administering liquor in the regular course of their professional work and taking into account the cost of the liquor so administered in making charges for their professional services or a pharmacist duly licensed and registered under the laws of this Commonwealth from dispensing liquor on a prescription of a duly licensed physician dentist or veterinarian or selling medical preparations containing alcohol or using liquor in compounding prescriptions or medicines and making a charge for the liquor used in such medicines or a manufacturing pharmacist or chemist from using liquor in manufacturing preparations unfit for beverage purposes and making a charge for the liquor so used

(b) It shall be unlawful for any person except a manufacturer or the board or the holder of a sacramental wine permit or of an importer's license to keep any liquor within this Commonwealth which has not been purchased from a Pennsylvania Liquor Store

(c) Except as provided in this act it shall be unlawful for any person within this Commonwealth by himself or by an employe or agent to attempt to purchase or directly or indirectly or upon any pretense or device whatsoever to purchase any liquor from any person or source other than a Pennsylvania Liquor Store

(d) It shall be unlawful for any person except a manufacturer or the board or the holder of a sacramental wine permit or of an importer's license or a priest clergyman or rabbi who has purchased wine from the holder of a sacramental wine permit to have or keep any liquor within the Commonwealth unless the package (except the decanter or other receptacle containing liquor for immediate consumption) in which the liquor is contained has while containing that liquor been sealed with the official seal of the board

(e) It shall be unlawful for any licensee or the board or any employe of such licensee or of the board to sell furnish or give any liquor or to permit any liquor to be sold furnished or given to any person visibly intoxicated or to any insane person or to any minor

(f) It shall be unlawful for any licensee to sell or offer to sell any liquor to any person on credit excepting credit extended by a hotel or club to a bona fide guest or member No right of action shall exist to collect any claim for credit extended contrary to the provisions of this clause

(g) It shall be unlawful for any licensee or the board or any employe or agent of a licensee or of the board to sell offer to sell or furnish any liquor to any person on a pass-book or store order or to receive from any person any goods wares merchandise or other articles in exchange for liquor

(h) It shall be unlawful for any person to hawk or peddle any liquor in this Commonwealth

Section 603 Unlawful to Fortify Adulterate or Contaminate Liquor It shall be unlawful for any licensee or any employe or agent of a licensee or of the board to fortify adulterate or contaminate any liquor except as permitted by the regulations of the board

Section 604 Things of Value Not to be Offered for the Return of Certain Articles It shall be unlawful for any licensee or the board or any employe or agent of a licensee or of the board to offer to give anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing liquor or to offer to give anything of value as a premium or present to induce the purchase of liquor or for any other purpose whatsoever in connection with the sale of such liquor provided however that this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof

Section 605 Delivery Vehicles to Bear Name and Address of Manufacturer It shall be unlawful for a manufacturer to deliver any liquor except in vehicles bearing the name and address of such manufacturer on each side of such vehicle in letters not smaller than four inches in height

Section 606 Restrictions on Importation of Liquor into the Commonwealth It shall be unlawful for any person other than the board or the holder of a sacramental wine permit or of an importer's license to import any liquor whatsoever into this Commonwealth but this section shall not be construed to prohibit railroad and pullman companies from selling liquors purchased outside the Commonwealth in their dining club and buffet cars which are covered by public service liquor licenses and which are operated in this Commonwealth

Section 607 Restrictions on Members and Employes of the Board (a) A member or employe of the board shall not be directly or indirectly interested or engaged in any other business or undertaking dealing in liquor whether as owner part owner partner member of syndicate shareholder agent or employe and whether for his own benefit or in a fiduciary capacity for some other person

(b) A manager or employe of the board or any employe of the Commonwealth shall not solicit or receive directly or indirectly any commission remuneration or gift whatsoever from any person having sold selling or offering liquor for sale to the board for use in Pennsylvania Liquor Stores

(c) It shall be unlawful for any person selling or offering to sell liquor to or purchasing liquor from the board either directly or indirectly to pay or offer to pay any commission profit or remuneration or to make or offer to make any gift to any member or employe of the Commonwealth or to anyone on behalf of such member or employe

Section 608 Nuisances (a) Any room house building boat vehicle structure or place where liquor is sold offered for sale bartered or furnished in violation of this act and all liquor and property kept or used in maintaining the same is hereby declared to be a common nuisance and any person who maintains such a common nuisance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to the penalties hereinafter provided

(b) An action to enjoin any nuisance defined in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General of the State or by the district attorney of the proper county Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases within the county in which the offense occurs If it is made to appear by affidavit or otherwise to the satisfaction of the court that such nuisance exists a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the proceedings If a temporary injunction is prayed for the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the liquor or other things used in connection with the violation of this act constituting such nuisance. No bond shall be required in instituting such proceedings. It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing but on finding that the material allegations of the petition are true the court shall order that no liquor shall be sold offered for sale bartered or furnished in such room house building structure boat vehicle or place or any part thereof Upon the decree of the court ordering such nuisance to be abated the court may upon proper cause shown order that the room house building structure boat vehicle or place shall not be occupied or used for one year thereafter but the court may in its discretion permit it to be occupied or used if the owner lessee tenant or occupant thereof shall give bond with sufficient surety to be approved by the court making the order in the penal and liquidated sum of not less than five hundred dollars ($500.00) payable to the Commonwealth of Pennsylvania for use of the county in which said proceedings are instituted and conditioned that liquor will not thereafter be manufactured sold offered for sale bartered or furnished therein or thereon in violation of this act and that he will pay all fines costs and damages that may be assessed for any violation of this act upon said property

Section 609 Interlocking Business Prohibited (a) No manufacturer and no officer or director of any manufacturer shall at the same time be a holder of a hotel restaurant or club liquor license nor be the owner proprietor or lessor of any place covered by any hotel restaurant or club liquor license

(b) No manufacturer shall own any stock or have any financial interest in any hotel or restaurant licensed under this act

(c) Excepting as hereinbefore provided no manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a hotel or restaurant license is granted nor shall a manufacturer either directly or indirectly lend any moneys credit or the equivalent thereof to any hotel or restaurant equipping fitting out or maintaining and conducting either in whole or in part a hotel or restaurant licensed for the selling of liquor for use and consumption upon the premises

(d) Excepting as hereinbefore provided no hotel licensee restaurant licensee or club licensee shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same used by a manufacturer in manufacturing liquor nor shall any hotel restaurant or club licensee either directly or indirectly lend any moneys credit or the equivalent thereof to any manufacturer for equipping fitting out or maintaining and conducting either in whole or in part an establishment used for the manufacture of liquor

The purpose of this section is to require a separation of the financial and business interests between manufacturers and holders of hotel or restaurant licenses and as herein provided of club licenses issued under this act and no person shall by any device whatsoever directly or indirectly evade the provisions of this section

Section 610 Penalties (a) Any person who shall sell attempt to sell or who shall import or attempt to import any liquor in this Commonwealth except as provided in this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000) or to undergo imprisonment not exceeding one year or both in the discretion of the court and for any second or subsequent offense upon conviction thereof shall be sentenced to pay a fine of not less than one thousand dollars ($1,000) and to undergo imprismonment not exceeding two years

(b) Except as hereinbefore provided in this section any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than three hundred dollars ($300.00) nor more than five hundred dollars ($500.00) and on failure to pay such fine to imprisonment for six months and for any subsequent offense shall be sentenced to pay a fine of five hundred dollars ($500.00) and to undergo imprisonment for a period of one year

ARTICLE VII

DISPOSITION OF MONEYS ACCRUING FROM PENNSYLVANIA LIQUOR STORES AND LICENSE FEES

Section 701 License Fees to Be Returned to Municipalities All license fees collected by the board under the provisions of this act except fees for public service liquor licenses shall be paid into the State Treasury through the Department of Revenue into a special fund to be known as the "Liquor License Fund" Public service liquor license fees shall be paid into the General Fund The moneys in the "Liquor License Fund" shall on the first days of February May August and November of each year be paid by the board to the respective municipalities except townships of the second class in which the respective licensed places are situated in such amounts as represent the aggregate license fees collected from licensees in such municipalities during the preceding period On the above dates in each year the board shall pay to the respective school districts co-extensive with townships of the second class the license fees collected by it during the period immediately preceding the date of payment for licenses issued to hotels restaurants or clubs located in townships of the second class

Section 702 Application Fees and Receipts from Pennsylvania Liquor Stores to Be Retained by the Commonwealth All application fees and moneys accruing from sales of liquors at Pennsylvania Liquor Stores and all fines penalties and forfeitures collected received or recovered by the board under the provisions of this act shall be paid into the State Treasury through the Department of Revenue into a special fund to be known as "The State Stores Fund" All moneys in such fund shall be available for the purposes for which they are appropriated by law

ARTICLE VIII

EFFECTIVE DATE AND REPEAL

Section 801 Effective Date This act shall become effective immediately upon its passage and approval by the Governor except that nothing herein contained shall authorize the sale of any liquor prior to the day when the Twenty-First Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states and except that the provisions of this act forbidding the importation of liquor except by Pennsylvania Liquor Stores and sales not for consumption on the premises except from Pennsylvania Liquor Stores shall not become effective until the first day of January one thousand nine hundred and thirty-four

Prior to January first one thousand nine hundred and thirty-four holders of liquor licenses issued by the board may buy liquor otherwise than from Pennsylvania Liquor Stores and sell it not for consumption on the premises as well as for consumption on the premises but they shall keep such records and make such reports of sales not for consumption on the premises as may be required by the board for the use of the Department of Revenue

Section 802 Repeal The act approved the twenty-seventh day of March one thousand nine hundred twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic license laws" is hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. RECTENWALD. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 301, page 10, by inserting between lines 7 and 8 the following:

The board shall be required to establish a Pennsylvania liquor store in each municipality having a population of ten thousand inhabitants or more, and shall establish therein an additional store for each ten thousand inhabitants.

Amend section 503, page 28, by adding after line 13 the following:

No hotel, restaurant or club license shall be granted, and no Pennsylvania liquor store shall be operated in any municipality or township in which the electors under the provisions of the Beverage License Law of May 3, 1933, P. L. 252, voted previous to the adoption of this act against the granting of beverage licenses unless at an election held under and in accordance with the provisions of this act, the action of the electors is thereafter reversed

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection?

Mr. HUTTON. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

Mr. RECTENWALD. Mr. Speaker, I move that this House do now resolve itself into a Committee of the Whole for the purpose of considering the amendments offered which are very important to the Commonwealth of Pennsylvania.

Mr. SCORZA. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. SOWERS. Mr. Speaker, I ask for a roll call.

The SPEAKER. The gentleman's call for a roll call comes too late, the Chair is sorry to announce, because he has already put the question. The Chair regrets it very much.

The motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

QUESTION OF PERSONAL PRIVILEGE

Mr. LEONARD P. KANE. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. LEONARD P. KANE. Mr. Speaker and members of the House, yesterday I introduced an amendment to House Bill No. 10, which was defeated, and later I learned that the phraseology of the amendment did not suit several members of the House. I intend to submit an amendment today and ask unanimous consent of the House to have the bill amended to provide that fifty per cent of the profit from State Liquor Stores will be returned to the counties in which these stores are located, with a specified portion to go to old age pensions, unemployment relief, and mothers' assistance funds. Under House Bill No. 18 which has been introduced, and in all probability will be passed, and should be passed, I would like to call attention to section 15: "No poor district shall receive its allotment——"

The SPEAKER. Will the gentleman delay for a moment? The Chair desires to read House Rule No. 67: "Any member may arise and explain a matter personal to himself by leave

of the Speaker, but he shall not discuss any pending question in such explanation."

Mr. LEONARD P. KANE. Then, Mr. Speaker, I intend to ask the unanimous consent of the House to offer my amendment to House Bill No. 10.

The SPEAKER. Will the gentleman send his amendments to the desk in order that the clerk may read them?

Mr. LEONARD P. KANE. Mr. Speaker, I desire to explain that these amendments were requested from the Legislative Reference Bureau at a quarter of twelve, but up to this time they are not here.

The SPEAKER. The Chair desires to state that if the amendments are not here at the present time, that it would be out of order to give consideration to the gentleman's request.

Mr. LEONARD P. KANE. Mr. Speaker, I am sending my amendments to the desk in writing.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend bill, page 15, by adding thereto, after line 8, a new section 307, as follows:

Section 307. Distribution of Part of Profits of State Stores. One-half of all net profits arising annually from the operation of any Pennsylvania liquor store shall be returned to the county in which such store is located to be used by the county for unemployment relief and for the paying of the county's share of moneys used for mothers' assistance or old age assistance, and for such purposes any moneys arising from such profits and deposited in any special fund are hereby specifically appropriated to be paid over as soon after the first day of each State fiscal year as the audit of the Auditor General of any such store for the fiscal year has been completed.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection?

Mr. WILSON. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. RUTH. Mr. Speaker and members of the House two weeks ago yesterday the people buried Noble Experiment No. 1, and before the flowers on the grave of Noble Experiment No. 1 have wilted, they are endeavoring to give birth to Noble Experiment No. 2, that will not answer any better purpose.

I feel that the constituents in my district are against this legislation because we have legislation in Committee that will answer the demand of the people of Pennsylvania if we have an opportunity given to us to vote upon it. I feel that in our county, with the provisions in this bill, that our people will be required to go thirty miles to buy a quart of liquor, and they will be required to pay a price which will cost them four or five times as much as it does to make it at home or to buy from a neighbor who does make it; and they will continue to make it.

I believe that the principle that we should have before us is one which would eliminate the bootlegger and the speakeasy and I dare to say that if this bill passes, and if it becomes a law that it will not eliminate them, but that it will bring them back threefold as strong as we ever have had them. I think the whole proposition resolves itself into this: whether one person shall run this State or whether the people shall run the State. We are representatives of the people. We are told that there is no other bill that will be signed by His Excellency the Goveronor of the Commonwealth but this particular bill. I repeat that the question resolves itself into whether or not the Goveronor shall run the State or whether the people shall run the State through their representatives. The people have spoken on November 7th as to what they want, and I feel quite sure that they will not get it through this legislation, but they will have it by the Legislature which meets here the next time; they will get what they want. By the advice and at the wishes of my constituents I am compelled to vote "no" on this bill.

Mr. McCLURE. Mr. Speaker and ladies and gentlemen of the House. We have before us for final consideration House Bill No. 10 which is known as the Pennsylvania Liquor Control Act. We hashed and rehashed this matter in the House yesterday, sitting in the Committee of the Whole for practically six hours. I do not intend to purposely tire you this afternoon by making a long, protracted statement concerning this bill. I believe that the membership is fully aware of the contents of the measure as it now stands amended.

It has been said that on November 7th the people of this Commonwealth loudly voiced their desire for the repeal of the Eighteenth Amendment and the return of liquor as a beverage in the Commonwealth of Pennsylvania.

We were called into this session particularly to prepare and pass legislation to regulate trafficking in liquor in this Commonwealth. The bill before you is the result of much study and thought. It is the result of numerous conferences held in Harrisburg wherein those representing the so-called wet groups were represented and those representing the so-called dry groups were represented. The bill as it now reads has been much amended from its original draft.

The bill as it now reads in many parts is liberal and liberal to the nth degree and I refer particularly to that section of the bill on page 30 refering to clubs. Yesterday we amended out of this bill the restriction as to clubs. There was also amended out of it the restriction for the sale of liquor in clubs on the Sabbath. I state that to you, ladies and gentlemen, to show you how liberal this bill is.

There is and has been a lot of accusation against the Chief Executive of this State, that he has attempted to play politics with this legislation. He has certainly shown that he intends to do nothing of the kind when he appoints on the Pennsylvania Liquor Control Board men of such high character and standing, both as public servants and as private citizens as the three men whom he will nominate to the Senate to compose this board. The names were read by the Speaker of this House; Robert S. Gawthrop of West Chester; Thomas W. Phillips Jr., of Butler and A. Marshall Thompson, of Pittsburgh. They are all men, in my opinion, fully worthy to be entrusted with any duty or position within the gift of this Commonwealth. I think they are all men of character and ability. In his appointments he has not confined himself to any political party. He has favored our good friends the Democrats by the appointment of Mr. A. Marshall Thompson, Dean of the Law School of Pittsburgh.

I believe in the suggestion of these names the Chief Executive has shown good faith in this matter of keeping this thing out of politics.

In considering this measure the high point in it is the power of the Pennsylvania Liquor Control Board. This board will have the power to establish State owned Pennsylvania liquor stores; this board will have power to issue the licenses to hotels, restaurants and clubs; this board will have the power to issue permits to importers; this board will have the power to issue permits for the purchase of sacramental wine.

The bill, and the functions under the bill, practically divide themselves into two classes. One class of business where

liquor shall be sold for consumption not on the premises, and the other is the class where it shall be sold for consumption on the premises.

The sale of liquor for consumption not on the premises will be handled by several agencies. First and primarily it will be handled by the Pennsylvania liquor stores. These stores, under the direction of the Pennsylvania Liquor Control Board, will be established in communities throughout the State where the demand for the store justifies such an establishment. Our good friend, Rev. Ruth is of the opinion that a man in order to get a quart of liquor will have to travel thirty miles. Certainly I cannot see how he can reasonably read that into this bill. If it will be to the advantage, economically, of this State to have these stores, certainly they will have these stores and plenty of them to accommodate the demand. Everybody realizes the great call for this commodity and certainly the supply must be made to meet that. The demand must be met and the supply will be on hand to meet it.

The Pennsylvania liquor stores will sell at wholesale to the hotels, restaurants, clubs and also to drug stores, Pullman cars and boats. If an individual desires to purchase one quart, two quarts, or a case, or any other quantity from these stores, he will present himself at the store and purchase the goods and the good will be delivered to him at retail.

Further than that, these goods will be sold not for consumption on the premises by druggists on prescription, it shall be sold not for consumption by importers and also by those holding permits for the sale of sacramental wine

Someone was in doubt the other day as to the type of permit which would be granted for the purpose of selling sacramental wine. I think the reading of the bill certainly would clarify that thought. The idea as to the sacramental wine is to grant a permit to an outstanding individual in a group after he has been properly recommended by the group to which he belongs. After paying a fee of one hundred dollars the permit will be issued to him and he is permitted to sell at retail to priests, rabbis and clergymen, sacramental wine for sacramental purposes only. There is no fee or charge made to the clergymen, rabbis or priests except the purchase price of the sacramental wine.

The sale on the premises, the other provision of this bill, would provide that liquor may be sold for consumption on the premises by hotels, restaurants and clubs, Pullman cars and boats. The license fees for hotels, restaurants and clubs—or rather for restaurants and hotels range from one hundred and fifty dollars to six hundred dollars, depending on the population of the community. The club is fifty dollars and the Pullman car, I believe, is twenty dollars per car. We feel that this license rate is fair and reasonable.

We further feel that the moneys derived from these license fees should be put into the treasury of the municipalities wherein the establishment is in business. This applies, as you will recollect, by amendment of yesterday, to all types of municipalities, including second class townships where the proceeds will be paid over to the school districts for the purpose of aiding in the operation of the local schools.

If a man procures a license from the Pennsylvania Liquor Board, under that license he may deal in distilled liquors and also malt liquors and beverages. If he has this license he need not apply for a license under the Pennsylvania beverage act. On the other hand the passage of this act does not interfere with the license for the sale of malt beverages only. The act of 1933 remains on the statute books and the provisions of the act shall be carried out by the treasurers of the several counties.

Some question has been raised as to the employing of females in the liquor traffic. Some one has endeavored to construe that to mean that no females should be employed in restaurants or hotels. Clearly that is not the intent of the act. If you will kindly turn to page 22, line 20, and read the amendment, I believe you will agree with me that that is not a fair construction to place on that amendment. Reading at page 22, starting at line 16, we find, "A hotel or restaurant licensee shall not maintain any counter or bar at or over which liquors are sold to guests or patrons or members and it shall be unlawful for any such licensee to keep, display or mix drinks in any part of a public dining room or to employ or permit any female to serve liquor or malt liquor to guests, patrons or members." Clearly there is but one way to construe that amendment, and that means that no female shall be engaged in the serving of liquor. Personally I underwrite that amendment one hundred per cent. As was said by one of the members here on this floor yesterday, would any of you desire to have one of the female members of your family engaged in serving liquor. I don't believe you would. I think that that amendment is a worthy amendment and one that was wisely placed in this bill. The bill prohibits the sale of liquor to a man who is visibly under the influence or is intoxicated. It prohibits the sale of liquor to an insane person, and it prohibits the sale of liquor to one under the age of twenty-one years; a minor.

I do not want to tire you with a discussion of this bill, so I am going to hurry on. We find at page 23 the local option feature. I feel that this local option feature is perfectly fair and reasonable. That section of the act provides that in any municipality, if ten per cent of those voting at the last municipal election, petition their local authorities, they may have the opportunity to place on the ballot the question as to whether or not liquor shall be sold within that community. Either local councils or other bodies may petition the Commissioners, and the question is placed upon the ballot. If the people vote against the sale of liquor in that community, certainly they would not be permitted to sell it. If the people vote for the sale of liquor in that community, the licenses would issue. We feel that is a fair, reasonable and sensible way to put the matter before the people, and I believe you all agree that if a community does not want this commodity sold within their borders, it should not be permitted.

I want to speak for a few minutes on apparently what is the high light of this bill. We have found in our study of this bill and in debating it that the big point of argument was the Pennsylvania Liquor Stores. I have yet to hear of any sensible, sound and logical reason why the State of Pennsylvania should not handle this commodity under the plan established in the Pennsylvania Liquor Stores. It has been estimated that the gross revenue from these stores would approximate seventy-five to ninety million dollars per year. From this the State hopes to derive an annual profit of approximately twenty-five million dollars per year. It has been suggested that of this twenty-five million dollars, for the first year at least, twenty million dollars be set aside for unemployment relief, and a like prportion, so long as the State finds upon its hands people in need, and so long as money must be appropriated for that purpose. The remainder of the money, up to five million dollars, should be appropriated for old age assistance, for old age pensions, if and when that becomes a law in this Commonwealth. The remainder of the money, if any, should be applied to social activities of the Commonwealth. I ask you whether that is not a fair and reasonable

argument, that the citizenry, the taxpayers of this Commonwealth should benefit by the profit from the sale of this commodity. Why not the Pennsylvania citizenry rather than the individual. In my opinion the strong opposition to the liquor stores feature is nothing more than an attempt on the part of certain individuals to act as distributors or wholesalers of liquor in Pennsylvania, in order that they may personally benefit from the profits.

I feel that the purposes for which these moneys will be appropriated are highly commendable. I believe the thing which has been most detrimental to old age pensions has been, who is going to pay for it. If this bill passes and the stores become operative, the money for old age pensions is at hand without levying a tax on any man individually or any property.

It strikes me that any man who votes against this bill after the fair treatment the bill has had, after it has been so liberally amended as it has been, if he is a friend of old age pensions, that he is voting against his own convictions. In my judgment, members of the House, it will be a long time in the State of Pennsylvania before you have old age pensions if you wait for the day when you will have money to appropriate or give to that cause from any group of individuals or industry. Clearly and undoubtedly that has been a great element in defeating this most worthy project, for which I have voted and the members of this House know that I have voted.

I intend to close now with just a few remarks. I believe that an honest effort is shown in this bill to regulate, and honestly regulate, the commodity and the commercialization of the commodity of liquor in this Commonwealth of Pennsylvania. I feel that any man who casts his vote against this measure today that by that vote he clearly shows that he is not in sympathy with the object of applying the profits of these stores to the use of old age pensions—a very likely and worthy proposition. I believe that everyone interested in formulating this bill and amending it acted in good faith. I believe that under the terms of this bill Civil Service rules will apply to keep employes of this Commission out of politics. They have done a good work, and we are showing an honest effort to keep liquor out of politics in Pennsylvania.

I ask you to vote for the final passage of this measure.

Mr. TAHL. Mr. Speaker and members of the House. I hardly need to say that this is an important measure to the people of Pennsylvania. I believe that the attention of the entire State of Pennsylvania is now directed toward us, and I think that they are following every stage of this bill with the keenest interest and the greatest concern.

In the recent election there was a majority of more than a million votes rolled up in favor of repeal. The people of Pennsylvania are opposed to stringent restrictions in the sale of liquor. I believe that that heavy vote was a mandate—yes; I think it was a demand of the people for a liberal method of dispensing liquor in Pennsylvania.

Any provision in that bill that is now before us must be tested by those principles. If we do not follow them, then we fail to carry out the will of our people.

Any control bill, I do not care what it is, unless it appeals to the people as a reasonable measure, and so reasonable that they are going to abide by it, you are going to have racketeers, bootleggers. The trouble with the prohibition law was that every citizen felt justified in evading the law, and that built up a system of bootlegging and racketeering and other attendant evils.

As I understand it, the basic principle of this bill is the liquor store question in Pennsylvania. I believe in my mind that if you are against liquor being put into politics, that this feature of the bill is going to put it into politics more than ever before.

I say to you further, that if this feature of the bill is approved then you are going to have all kinds of influence used to influence officials that are managing these stores to approve or disapprove certain brands of liquor.

There is going to be the greatest scandal in public contracting that we have ever had in Pennsylvania, and in a worse form. It is going to build up a system of bootlegging probably worse than we had during prohibition.

I think that the best system and a system that has been tested and found to work well is the system of the old Brooks High License Law. That system has kept liquor out of politics as well as any law can, and this law is going to put liquor right into politics.

If we are going to obtain the benefit of the repeal. I say to you, members of the House, that the features of the old Brooks High License Law should be enacted. When a man has to pay a thousand dollars, twelve hundred dollars for a license and has to put up a bond, you will not need a policeman to watch him; he is going to watch himself; he is not going to take a chance to be put out of business, and that is the very thing that the Brooks High License Law provides. In this statement I am supported not only by the sentiment of my district, but I am supported by such distinguished jurists as Judge Shull of Stroudsburg. I understand from the public reports that he considers the liquor stores as being a very vicious system.

I want to go further and quote one of our own judges, Judge McDevitt, who has always been a terror of law violators and bootleggers and racketeers. I want to read to you what Judge McDevitt says about this matter. This statement that I quote is taken from the Philadelphia Inquirer of November 19th Here is what he said:

"Although neither I nor any other judge in the 67 counties in the State desires the task," he continued, "the best way to control liquor is under the provisions of the old Brooks High License Law.

"This old law kept liquor out of politics as much as any law could. The State liquor stores as now proposed will put liquor right in politics."

We have here the opinion of men that are charged with the administration of the law, who are familiar with conditions, and they are men who are in a position to tell you which is the best method to dispense liquors in Pennsylvania.

One other thing, this bill has a number of vicious provisions. I shall not take the time to dsicuss them, but I should like to call your attention to one particular provision, that is the provision which makes it a crime for one to purchase liquor in Pennsylvania for himself, it makes it a crime for one to bring liquor into Pennsylvania. Now, even the Volstead Act, even the vicious Armstrong-Snyder Act didn't have that provision. It is going to make reputable citizens subject to fines and penalties worse than before prohibition.

Who are the people behind this bill? This bill is the creature of the drys; those men whom the people of this State have repudiated in that particular respect, and they are the very people that come to you now and want to dictate to the people under the guise of a law and order measure, to regulate the private habits of our citizens.

I think that the people are against this measure. I think that this measure should be defeated. I cannot believe that you can afford to ignore the voice of the people so loudly uttered, and the lessons of the past so tragically learned.

I ask you to defeat this measure.

Mr. SARIG. On behalf of my constituents from the 4th Legislative District of Berks, I rise to utter a vigorous protest against the passage of this bill.

In my district the sentiment is almost unanimous against this bill. I am not speaking for the Democratic delegation. The Democratic delegation, as such, has taken no stand on this bill, and I want it distinctly understood that what I am doing and what I am saying is as a representative from the 4th Legislative District of Berks County.

Pass this bill and you will deprive the citizens of Pennsylvania of a large part of that very thing for which they voted so overwhelmingly on November 7th.

This bill, as I read it, takes the liquor question and throws it directly—the whole liquor control situation, into the lap of one man, the Governor. It would practically make the Governor the whiskey king of Pennsylvania, and that is the very thing that my people are opposed to

We have been told that this measure takes liquor out of politics. If you pass this bill you will place yourself on top of a keg of political dynamite and you will have this liquor question before succeeding legislatures, and a more live issue than it has ever been before.

Now, let us see how it works out in my own district. In my own district liquor was sold before prohibition largely through what is known as the country hotel or the country tavern. These places were well conducted under the Brooks High License Law. Many of these men owned their own places—most of them in fact—they were jealous of the reputation of their own places; they were jealous of anything that might cast a reflection upon their business and upon themselves and upon their families. These men, after the election of November 7th, now appeal to this Legislature to give them a square deal and to give them what they voted for. In my district the great majority of these country taverns would be excluded under the provisions of this bill, which requires ten bedrooms for guests. They could not meet that situation, and it would mean that only a small clientele, a select clientele could purchase by the drink at retail, while probably eighty-five percent of them would have to buy their quart or their pint, or whatever it might be, and slink away out of the public's sight, in order to drink their liquor.

If we believe in a democratic form of government, then we must accede to the principle that there will be equal rights for all and special privileges for none. I warn the members of this House that although you may defeat their will, which they so strongly expressed on November 7th, the people will have their final say when these mmebers come up for re-election. You cannot provide liquor for a select clientele and refuse it to the great bulk of the people, the working man, the mechanic, the average citizen of Pennsylvania. One of the great arguments in my district in prohibition days was that during the prohibition era, the men of wealth, the men with whom money was no consideration could always get liquor, but the average citizen, the farmer and the average working man could not get it, and the result was that the latter fell back on moonshine and on the bootlegger and the racketeer. If you pass this bill, you will turn my district, eighty-five per cent. of the trade, back to the bootlegger and back to the racketeer, and you will have again just what we had during prohibition. If you pass this bill, this State will begin on the dawn of a new era—the second era of prohibition for Pennsylvania. We have gone through the first era, with all its evils, with all its terrors, and let us hope and pray that now the people have spoken this Legislature will not by its vote today say that Pennsylvania shall now repudiate the voice of the people and begin a second era of prohibition and a second era of racketeering.

There is one other phase to which I wish to call your attention and that is this: We heard a great deal during the prohibition era that it has been made a farce, because a number of wet men were placed in charge of prohibition enforcement and in a number of cases no doubt that was true, but my friends, is it not just as ridiculous to take an out and out professed dry, to take this whole liquor situation and throw it into the hands and into the lap of a man who has never been sympathetic with liquor in any form.

Only a few weeks ago the Postmaster General, the Honorable James A. Farley, made a speech in Philadelphia, and in that speech he described the prohibition era as an era of terrorism. He pointed out Wheelerism, on Wayne Wheeler and his lieutenants as the terrorists of the prohibition era. He said that the methods of Quay and Penrose, of Platt and Crocker were mild compared to the methods of the Wheelerites and the men who ruled during this reign of prohibition. Now, shall we turn and say that we are going to continue this era of political terrorism which we thought was ended on November 7th?

You older members all know the attitude of the present Governor on this question. I was a member of this House in 1923 when the Snyder-Armstrong act was passed and I remember at that time the Governor put us up on the pillory before the public and he said that every man who votes against my bill and against my wishes is a scofflaw, that he violated his oath and violated the Constitution, that he was an emeny of the flag, that he was an enemy of the country. Yet this first lieutenant of Wheelerism, of terrorism, is now asking you, as members of the Legislature, to take this whole situation and throw it back into his lap for him to do with it practically as he likes. You say, "Oh, yes, but there is a board, there is a commission", but you and I know that whenever there has been any man appointed by this Governor who did not play with the Governor, and who did not agree in all respects with the Governor's wishes, he was suddenly kicked out of office. Think of the political power that is back of it. If I were a cartoonist I would picture this bill having the Governor of Pennsylvania sitting astride a whisky barrel trying to ride his way into the United States Senate. Only a few years ago he tried to ride to the United States Senate on the back of the Anti-Saloon League, and he tried to ride into the United States Senate on the back of the W. C. T. U. Now, after sniffing the wet sentiment all over Pennsylvania, he has changed his course, and he says, "Instead of riding to Washington on the back of the Anti-Saloon League, I am going to ride into the United States Senate astride of a whisky barrel." That is the situation that really confronts us in this bill. Look at the latent power that is in it. Why, ladies and gentlemen, the only customer for whisky in Pennsylvania, would be the Governor himself, even though he might act through his board. There is only one purchaser of liquor in Pennsylvania under this bill, and it would mean that every distillery in Pennsylvania and everyone connected with the liquor business would have to fall down on their knees and lick his boots, the same as every laborer on the highways today has to surrender his citizenship, and fall down and lick the Governor's boots before he can get a forty cents an hour job in this Commonwealth. He says he wants to take it out of politics. I submit to you that of all the Governors, beginning with the first one in 1790, down

to the present day, we have never had a Governor in Pennsylvania that played one-fourth as much politics as the present Governor of Pennsylvania. With him it is all politics and it matters not how he advances his political ambitions. If it best can be advanced by teaming with the drys, he is a dry. If it can best be advanced by teaming with the wets, he is a wet. Principle counts for nothing. Political ambition counts for everything. You have stripped yourselves of all your power. I am surprised when I look at the heroes of yesteryear in this hall, in this Legislature. Only a little over a year ago on the Republican side I saw one man after the other rise up and denounce the tyranny of this same Governor. I saw one member after the other in this Legislature rise up and denounce the one-man power in Pennsylvania, and yet here today you are asked to stultify yourselves and to swallow everything that you have thrown out in the last ten years on the centralization of power, and to take this entire question and hand it back into the hands of that same invidivual.

He says "I want to abolish the saloons forever." Now, let us see. Under the Pinchot beer bill of last spring, sponsored by him, we got the "tap room." Well now, what is the difference between a tap room and a saloon? So far as I have been able to discover and so far as I have been able to find out the only difference is the little, round stool. Oh, what a virtue rests in that little round stool! The little round stool makes all the difference in the world between a tap room——a Pinchot tap room as I will call it——and a saloon, and you are now told, after he himself brought back the saloon under the disguised name of tap room, you are now told once more for the seventy-seventh time he is going to abolish the saloon in Pennsylvania. Why, the saloon is here, if you wish to call it a saloon.

My people favor the Brooks High License Law. In my county there was no complaint prior to prohibition. Our places were well conducted, we had honorable men on the bench and they saw to it that the law was enforced in my county and they still believe that the best method of handling this question is by men on the bench who know the applicants, and know most of them personally. Here you would create a commission and you would give this commission of three men the power to decide over this whole Commonwealth from the Delaware River to the Ohio state line and from New York to Maryland, the power to select the men who are supposed to be qualified to conduct these hotels and restaurants. Isn't it ridiculous? Look at the long line of communication; look at the powerful machine you are building. I have said a number of times in this body that the members of this Legislature when they passed the centralization code of 1923 stripped themselves of their power, divested themselves of their power and handed it over into the hands of the Governor. You all know how he abused it. In other words, you handed to the Governor a machine gun, you handed him a rifle, and you handed to him a political scalping knife, and then after you had placed all the weapons in his hands, you got up in a futile way on this floor and attempted to fight him with your fists and your bare knuckles.

Ladies and gentlemen, I want to say to you, as members of this House, that I still contend that this Legislature should be the real law-making power in Pennsylvania. Of course, you have handed over your prerogatives, you have stripped yourselves, and you have complained bitterly about it, but now when you are faced again with the same old problem of centralization, when you are faced again by this same Governor who has no political principles, but the principle of political ambition, when you are asked by him to take this law enforcement problem, this liquor control problem, and turn it right over to him, boot, bag and baggage into his hands and into his lap, you sit here ready to vote "aye" on this proposition and give him the power, and then next week or two weeks from now, when other legislation will come up, you will rise in your seats and futily protest against the tyranny and one one-man political power in Pennsylvania, and virtually strip the Legislature of its real function, that of making laws of Pennsylvania.

I want to call your attention further to the fact that you are here not to represent the administration, you are here to represent the constituents back in your district, and I cannot believe that the average working man who is deprived of his liquor, those drinking whiskey back in your districts, your foremen, your mechanic, your working man—I do not believe you are representing him or giving your thought to him when you stand here today and say, "Here, Governor, here I am. I throw it all into your lap. Do with it as you please." Remember your constituents back home who look to you for the Rooseveltian Square Deal, who look to be treated in the same manner as the select clientele, which you have given careful consideration under this bill, who wants to stand as a citizen, the equal of any other citizen, and who does not want to be told that he must slink off with that quart into some back room and drink it, while your more fortunate brother, in the swanky hotel sits at a table with his wife and drinks his liquor at retail—or with some other fellow's wife, if you please. That is the situation. I want you to think well, because I predict that if you pass this bill the people of Pennsylvania will be heard from, and they will not forget you when the next election comes around next May. I thank you.

Mr. WITKIN. Mr. Speaker and members of the House, I have always been opposed to State ownership of State Stores. However, yesterday before a Committee of the Whole, there was a large majority of this House, consisting of a large majority of the Democrats of this House, as well as a large majority of the Republicans of this House, who agreed that the Steedle-Sowers amendments doing away with State Stores should not prevail. The vote, I believe, was 147 to 47. It included, I reiterate, a majority of the Democrats and a majority of the Republicans.

I voiced my opposition to State ownership of State Stores before that Committee, and I feel that the question that now exists before this House is: What are we going to do, what law are we going to enact, and are we going to enact into legislation a law that will become effective on the fifth of December of this year. I say this, that however I am opposed to the principles of State Stores, I believe that the principle involved in this bill with respect to practically every other feature, is a liberal one.

I hope I am not breaking the rules when I say that I sponsored and offered an amendment before the Committee in which a thousand square feet was reduced to five hundred in order that the poor man would not have to go into a large, expensive restaurant to take a drink. I do not believe the principle of this bill deprives the working man of an opportunity to get a drink. I believe he can get it, the same as a poor man today can get a glass of beer under our present law. I say to the membership of this House that we ought to have control of liquor by the fifth of December, and I further say to the membership of this House that there is not any legislation before this House that has been agreed upon that can take the place of the present bill before you. There is no agreement either on behalf of the Democrats with Republicans,

or the Republicans with the Democrats that will further any other legislation that could or would be placed before this House.

So I am willing to experiment with the State ownership of stores. The experimental period is for a little over a year. If at the end of that time practical experience shall teach us that State ownership of stores is improper, we will have the opportunity of coming back and changing that law. If the experiment within a year shall prove that State ownership is a proper thing, we will then have the privilege of letting it remain upon the statute books, but do not let us find ourselves in the position where the repeal of the Eighteenth Amendment will have become a fact and Pennsylvania will be lagging in its legislation.

My colleague from Philadelphia, Mr. Duffy, and several other persons from Philadelphia are going to vote "aye" on this bill. I urge upon this House, for those reasons, an affirmative vote.

In conclusion I say to the gentleman from Berks that if he was, and if his party was opposed to State stores, the time for him to have voiced that opposition in the able and capable manner that he can voice that opposition, was yesterday. Yesterday the Democrats by a majority of their number, as well as the Republicans by a majority of their number, stated they didn't want to oppose the State stores, and today they say, just as the gentleman from Berks, has said, that they are against them. It is an inconsistent argument for any party on one day to say one thing and the next day to say another thing. I said no when the opportunity presented itself. I said I wanted no State stores but when 148 members in this House, representing the majority of both parties, say I am wrong, I am willing to experiment for one year or over.

Mr. FITZGERALD. Mr. Speaker and members of the House. I rise to challenge the inference that might be left in the statement of the gentleman from Philadelphia that the Democrats say one thing one day and another thing the next day. I also want to challenge the statement of the majority of the men who spoke on this bill with reference to the mandate of the people. What was the mandate of the people of Pennsylvania on November 7th? It was in accordance with the platform of the Democratic Convention, where in on the surface and above board was written in language plainer than I can express that that party was opposed to the return of the old saloon and that is what the State of Pennsylvania voted for on November 7th.

I am amazed to see the time consumed in the matter of the enactment of liquor legislation control by this House. I say to you, that if we would spend as much time in social legislation and in legislation for minimum wages, prohibition of child labor and things that mean something to the people of Pennsylvania would be better off.

I further state to you that I rise and speak as a wet Democrat, if you please, and I shall vote to support this bill, not because it is the best bill that could be made, but because it is the best avaliable bill at this time and because I realize that this General Assembly goes into session every two years, and that if this bill, as has been properly stated by my friend, Mr. Witkin, is not the proper bill, we have then our authority and power and right to make the necessary changes.

I don't believe that there is a man or woman in this House that can draw and formulate into legislation a measure that would satisfy each and every individual. For that reason and with the hope that any improvements that may be necessary may be properly put into the bill at the proper time, I am going to vote "aye" and I know that many of my Democratic colleagues are going to vote in favor of this bill.

Mr. JOHN J. KANE. Mr. Speaker and members of the House, I am speaking as a Democrat not interested in supporting the Governor, but I have confidence enough in the Democratic party to know that the next Governor will be a Democrat.

The reason that I arise in support of this bill is due to the fact that we who are interested in the welfare of the working class of Pennsylvania know how we have been stopped repeatedly in our attempt to have a vote on old age pensions. We also know the economic conditions existing in the State of Pennsylvania and throughout the nation, and that there are many men forced out of employment at the age of forty-five years and then are thrown upon the human scrap pile. In this bill there is a provision made to see to it that these men have unemployment insurance. I believe that the revenue should be secured from other sources in Pennsylvania, but we know from experience in the past that it is impossible to do that. We know that by the adoption of this legislation millions of dollars can come into the State of Pennsylvania that will eliminate for the time being at least the opposition to old age pensions and start the machinery into motion that will bring about unemployment insurance in Pennsylvania. I challenge any member of this House to say that they have a greater concern for the working men in this State than I have. I have heard the statement made here about the working man who wants his whiskey. I said before on the floor of this House, and I say again today, that I am more concerned in the working man having bread than in his having whiskey, and I submit that the Democratic members of this House that are interested in the working man should take the same view of this matter that I do.

Now, whatever the social legislation, and partciularly the old age pension, and regardless of your alibis, a vote against this bill is going to be construed by others who are interested in social legislation as a vote to prohibit an opportunity to secure funds that will bring about the payment of old age pensions and the adoption of unemployment insurance.

Mr. SOWERS. Mr. Speaker and members of the House, I am glad to hear my friend the Democrat cry now "Old age pensions." When I was crying for old age pensions several years ago they didn't voice any cries, and I want to know whether they think it was the Democrats that placed that old age pension proposition on the floor of this House and secured its passage at the last session?

Mr. Speaker and members of the House, I heard my good friend from Erie, Mr. Fitzgerald, say that the Democratic Party was against the return of the old-time saloon. Let me say that the Republican Party stands on all fours with that. But you are mistaken, we were not asking for the return of the old-time saloon when we offered the amendment to take out the stores and restore the wholesaler or the package store. The Democratic Party must, as a result of your statement, stand for State Stores; it must be a result of your statement stand against the wholesaler, against the man who sold by the bottle and not by the drink over the counter. You must, therefore, stand against those great merchants who existed in our great cities of the Commonwealth that sold by the case and who in most instances owned their place of business, and now you want to substitute State Stores.

Now, gentlemen of this House, I am in doubt as to whether or not this bill is constitutional. I am in doubt as to whether this bill is well drawn. I notice when I read the title—of course, maybe I am wrong, because I have only had this bill a few minutes to read——but I notice in the title itself it says "confers powers and imposes duties upon the Pennsylvania Liquor Control Board." I notice the strikeout of "Alcohol Permit." I turned to the bill and went over it and I found no provision in this bill creating a board as set forth in that title. I turn to page 6, Article II, and I find, "General Power's and duties of the Pennsylvania Alcohol Permit Board." Is the Alcohol Permit Board in or is the Alcohol Permit Board out. Is there any portion of this bill saying that this bill now creates the Pennsylvania Liquor Control Board? Has the sponsor of this bill overlooked inserting the technical language that is needed to create a board to function? Can you in this way pass this bill? Will you accomplish anything with the bill as it is written? I think not.

Mr. Speaker, I desire to interrogate the sponsor of this bill bill, the gentleman from Allegheny, Mr. McClure.

The SPEAKER. Will the gentleman from Allegheny, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. Speaker, I will.

Mr. SOWERS. Mr. Speaker, will the sponsor of this bill, point out in the bill wherein it creates a Pennsylvania Liquor Control Board?

Mr. McCLURE. Mr. Speaker and members of the House, I cannot point it out in the bill for the reason that it is not there, as Mr. Sowers well knows, but I can inform the gentleman that other legislation creating such a board will be passed, creating a board if that will answer his question.

MOTION TO ADJOURN

Mr. SOWERS. Mr. Speaker, in view of the fact that this bill apparently is not a liquor control bill and due to the fact that it is imperfectly drawn, in fact wrongly drawn, I move you sir, that this house do now adjourn, so that we can prepare the proper amendments to make it a legal and effective measure if the House wants to approve it. I move that we now adjourn until this evening at eleven o'clock.

On the question,

Will the house agree to the motion?

It was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading.

Mr. HUTTON. Mr. Speaker, I move the previous question

The motion was seconded by Messrs. McElwee, McKay, Griffith, Schrock, Wade, Wall, John J. Perry, Powell, Flinchbaugh, Peelor, Wright, Peters, Baker, Ederer, Hermansen, Royle, Storb, Forrest, Rice, Shreiner, John L. Holmes, Jones, Surface and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

QUESTION OF PERSONAL PRIVILEGE

Mr. FITZGERALD. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. FITZGERALD. Mr. Speaker and members of the House, the statements that I made before this House just previously have been practically challenged by one of my colleagues. I merely want to make it brief and state that the Democratic party is not particularly for State Stores. I want to say that they are not for the return of the old saloon. I want to challenge the member——

The SPEAKER. The Chair must of necessity rule that the gentleman is out of order under his question of personal privilege.

Mr. FITZGERALD. May I say to the Chair that I am merely correcting a statement that I am accused of having made.

The SPEAKER. The gentleman under his question of personal privilege, if an incorrect statement has been made, may refute any statements made concerning him.

Mr. FITZGERALD. Mr. Speaker, I just merely want to finish by saying that 58 out of 65 Democrats voted to discharge the committee on old age pensions in the last session, and I will leave the answer to the House.

The SPEAKER. The remarks of the gentleman upon his question of personal privileges will be spread upon the Legislative Journal.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144

Andrews,	Haines,	McGinnis,	Shortz,
Baker,	Hamilton,	McGrail,	Shreiner,
Baldi,	Harmuth,	McHenry,	Simon,
Beech,	Hartman,	McKay,	Snyder,
Bennett,	Hefferon,	McKinney,	Spann,
Bernhard,	Heffner,	Meredith,	Sterling, P.,
Boyd,	Hermansen,	Merrell,	Stevens,
Brennan,	Hewitt,	Mumford,	Stiteler,
Brown, J. E.,	Himes, H. E.,	Murphy,	Stone,
Brown, W. L.,	Himes, L. R.,	Myers,	Storb,
Brownfield,	Hoffman,	Negley,	Stott,
Caputo,	Holmes, J. L.,	Nothnagle,	Surface,
Carson,	Hoopes,	O'Keefe,	Terry,
Cooke,	Horst,	O'Rourke,	Trout,
Cordier,	Hough,	Patterson,	Turner,
Craig,	Hutton,	Peelor,	Wade,
Cramer,	Jaffe,	Perry, D. R.,	Wagner,
Dane,	Jones,	Perry, J. J.,	Walker, W. A.,
Davies,	Kane, J. J.,	Peters,	Wall,
DeFrehn,	Kane, L. P.,	Powell,	Way,
Downey, G. E.,	King,	Powers,	Weidemann,
Duffy,	Kinney,	Quinn,	White,
Dunmire,	Labar,	Rectenwald,	Wike,
Ederer,	Lane,	Reed,	Williams, G. W.,
Emhardt,	Lord,	Rhodes,	Williams, J. J.,
Eroe,	Lose,	Rice,	Wilson, L. M.,
Evans,	Lovett, W. S.,	Roan,	Wilson, T. B.,
Fitzgerald,	Lynch, J. R.,	Roth,	Witkin,
Flinchbaugh,	Lynch, M.,	Royle,	Wood,
Flynn, J. M.,	Maloney,	Ruby,	Woodside,
Forrest,	Mason,	Schrock,	Wright,
Gallagher, T. J.,	McBride,	Schwab,	Yeakel,
Gallagher, W. J.,	McCandless,	Sheffer,	Yourishin,
Gillette,	McClure,	Shellenberger,	Zimmerman,
Greenstein,	McCreary,	Shenkel,	Talbot,
Griffith,	McElwee,	Shettel,	Speaker.
Habbyshaw,			

NAYS—61

Barnhardt,	Gorman,	McGregor,	Schrope,
Bechtel,	Green,	Melchiorre,	Schwartz,
Blumberg,	Harris,	Mohn,	Scorza,
Brancato,	Hart,	Moore,	Scott,
Cannon,	Heffernan,	Munley,	Shugarts,
Carey,	Hester,	O'Connor,	Sinwell,
Chervenak,	Holmes, J. B.,	O'Neill,	Sowers

Cohen,	Howard,	Pennock,	Stank,
Conner,	Laubach,	Price,	Steedle,
Denning,	Lenahan,	Raub,	Sterling, R. P.
Downey, J.,	Lewis,	Reilly,	Tahl,
Flanagan,	Long,	Root,	Walker, G. E.
Fleisher,	Lovett, J. E.,	Ruth,	Wasserman,
Flynn, J. W.,	Malina,	Sarig,	Welsh,
Furman,	Marcks,	Sautter,	Westrick,
Gartner,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE

Mr. STEEDLE. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Allegheny, Mr. Steedle, will state his question of personal privilege.

Mr. STEEDLE. Mr. Speaker and members of the House, today during the discussion of House Bill No. 10, the sponsor of the bill informed us that before we would vote on the bill we would have the announcement of the personnel of the committee to be known as the Pennsylvania Liquor Control Board. Those names were announced from the rostrum since that time the gentleman who was the main source of the defeat of the candidacy of Francis Shunk Brown, announced to the Governor of this State that he would not accept the position, and I should like in turn for the Governor to send to the House, the name of the person whom he will appoint in place of Tom Phillips of Butler.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Legislative Journal.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to state that he was informed only a few moments ago by a representative of the Governor's office that Mr. Phillips had not definitely turned down the appointment.

COMMITTEE APPOINTMENT

The SPEAKER. The Chair appoints the gentleman from Philadelphia, Mr. Flynn, to the following committees: Aeronautics, Game, Legislative Apportionment, Printing, Geological Survey.

The Chair in fairness to himself desires to announce to the members that these committee assignments were requested by the gentleman from Philadelphia, Mr. Flynn

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 9

An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 3, line 18, by inserting after the "Section" the words "and alcohol other than denatured alcohol unfit for beverage purposes."

Amend Section 3, page 4, line 5, by inserting after the word "Commonwealth" the words "at any time."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175

Andrews,	Habbyshaw,	McGinnis,	Sheffer,
Baker,	Haines,	McGrail,	Shellenberger,
Baldi,	Hamilton,	McGregor,	Shenkel,
Beech,	Harris,	McHenry,	Shettel,
Bennett,	Hart,	McKay,	Shortz,
Bernhard,	Hartman,	McKinney,	Shreiner,
Blumberg,	Heffernan,	Meredith,	Shugarts,
Boyd,	Hefferon,	Merrell,	Simon,
Brennan,	Heffner,	Mohn,	Sinwell,
Brown, J. E.,	Hester,	Moore,	Spann,
Brown, W. L.,	Hewitt,	Mumford,	Stank,
Cannon,	Himes, H. E.,	Munley,	Steedle,
Caputo,	Hoffman,	Murphy,	Sterling, P.,
Carey,	Holmes, J. B.,	Myers,	Stevens,
Carson,	Holmes, J. L.,	Negley,	Stiteler,
Chervenak,	Hoopes,	O'Keefe,	Stone,
Conner,	Horst,	O'Neill,	Storb,
Cooke,	Hough,	O'Rourke,	Stott,
Cordier,	Howard,	Patterson,	Surface,
Craig,	Hutton,	Peelor,	Tahl,
Cramer,	Jaffe,	Pennock,	Terry,
Dane,	Jones,	Perry, D. R.,	Trout,
Davies,	Kane, J. J.,	Perry, J. J.,	Wade,
DeFrehn,	Kane, L. P.,	Peters,	Wagner,
Downey, G. E.,	King,	Powell,	Walker, G. E.,
Downey, J.,	Labar,	Powers,	Wall,
Duffy,	Lane,	Price,	Way,
Dunmire,	Laubach,	Quinn,	Weidemann,
Emhardt,	Lenahan,	Raub,	Welsh,
Eroe,	Lewis,	Reed,	White,
Evans,	Long,	Reilly,	Wike,
Fitzgerald,	Lose,	Rice,	Williams, G. W.,
Fleisher,	Lovett, J. E.,	Roan,	Williams, J. J.,
Flinchbaugh,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Flynn, J. M.,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Forrest,	Malina,	Ruth,	Witkin,
Furman,	Maloney,	Sarig,	Wood,
Gallagher, T. J.,	Mason,	Sautter,	Wright,
Gallagher, W. J.,	McBride,	Schrock,	Yeakel,
Gillette,	McCandless,	Schrope,	Yourishin,
Gorman,	McClure,	Schwab,	Zimmerman,
Green,	McCreary,	Schwartz,	Talbot,
Greenstein,	McElwee,	Scorza,	Speaker.

NAYS—2

Root,	Sowers,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 9.

An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ADJOURNMENT

Mr. MOHN. Mr. Speaker, I move that this House do now adjourn until Monday evening, November 27, 1933, at 9 o'clock.

The motion was agreed to, and (at 5.08 o'clock P. M.) the House adjourned until Monday, November 27, 1933, at 9 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., THURSDAY, NOVEMBER 23, 1933. No. 8

SENATE

THURSDAY, November 23, 1933

The Senate met at 10 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Our Heavenly Father, again we thank Thee for a bright and glorious morning. May it be a lesson to us concerning the immutability of Thy law. Stormy days and days of stress come, but they go, and the days of sunshine come back. Help us to feel the presence of the Invisible God in this world in which we are living. Bring us into harmony with Him. Help us to try to find the good and the true and the beautiful in all things in this world, and that we may be influenced by the higher and the better things always.

Be with this Senate today. Be with the members as they go to their homes. Grant that they may find their loved ones in health and in strength. Be with those who are sick. Grant that they may have the presence of the Great Physician.

Be with the presiding officer of this Senate and with all these members in their deliberations today; and be with us all in all that we do. We ask in Thy Name and for Thy sake. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PETHICK, the further reading was dispensed with, and the Journal was approved

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency the Governor the Commonwealth, which was read as follows and referred the Committee on Executive Nominations:

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, November 23, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Anna F. Mallon, 3968 Forbes St., Pittsburgh.

DELAWARE COUNTY

James E. Wood, Sharon Hill.

LACKAWANNA COUNTY

Elmer D. Adair, Scranton.

LANCASTER COUNTY

Mrs. Elizabeth B. Stine, Lancaster.

GIFFORD PINCHOT

BILLS INTRODUCED

Mr. SCOTT read in his place and presented to the Chair, Senate Bill No. 37, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (Phamphlet Laws, nine hundred five), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by adding a new section thereto for protecting the safety of the public by limiting the size and weight of vehicles which may be operated between the hours of twelve o'clock noon Saturday and twelve o'clock midnight of the following Sunday in any week and on legal holidays.

Which was committed to the Committee on Public Roads and Highways

Mr. THOMPSON read in his place and presented to the Chair, Senate Bill No. 38, entitled:

An Act to amend subsection (f) of section one of article two, and section four of article five of the act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation and, to a limited extent, regulating municipal corporations engaged

or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloading within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven and section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twentyninth day of April, one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act;" as amended, by prohibiting public service companies from increasing their rates without the approval of the Public Service Commission; authorizing the commission to approve such increases; empowering the commission to authorize temporary increases; and requiring public service companies, that have temporarily increased their rates, to keep certain accounts and records.

Which was committed to the Committee on Judiciary General.

Mr. HOMSHER read in his place and presented to the Chair, Senate Bill No. 39, entitled:

An Act to amend sections fifteen, two hundred one, and one thousand five of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (Pamphlet Laws, five hundred sixty-five), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by extending its provisions to all private bankers and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under this supervision.

Which was committed to the Committee on Banks and Building and Loan Associations.

Also read in his place and presented to the Chair, Senate Bill No. 40, entitled:

An Act to amend the act approved the fifteenth day of May, one thousand nine hundred thirty-three (Pamphlet Laws, six hundred twenty-four), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by repealing certain sections; extending its provisions to all private bankers; and further providing for the powers and limitations upon the powers of private bankers, of corporations authorized to engage in a banking or a fiduciary business or both, of affiliates of such private bankers or corporations, and of officers, directors, trustees, shareholders, attorneys, and other employes of such private bankers, corporations, or affiliates.

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. SCOTT read in his place and presented to the Chair, Senate Bill No. 41, entitled:

An Act to amend paragraph (a) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand forty-six), entitled "An act appropriating the moneys in the Motor License Fund," by appropriating such fund to the Board of Finance and Revenue for redemption of bonds issued to acquire toll bridges.

Which was committed to the Committee on Finance.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 12 (House Bill No. 13), as follows:

An Act to amend certain sections of the act approved the fifth day of May one thousand nine hundred thirty-three (Act number one hundred four) entitled "An act imposing a State Tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used

or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" by restricting the provisions of the act to malt liquors as defined therein and clarifying certain provisions of the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one two three four five seven eight nine ten twelve and thirteen of the act approved the fifth day of May one thousand nine hundred thirty-three (Act number one hundred four) entitled "An act imposing a State Tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" be and the same are hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representative of the Commonwealth of Pennsylvania in General Assmbly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the ["one thousand nine hundred thirty-three Beverage] "Malt Liquor Tax Law"

Section 2 The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

["Beverages"] "Malt Liquors" Alcoholic beverages which include beer lager beer ale porter [wine] or similar fermented malt [or vinous] liquor [and fruit juice] containing one-half of one per centum or more of alcohol [and not more than 3.2 per centum of alcohol by weight] by whatever name such liquors [or fruit juices] may be called [, the manufacture and sale of which for beverage purposes is not prohibited by the laws of the United States]

"Department" Department of Revenue of this Commonwealth

"Distributor" A person engaged in the purchase and resale of [beverages] malt liquors in the original sealed packages as prepared for market by the manufacturer or bottler including any who or which

1 Imports or causes to be imported from any other state or territorry of the United States or from any foreign country [beverages] malt liquors for his own use in the Commonwealth of Pennsylvania or for sale and delivery in and after reaching the Commonwealth other than in the original package receptacle or container

2 Imports or causes to be imported from any other state or territory of the United States or from any foreign country [beverages] malt liquors for his own use in the Commonwealth of Pennsylvania or for sale or delivery therein after the same have come to rest or storage therein whether or not in the original package receptacle or container

3 Purchases or receives [beverages] malt liquors in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use or for sale and delivery therein from any person who has imported the same from a foreign country

4 Purchases or receives [beverages] malt liquors in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use therein or for sale and delivery therein from any other who has imported the same from any other state or territory of the United States in case such [beverages] malt liquors have not prior to such purchase or receipt come to rest or storage in the Commonwealth of Pennsylvania

5 Receives and in any manner uses or distributes [beverages] malt liquors in the Commonwealth of Pennsylvania on which the tax provided in this act has not been previously paid

"Manufacturer" A person engaged in the brewing manufacturing or bottling of [beverages] malt liquors for sale

"Original Container" Bottle cask keg or other container that has been securely capped or corked by the manufacturer with the name and address of the manufacturer permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing the same

"Person" An individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals or a corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to a partnership limited partnership or any other form of unincorporated enterprise shall mean the partners or members thereof and as applied to corporations the officers thereof

"Retail Dealer" A person engaged in the retail sale of [beverages] malt liquors either for consumption on the premises or not for consumption on the premises where sold

"Sale" Any transfer for a consideration exchange barter gift offer for sale and distribution in any manner or by any means whatsoever

. The singular shall include the plural and the masculine shall include the feminine and the neuter

Section 3 Each manufacturer or distributor shall be subject to pay to the Commonwealth the taxes imposed by this section upon all [beverages] malt liquors manufactured in this Commonwealth when prepared for market or imported into this Commonwealth Such taxes shall be at the rate of one-half cent (1/2c) per pint of sixteen (16) fluid ounces or fraction thereof

The tax rates per barrel or standard fraction thereof are as follows

Standard Fraction	Malt Tax Rate	Volume
1 barrel	$1.24	31 gal
1/2 barrel	.62	15 1/2 gal
1/3 barrel	.42	10 1/3 gal
1/4 barrel	.31	7 3/4 gal
1/6 barrel	.21	5 1/6 gal
1/8 barrel	.16	3 7/8 gal
1 gallon	.04	
1/2 gallon	.02	
1 quart	.01	
1 pint	.005	

Manufacturers and distributors shall be liable to the Commonwealth as taxpayers for the payment of the taxes imposed by this act

Section 4 The payment of the taxes herein provided shall be evidenced by the affixing of [beverage] malt liquor tax stamps or crowns to the original containers in which all [beverages] malt liquors are placed received stored shipped or handled Such stamps or crowns shall be affixed to each individual container [or beverages] of malt liquors by manufacturers within twenty-four (24) hours and by distributors within forty-eight (48) hours after such [beverages] malt liquors are placed therein or received by them

It is the intent and purpose of this section to require all manufacturers and distributors to affix the stamps or crowns provided for in this act to all original containers in which [beverages] malt liquors are normally placed prepared for market received sold or handled

Any manufacturer or distributor who shall sell [beverages] malt liquors to retail dealers or consumers without affixing to the containers the stamps or crowns required by this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) or to suffer imprisonment for a term not exceeding six (6) months or both in the discretion of the court and in the case of a conviction of a second or subsequent offense hereunder shall be sentenced to pay a fine of not less than two hundred dollars ($200.00) or more than one thousand dollars ($1,000.00) and to suffer imprisonment for a term of not less than six (6) months or more than three (3) years

Any manufacturer or distributor who shall be convicted of a misdemeanor under this section shall in addition to the punishment heretofore prescribed be adjudged to pay to the Commonwealth the tax due together with interest at the rate of twelve (12) per centum per annum from the date when due and payable Such adjudication shall be certified to the prothonotary of the county and shall be indexed as and have the effect of a judgment for the amount of such tax and interest

Section 5 The department shall prescribe prepare and furnish stamps or crowns of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act The department shall make provision for the sale of such stamps or crowns in such places and at such times as it may deem necessary

The department may appoint persons within or without the Commonwealth as agents for the sale of stamps or crowns to be used in paying the tax herein imposed upon sales of [beverages] malt liquors and whenever the department shall sell consign or deliver to any such agent any such stamps or crowns for sale or use such agent shall be entitled to receive as compensation for his services and expenses as such agent and to retain out of the moneys to be paid by him for such stamps a commission of one-half of one per centum on the face value thereof The department is hereby authorized and required to allow such commission or compensation in the settlement of the accounts of such agent upon payment by him into the State Treasury through the department of any moneys which may be or become due to the Commonwealth by reason of the sale delivery or consignment to such agent of such stamps or crowns

Section 7 For the purpose of verifying the stamp requirements it shall be the duty of every manufacturer and distributor on or before the tenth day of the suceeding month to transmit to the department on forms supplied by the department a report under oath or affirmation of [beverages] malt liquors prepared for market or which were imported and came to rest or storage at his place of business in this Commonwealth during the preceding month Such report shall show the number of barrels or standard fraction thereof prepared for market or imported during the period for which it is made and such further information as the department shall prescribe Each manufacturer and distributor shall maintain and keep for a period of two (2) years such record or records of [beverages] malt liquors manufactured or imported together with invoices bills of lading and other pertinent papers as may be required by the department

Section 8 The department or any agent appointed in writing by it is hereby authorized to examine the books papers invoices and other records and the stock of [beverages] malt liquors in and upon any premises where the same are placed stored or sold to verify the payment of or liability for the tax imposed by this act Any person in possession of such [beverages] malt liquors is hereby directed and required to give the Secretary of Revenue or his duly authorized representative the means facilities and opportunity for such examinations

Section 9 Producers or other vendors of [beverages] malt liquors from without this Commonwealth may purchase stamps or crowns from the department and affix them in the manner prescribed by the department to original containers of [beverages] malt liquors to be sold in this Commonwealth in which case the recipient of such [beverages] malt liquors within this Commonwealth shall not be required to purchase and affix stamps or crowns thereon

Section 10 In case any [beverages] malt liquors upon which samps or crowns have been placed a manufacturer or distributor have been sold and shipped by him to a licensed or regular dealer in [beverages] malt liquors in another state such manufacturer or distributor in this Commonwealth shall be entitled to a refund of the actual amount of tax paid by him upon condition that the seller in this Commonwealth shall make affidavit that the [beverages] malt liquors were so sold and shipped and that he shall furnish from the purchaser an affidavit that he has received such [beverages] malt liquors for sale or consumption outside the Commonwealth and the amount of stamps or crowns thereon together with the name and address of the purchaser whereupon the departmentment shall with the approval of the Board of Finance and Revenue issue to the seller in this Commonwealth stamps or crowns of sufficient value to cover the refund

Section 12 It shall be unlawful for any retail dealer consumer or other person to accept delivery of taxable [beverages] malt liquors in containers upon which stamps or crowns do not appear and upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace he shall be fined ten dollars ($10.00) and in default of payment thereof shall undergo imprisonment for not more than five (5) days

Section 13 Any person who shall fail neglect or refuse to comply with or shall violate any provision of this act for which violation no specific penalty is provided or any of the rules and regulations prescribed adopted and promulgated by the department under the provisions of this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books papers invoices and other records his stock of [beverages] malt liquors in and upon any premises where the same are prepared stored and sold and his equipment pertaining to the manufacture or sale of [beverages]mal liquors taxable under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) or to suffer imprisonment of not more than six (6) months or both in the discretion of the court

Section 2 The passage of this act shall not be construed to relieve any person association or corporation whatsoever from the payment of any taxes penalties or interest due or owing to the Commonwealth under the act hereby amended or to affect or terminate any petitions investigations prosecutions or other proceedings pending thereunder or to prevent the commencement of any prosecutions for violations of such act heretofore committed or the commencement of any proceedings for the recovery of such taxes penalties or interest

Section 3 This act shall become effective on the day after the day the Twenty-First Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HOMSHER. Mr. President, I move that Senate Bill No. 12 (House Bill No. 13), the bill just read, be recommitted to the Committee on Finance.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 17, as follows:

An Act to amend section seventeen of the act approved the Seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties or city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by excluding interest bearing accounts in any bank or banking institution savings institution or trust company from the provisions thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties or city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as last amended by the act approved the thirteenth day of July one thousand nine hundred and twenty-three (Pamphlet Laws one thousand and eighty-five) is hereby further amended to read as follows

Section 17 All scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be

paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other State or of the United States and doing business in this Commonwealth and all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any county city borough township school district or incorporated district of this Commonwealth are hereby made taxable in the year one thousand nine hundred and nineteen and annually thereafter for State purposes at the rate of four mills on each dollar of the nominal value thereof Provided That whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation not later than ten days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidences of indebtedness under the provisions of the first section of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) to which this is a further amendment that the corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of section one of said act of June seventeen one thousand nine hundred and thirteen upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon on or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year and for the ensuing year and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in section one of the act of June seventeen one thousand nine hundred and thirteen Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deduction from interest due as hereinbefore provided Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock [but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject] and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and jointstock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities as held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

It is the intent of this act that all scrip bonds certificates and evidences of indebtedness made taxable under this section are not taxable under section one (1) of the act to which this is an amendment and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under section one (1) of said act

Section 2 This act shall become effective immediately upon its approval by the Governor and shall be applicable for the calendar year ending the thirty-first day of December one thousand nine hundred and thirty-three and for any fiscal year ending during the year one thousand nine hundred and thirty-three and for any calendar or fiscal year ending prior thereto or thereafter

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HOMSHER. Mr. President, I move that Senate Bill No. 17, the bill just read, be recommitted to the Committee on Judiciary General.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 33, as follows:

An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority o fthe same That an independent administrative board to be known as the "Pennsylvania Liquor Control Board" is hereby created The board shall consist of three members to be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate Of the original members one shall be appointed for a term of two years one for a term of four years and one for a term of six years from the date of his appointment and until his successor shall have been appointed and qualified Thereafter all appointments shall be for terms of six years or until successors are appointed and qualified Each member of the board shall receive an annual salary of ten thousand dollars ($10,000)

Section 2 Each member of the board at the time of his appointment and qualification shall be a citizen of the United States and a resident of the Commonwealth of Pennsylvania shall have been a qualified elector in the Commonwealth for a period of at least one year next preceding his appointment and shall be not less than thirty years of age.

No member of the board during his period of services as such shall hold any other office under the laws of this Commonwealth or of the United States

Section 3 The board shall elect one of its members as chairman The chairman shall when present preside at all meetings and in his absence a member designated by the chairman shall preside.

Two members of the board shall constitute a quorum and any action or order of the board shall require the approval of at least two members

Section 4 The board may appoint a secretary to hold office at its pleasure The secretary if appointed shall have such powers and shall perform such duties not contrary to law as the board shall prescribe and shall receive such compensation as the bord with the approval of the Governor shall determine The secretary shall have power and authority to designate from time to time one of the clerks appointed by the board to perform the duties of the secretary during his absence and the clerk so appointed shall exercise for the time so designated the powers of the secretary of the board

Section 5 Each member of the board and the secretary shall file with the State Treasurer a surety bond in the sum of not less than ten thousand dollars ($10,000) and every other person appointed to any office by the board shall upon entering upon his or her duties likewise file a surety bond in the sum of not less than two thousand dollars ($2,000) Such bond shall be payable to the Commonwealth of Pennsylvania shall have as surety a duly authorized surety company or two individuals to be approved by the Department of Justice and shall be conditioned for the faithful performance of the members' secretary's or employes' duties imposed by law or by lawful authority and that the person bonded will not knowingly violate the provisions of any act relating to the manufacture sale distribution or transportation of alcohol and alcoholic liquors The cost of such bond shall be borne by the board as part of its operating expense

Section 6 Except as otherwise expressly provided by law the board shall be subject to all the provisions of The Administrative Code of one thousand nine hundred twenty-nine as amended which apply generally to independent administrative boards and commissions

Section 7 This act shall become effective upon the date of its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 33, the bill just read, be recommitted to the Committee on Finance.

Mr. PARKINON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 35 as follows:

An Act Relating to milk and the products thereof declaring an emergency with respect to their production and marketing creating a Milk Control Board in the Department of Agriculture defining its jurisdiction powers and duties regulating the production transportation manufacture processing storage distribution delivery and sale of milk and the products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring licensees to furnish bonds for the protection of producers authorizing the examination of the business papers and affairs of and requiring the filing of reports by licensees and other milk dealers and permitting with limitations the dissemination of information obtained therefrom authorizing the issuance of subpoenas by the Board or its agents and conferring jurisdiction upon courts to punish contempts providing for appeals to the courts from decisions of the Milk Control Board imposing penalties and making an appropriation

WHEREAS unhealthful unfair unjust destructive demoralizing and uneconomic trade practices have been and are now carried on in the production sale and distribution of milk and milk products in this Commonwealth whereby the dairy industry in the Commonwealth and the constant supply of pure milk to inhabitants of the Commonwealth are imperiled and

WHEREAS such conditions constitute a menace to the health welfare and reasonable comfort of the inhabitants of the Commonwealth and

WHEREAS it is necessary to protect the well-being of the inhabitants of this Commonwealth to promote the public welfare and to preserve the strength and vigor of the race by declaring that the production transportation manufacture processing storage distribution and sale of milk in the Commonwealth of Pennsylvania is a business affecting the public health and affected with a public interest and

WHEREAS the production and distribution of milk is a paramount industry upon which the prosperity of the Commonwealth in large measure depends and

WHEREAS the present acute economic emergency being in part the consequence of a severe and increasing disparity between the prices of milk and other commodities which disparity has largely destroyed the purchasing power of milk producers for industrial products has broken down the orderly production and marketing of milk and has seriously impaired the agricultural assets supporting the credit structure of the Commonwealth and its local governmental subdivisions and

WHEREAS the danger to the public health and welfare is immediate and impending the necessity urgent and such as will not admit of delay in public supervision and control in accord with proper standards of production sanitation and marketing the foregoing statements of fact policy and applicatoin of this act are hereby declared to be matters of legislative determination

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the exercise of the police power of the Commonwealth and to protect the public health and public welfare it is hereby declared that the production transportation manufacture processing storage distribution and sale of milk in the Commonwealth is a business affecting the public health and affected with a public interest and it is hereby declared to be the legislative intent that this act shall be an emergency measure enacted for the purpose of regulating and controlling the milk industry in this Commonwealth for the protection of the health welfare and comfort of the inhabitants thereof

Section 2 Short Title This act shall be known and may be cited as the "Milk Control Board Law"

Section 3 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Board" means the temporary State agency created by this act to be known as the "Milk Control Board"

"Consumer" means any person other than a milk dealer who purchases milk for fluid consumption

"Director" mans the director of the Milk Control Board

"Licensee" means a licensed milk dealer

"Market" includes any city borough incorporated town or township in the Commonwealth or any two or more such cities boroughs incorporated towns or townships or any portions thereof designated by the Board as a natural marketing area

"Milk" includes liquid milk and cream fresh sour or storage skimmed milk buttermilk and condensed or concentrated whole milk except when contained in hermetically sealed cans

"Milk Dealer" means any person who purchases or handles milk within the Commonwealth for sale shipment storage processing or manufacture or sells milk within the Commonwealth except for consumption on the premises where sold A producer who delivers milk to a milk dealer only shall not be deemed a milk dealer A co-operative argicultural association or corporation of producers of milk organized under the laws of this Commonwealth or of any other state and engaged in making collective sales of milk for producers under

contract with it shall not be deemed a milk dealer but shall be deemed a producer provided however that if such association or corporation distributes milk within this Commonwealth to stores as defined in this act or to consumers as defined in this act is shall be deemed to be a milk dealer as to that part of its business and shall be governed by the provisions of this act applicable thereto and further provided that such co-operative agricultural association or corporation shall be governed by the applicable provisions of this act as to the prices at which it sells milk or the products thereof within this Commonwealth

"Person" includes an individual corporation association partnership limited partnership or other unincorporated enterprise owned by two or more individuals

"Producer" means a person producing milk within the Commonwealth of Pennsylvania

"Secretary" means the Secretary of Agriculture

"Store" includes a grocery store hotel restaurant soda fountain dairy products store or any similar mercantile establishment which sells milk

B Any reference to this act to quantity of milk shall be construed to include its whole milk equivalent

C Section headings shall not be construed to affect in any manner the scope or meaning of any section of this act

D The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 4 Milk Control Board Applicability of Administrative Code A There is hereby established and placed in the Department of Agriculture as a departmental administrative board a Milk Control Board to consist of the Secretary of Agriculture who shall be the chairman thereof the Secretary of Health and the Director of the Milk Control Board who shall attend to the administrative work of the Board The Director shall be nominated and by and with the consent of the Senate appointed by the Governor He shall receive a salary at the rate of seven thousand five hundred dollars per annum

B Except as otherwise specifically provided in this act the Board and its employes shall be subject to all the provisions of The Administrative Code of one thousand nine hundred and twenty-nine approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) its amendments and supplements which apply generally to independent administrative boards or commissions

C The Director shall subject to the limitations of law enforce the provisions of this act but no official act shall be taken or rule regulation or official order made or promulgated without the approval of at least two members of the Board Two members of the Board shall constitute a quorum

Section 5 General Powers of Board A The Board is hereby declared to be the instrumentality of the Commonwealth for the purpose of administering the provisions of this act and to execute the legislative intent herein expressed and it is hereby vested with power

(1) To supervise and regulate the entire milk industry of this Commonwealth including the production transportation manufacture processing storage distribution delivery and sale of milk and milk products in this Commonwealth provided however that nothing contained in this act shall be construed to alter amend or repeal The Public Service Company Law or any of the laws of this Commonwealth relating to the public health.

(2) To investigate as the emergency permits and regulate as the emergency requires all matters pertaining to the production manufacture processing storage transportation disposal distribution and sale of milk and milk products in this Commonwealth

B The operation and effect of any provision of this act conferring a general power upon the Board shall not be impaired or qualified by the granting to the Board by this act of a specific power or powers

Section 6 Power of Board to Subpoena Penalty A In order to enable the Board to carry out the provisions of this act it shall have the power to issue subpoenas requiring the attendance of or the production of pertinent books and papers by milk dealers or their employes producers or their employes persons having business dealings with milk dealers or producers or persons whom the Board believes to have information of importance to it in carrying out the purposes and intent of this act The Board may likewise issue commissions letters rogatory or other appropriate processes outside the Commonwealth

The Board shall likewise have the power to question such witnesses under oath or affirmation and to examine such books and papers

The Board may delegate to any member thereof or any employe designated by it the powers granted to it under this section

B Any witness who refuses to obey a subpoena issued hereunder or to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court For this purpose and application may be made by the Board to the court of common pleas within the territorial jurisdiction of which the offense was committed for which purpose such court is hereby given jurisdiction

C Each witness required to attend before the Board or any member thereof under the provisions of this section shall be entitled to the fees and mileage customarily paid to witnesses in the courts of Dauphin County

Section 7 Rules Regulations and Orders A The Board may adopt and enforce all rules regulations and orders necessary or desirable to carry out the provisions of this act and not inconsistent with law Every general rule regulation or order of the Board shall be posted for public inspection in the main office of the Board and shall be filed with the Department of Agriculture An order applying only to a particular person or persons named therein shall be served on the person or persons affected

B An order herein required to be served shall be (1) served in the manner now or hereafter established by law for the service of writs of summons except that such service need not be made by the sheriff or (2) mailed charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a corporation formed under the laws of this Commonwealth to its principal office and (c) in the case of a corporation formed under the laws of some other state to the office of its duly authorized agent in Pennsylvania or if there be no duly authorized agent in Pennsylvania to its home office in the state of incorporation or in any other state

C The posting in the main office of the Board of any rule regulation or order not herein required to be served or the proper service of one required to be served shall constitute due and sufficient notice to all persons affected by such rule or order A rule of the Board when duly posted and filed as provided in this section shall have the force and effect of law The Board shall upon request mail to any person any general rule or regulation of the Board It may charge a reasonable fee for such service

Section 8 Entry and Inspection Pursuant to carrying out the purposes of this act any member of the Board or any employe designated for the purpose shall have access to and may enter at all reasonable hours all places where milk or any product thereof is being stored bottled processed manufactured or sold Any member of the Board or any designated employe thereof also shall have power at all reasonable hours to inspect all books papers records or documents in any place within the Commonwealth for the purpose of ascertaining facts to enable the Board to administer this act The information obtained by any such inspection or by reports required by this act shall be for the confidential use of the Board and the various departments of the State government and shall not be disclosed by any person except as may be required in the enforcement of law or by order of court The Board however may use such information together with other similar information for compilation and publication of statistics of the industry in this Commonwealth

Section 9 Violations Remedies A Except as otherwise specifically provided in this act any person violating any provision of this act or any rule regulation or order of the Board lawfully made shall be guilty of a misdemeanor and shall upon conviction thereof be subject to a fine not exceeding one hundred dollars or imprisonment not exceeding one year or both For each day during which any such violation shall continue such person shall be deemed to have committed an additional violation

B The Board may institute such action at law or in equity as may appear necessary to enforce compliance with any pro-

vision of this act or to enforce compliance with any rule regulation or order of the Board made pursuant to the provisions of this act and in addition to any other remedy may apply to the Court of Common Pleas of Dauphin County for relief by injunction if necessary to protect the public interest without being compelled to allege or prove that an adequate remedy at law does not exist

Section 10 Licenses to Milk Dealers Applications Grant Suspension and Revocation A A milk dealer as defined in this act shall not buy milk from producers or others within this Commonwealth for storage manufacture processing distribution or sale within or without this Commonwealth or sell or distribute milk within this Commonwealth unless such dealer be duly licensed as herein provided and it shall be unlawful for a milk dealer to buy milk from or sell milk to a milk dealer who is unlicensed or in any way to deal in or handle milk which he has reason to believe has previously been dealt in or handled in violation of the provisions of this act

B The Board may by official order exempt from the license requirements provided by this act milk dealers who purchase or handle milk in a total quantity not exceeding three thousand pounds in any month and milk dealers selling milk in any quantity only in markets of a population of one thousand or less for local consumption The Board may by official order exempt stores from the license requirements provided by this act where no milk is delivered therefrom to consumers by vehicle However milk dealers exempted by this section from the license requirements of this act shall continue to be subject to all the provisions of this act relating to milk dealers

C An application for a license to operate as a milk dealer shall be made within thirty days after this act takes effect and annually thereafter on or before April fifteenth by mail or otherwise to the Board upon blanks prepared under authority of the Board and shall be accompanied by the fee required by this act The license year shall commence May first and shall end April thirtieth following The applicant shall state the following

(1) The nature of the business to be conducted

(2) The full name of the person applying for the license If the applicant be a co-partnership or association the full name of each member shall be stated If the applicant be a corporation the names and addresses of all officers and directors shall be stated

(3) The city borough incorporated town or township and the street number if any at which the business is to be conducted

(4) Facts showing that the applicant has adequate technical personnel and adequate technical and physical facilities properly to conduct the business of receiving and handling milk that he has complied with all rules regulations and orders of the Board filed or served as required in this act and such other facts with respect to the license as may be required by the Board pusuant to this act

D The Board shall grant a license to an applicant complying with the provisions of this act and of any rules and regulations issued by the Board pursuant thereto The Board may decline to grant a license or may suspend or revoke a license already granted when satisfied that he has

(1) Rejected without reasonable cause any milk purchased from a producer or has rejected without either reasonable cause or reasonable advance notice milk delivered by or on behalf of a producer in ordinary continuance of a previous course of dealing except where the contract has been lawfully terminated Provided however that in the absence of an express or implied fixing of a longer period in the contract "reasonable advance notice" shall not be construed to mean notice of less than one week nor more than two weeks

(2) Without reasonable cause failed to account and make payment for any milk purchased from a producer

(3) Committed any act injurious to the public health or public welfare or to trade or commerce in demoralization of the price structure of milk to such an extent as to interfere with an ample supply thereof for the inhabitants of the Commonwealth affected by this act It is hereby declared that such demoralization is injurious to the public health public welfare and to trade and commerce and that evidence of a course of conduct on the part of the milk dealer tending to such demoralization shall be construed to be prima facie evidence of a violation of this section

(4) Made a general assignment for the benefit of creditors or has been adjudged a bankrupt or there has been entered against him a judgment upon which an execution has been returned wholly or partly unsatisfied

(5) Continued in a course of dealing of such a nature as to satisfy the Board of his inability or unwillingness properly to conduct the business of receiving or selling milk

(6) Been a party to a combination to fix prices contrary to law A co-operative agricultural association organized under the laws of this Commonwealth or a similar association or corporation organized under the laws of any other state and engaged in making collective sales or marketing for its members or shareholders of dairy products produced by its members or shareholders shall not be deemed or construed to be a conspiracy or combination in restraint of trade or an illegal monopoly nor shall the contracts agreements arrangements or combinations heretofore or hereafter made by such association or the members officers or directors thereof in making such collective sales and marketing and prescribing the terms and conditions thereof be deemed or construed to be conspiracies or to be injurious to public welfare trade or commerce

(7) Continued in a course of dealing of such nature as to satisfy the Board of an intent of the milk dealer to deceive or defraud producers or consumers

(8) Failed either to keep records or to furnish the statements or information required by the Board

(9) Made any statement upon which the license was issued which statement is found to have been false or misleading in any particular

(10) Where the milk dealer is a partnership or corporation and any individual holding any position owning any interest or having any power of control therein has previously been responsible in whole or in part for any act on account of which a license may be denied suspended or revoked pursuant to the provisions of this act

(11) Where the milk dealer has violated any of the provisions of this act or any of the rules regulations or orders of the Board

E Before refusing to grant or to reissue or before suspending or revoking or before refusing to transfer a license the Board shall afford the applicant or the licensee respectively an opportunity to be heard It shall give to such applicant or licensee by registered mail sent to his last known address at least five days' notice of such hearing

F Licenses issued under this act may not be assigned Licenses may however be transferred from one person to another provided that the prior written approval of the Board to such transfer is obtained Any change in the membership of a partnership or limited partnership either by the withdrawal or the addition of a partner shall be construed to require a transfer of the license

Applications for such transfers shall be filed with the Board at least one week before the transfer is to be made Whenever any license is transferred no license fee shall be required from the person to whom such transfer is made for the balance of the then current license year except the transfer fee of one dollar

Sction 11 License Fees A The Board shall charge and collect license fees from milk dealers on a yearly basis as follows

Where a milk dealer received during any of the twelve calendar months immediately preceding the period for which the license is issued a daily average total quantity of milk

(1) Not exceeding twenty pounds a license fee of one dollar

(2) Exceeding twenty pounds but not exceeding one hundred pounds a license fee of three dollars

(3) Exceeding one hundred pounds but not exceeding one thousand pounds a license fee of ten dollars

(4) Exceeding one thousand pounds but not exceeding two thousand five hunderd pounds a license fee of seventeen dollars and fifty cents

(5) Exceeding two thousand five hundred pounds but not exceeding four thousand pounds a license fee of twenty-five dollars

(6) Exceeding four thousand pounds but not exceeding ten thousand pounds a license fee of fifty dollars

(7) Exceeding ten thousand pounds but not exceeding twenty thousand pounds a license fee of seventy-five dollars

(8) Exceeding twenty thousand pounds but not exceeding sixty thousand pounds a license fee of one hundred fifty dollars

(9) Exceeding sixty thousand pounds but not exceeding one hundred thousand pounds a license fee of two hundred dollars

(10) Exceeding one hundred thousand pounds but not exceeding two hundred fifty thousand pounds a license fee of three hundred fifty dollars

(11) Exceeding two hundred fifty thousand pounds but not exceeding five hunderd thousand pounds a license fee of five hundred dollars

(12) Exceeding five hundred thousand pounds but not exceeding seven hundred fifty thousand pounds a license fee of one thousand dollars

(13) Exceeding seven hundred fifty thousand pounds but not exceeding one million pounds a license fee of one thousand seven hundred fifty dollars

(14) Exceeding one million pounds a license fee of two thousand five hunderd dollars

B Expect as otherwise expressly provided by this act the license fees fixed by this section shall be paid before any license or any renewal thereof is issued

C The fee for a license issued on or after

(1) August first but prior to November first shall be three-fourths of the annual fee

(2) November first but prior to February first of the succeeding year shall be one-half of the annual fee

(3) February first but prior to May first shall be one-fourth of the annual fee

D Milk dealers who have not engaged in the milk business during the prior year shall pay the minimum license fee of one dollar and in addition thereto at such time or times as the Board may fix but not more than four months after the granting of the license shall pay an additional sum based upon the daily average total quantity of milk received by such dealer during any of such months

E Milk sold and distributed outside of this Commonwealth in any state which charges a license fee of milk dealers shall not be included in the determination of the amount of the license fee provided that such milk is actually computed in determining the amount of such license fee in such other state Likewise milk utilized for or sold in the form of manufactured products shall not be included in the determination of the amount of the license fee but the fluid milk equivalent of cream and of condensed or concentrated milk sold within this Commonwealth or in any state in which it is not actually computed in the determination of the license fee of a milk dealer shall be included in computing the license fee to be charged by the Board unless in the case of condensed or concentrated milk it is sold in hermetically sealed cans

F The licenses required by this act shall be in addition to any other licenses which are now or may hereafter be required by law

Section 12 Licensee's Bonds or Securities Exemptions A Except as otherwise specifically provided in this act a license shall not be issued to a milk dealer purchasing milk from producers within this Commonwealth unless the milk dealer shall execute and file with the application a bond approved by the Board Such bond shall be upon a form prescribed by the Board shall be in a sum to be fixed by the Board but not exceeding by more than twenty-five per centum the value of the maximum amonut of milk purchased from producers in any one month during the preceding year and in any event not exceeding one hundred thousand dollars shall be executed by a surety company authorized to do business in this Commonwealth and shall be conditioned for the faithful compliance by the licensee with the provisions of this act and for the prompt payment of all amounts due to producers for milk sold by them to such licensee subsequent to the posting of such bond

B In lieu of the bond required of a milk dealer by this section the Board may accept a collateral bond of the milk dealer secured by an actual deposit with the Board or with a bank bank and trust company or national bank within the Commonwealth of money to the full amount of the bond or by securities to such amount consisting of interestbearing obligations of the United States government of this Commonwealth or of any political subdivision of this Commonwealth or by any other security or securities approved by the Board Such collateral bond shall be conditioned upon the same terms and in the same manner as is provided by this section in the case of a bond given by a surety company and the security or securities deposited therewith shall constitute a trust fund for producers from whom the licensee purchases milk

C The Board may likewise grant to any milk dealer the authority to substitute for any bond or any collateral another bond or other collateral provided that such other bonds or collateral meets all the requirements of this act

D A license shall from time to time when required by the Board make and file with the Board a verified statement of his disbursements or of any other facts in connection with his business during a period to be prescribed by the Board which statement shall contain the names of the producers from whom milk was purchased the amount due to producers and any other relevant facts required by the Board If it shall appear from such statement or from facts otherwise ascertained by the Board that the security afforded to producers selling milk to such licenses by the surety bond or by the collateral bonds does not adequately protect such producers the Board may require such licensee to give an additional bond in a sum to be determined by the Board or additional security for the collateral bond but not exceeding by more than twenty-five per centum the value of the maximum amount of milk purchased from producers in any one month during the preceding year and in any event not exceeding one hundred thousand dollars

Likewise the Board may grant a reduction of the surety bond or the collateral bond if it shall appear that owing to a decrease in the business of the licensee or to other causes a local in a lesser amount will protect producers selling milk to such licensee

E All surety bonds and all collateral bonds together with any moneys security or securities given as collateral therefor received by the Board from milk dealers pursuant to the provisions of this section shall be transmitted by the Board to the State Treasurer for safe-keeping subject to withdrawal in whole or in part in any time by the Board

F The licensee shall be entitled to all moneys received by the State Treasurer as interest or dividends upon any securities deposited by such licensee with the Board and by it transmitted to the State Treasurer for safe-keeping in accordance with the provisions of this act

Provided however that such licensee shall not be entitled to such interest or dividends if there is on file with the Board a valid unpaid claim of a producer against such licensee based on milk sold by such producer to such licensee

G The Board may by reasonable rule or regulation provide the procedure for the payment out of the bonds or security or securities required by this section of the valid claims of producers based on sales by them of milk to the licensee who has posted the bonds or security or securities

Provided however that if the bond or security or securities which have been posted by a milk dealer shall be insufficient to pay in full the just claims of producers who have sold milk to such licensee the moneys available shall be divided pro rata among them

The Board shall have the power in its discretion to sue on the bond on behalf of producers

H The Board may by reasonable classification and under such terms and conditions as it shall prescribe exempt any milk dealer applying for a license or any licensee from the provisions of this section requiring the filing of a surety or a collateral bond A co-operative agricultural association organized under the laws of this Commonwealth or a similar association organized under the laws of any other state shall be deemed a producer within the provisions of this section and shall be entitled to its benefits Such an association if operated for the benefit of producers under contract with it and not conducted for profit shall not be required to file a bond under the provisions of this section

Section 13 Classification of Licenses The Board may classify licenses and may issue licenses to any milk dealer to operate as a milk dealer only in a particular municipality or in a particular market or markets in the Commonwealth but no milk dealer shall if he be granted a license under this act at all be prohibited from acting as a milk dealer in any municipality or in any market in which he was operating upon the effective date of this act

Section 14 Licenses Appeals from Board Decisions A Any person aggrieved by any decision of the Board may file within twenty days thereafter in the Court of Common Pleas

of Dauphin County a petition against the Board officially as defendant alleging therein in brief detail the action and decision complained of and praying for a reversal thereof Such petition shall specify the petitioner's objections to the action and decision of the Board and no objection not so specified shall be considered by the court Upon service of a summons upon the Board returnable within ten days from its date the Board shall on or before the return day file an answer which shall deny or admit the allegations of fact in the opinion and which shall allege by way of defense the grounds for its decision It shall also on or before the return day of such summons certify to the court the record of the proceedings to which the petition refers Such record shall include the testimony taken therein the findings of fact if any of the Board based upon such testimony a copy of all orders made by the Board in the proceedings and a copy of the action or decision of the Board which the petition calls upon the court to reverse

B Upon the filing of the Board's answer the case shall be at issue without further pleadings and upon application of either party the case shall be advanced and heard without further delay Mere technical irregularities in the procedure of the Board shall not be the basis of the decision of the court The case shall be heard upon the record certified to the court by the Board Additional testimony shall not be taken before the court but the court may in proper cases remit the record to the Board for the taking of further testimony

The court shall upon the record transmitted to it by the Board determine whether or not the order appealed from is reasonable and in conformity with law If it shall determine that the order is unreasonable or illegal it shall remit the case to the commission with directions to reform the findings or order or revoke the order in accordance with the court's opinion The court shall have full power to assess the costs upon either party or to divide them between the parties

C From a decision of the court of common pleas on the validity of an order of the Board in which the Board refused to issue reissue or transfer or revoked or suspended a permit or in which it fixed the price of milk within the Commonwealth or within a particular market or markets an appeal may be taken by either party to the Superior Court of Pennsylvania in the manner provided by law In all other cases the decision of the Court of Common Pleas of Dauphin County shall be final and there shall be no appeal therefrom

Section 15 Records The Board may require licensees to keep the following records

(1) A record of all milk received detailed as to location and as to names and addresses of producers or milk dealers from whom received with butter fat test prices paid and deductions or charges made

(2) A record of all milk sold classified as to grade location and market outlet and size and style of container with prices and amounts received therefor

(3) A record of quantities and prices of milk sold

(4) A record of the quantity of each milk product manufactured the quantity of milk used in the manufacture of each product and the quantity and value of milk products sold

(5) A record of wastage or loss of milk or butter fat

(6) A record of the items of the spread or handling expense and profit or loss represented by the difference between the price paid and the price received for all milk

(7) A record of all other transactions affecting the assets liabilities or net worth of the licenses

(8) Such other records and information as the Board may deem necessary for the proper enforcement of this act

Section 16 Reports A Each licensee shall from time to time as required by rule or order of the Board make and file a verified report on forms prescribed by the Boad of all matters on account of which a record is required to be kept together with such other information or facts as may be pertinent and material within the scope of the purposes and intent of this act Such report shall cover a period of time specified in the order

B The Board may at any time that it deems such action to the best interests of the dairy industry require similar reports from milk dealers whom it has pursuant to the provisions of this act exempted from the requirement of procuring a license.

Section 17 Payment of Fees into State Treasury "Milk Control Fund" Appropriation Expenses of Board A All moneys collected or received by the Board arising from license fees penalties or any other source shall be paid by the Board into the State Treasury through the Department of Revenue and shall by the State Treasurer be placed in a separate fund to be known as the "Milk Control Fund" All moneys in the "Milk Control Fund" are hereby specifically appropriated to the Board to be used to pay its expenses including the following

(1) Salaries of the Director the other employes of the Board and any deputy attorney general special deputy attorney general assistant deputy attorney general or other counsel as may be assigned by the Department of Justice to the Board for the handling of any legal work pertaining to its business

(2) Rental an other expenses for offices rooms garage space and other accommodations outside of the Capitol Buildings either in or outside of the capital city occupied by the Board.

(3) Premiums for workmen's compensation insurance covering the offices and employes of the Board

(4) Premiums for surety bonds for such officers or employes of the Board as may be required by law to furnish such bonds

(5) Purchase and operating costs of motor vehicles required by the Board for full-time use including premiums for liability insurance covering such motor vehicles and the members of the Board and employes operating them also the amount payable to the Department of Property and Supplies for the use of automobiles supplied by it for temporary use by the Board

(6) Furniture stationery materials supplies and all other overhead expenses of the Board

All such purchases and leases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as agent

B Estimates of the amounts to be expended under this act by the Board either itself or through the Department of Property and Supplies as purchasing agent shall be submitted to the Governor from time to time for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Board or by the Department of Property and Supplies as its agent in excess of the estimates approved by the Governor Subject to this provision the Auditor General shall from time to time draw warrants upon the State Treasury for the amounts specified in such requisitions not exceeding however the amount in the Milk Control Fund at the time of the making of any such requisition

Section 18 Order Fixing Price of Milk Penalties for Violations A The Board shall ascertain by such examination or investigation as the emergency permits what prices for milk in the several localities and markets of the Commonwealth and under varying conditions will be most beneficial to the public interest and will best protect the milk industry in the Commonwealth and insure a sufficient quantity of pure and wholesome milk to adults and minors in the Commonwealth having special regard to the health and welfare of children residing therein The Board shall take into consideration all conditions affecting the milk industry including the amount necessary to yield a reasonable return to the producer and to the milk dealer

B The Board after making such examination or investigation shall fix by official order the minimum wholesale and retail prices and may fix by official order the maximum wholesale and retail prices to be charged for milk sold within the Commonwealth wheresoever produced including the following classes

(1) By milk dealers to consumers

(2) By milk dealers to stores either for consumption on the premises or resale to consumers

(3) By stores to consumers except for consumption on the premises where sold

(4) When pursuant to statute regulations adopted thereunder or ordinance various grades of milk are specified the Board shall fix the minimum price and may fix the maximum price applicable to each in each of the classes Orders fixing minimum and maximum prices may vary in different markets and shall designate the markets to which applicable

C It is hereby declared to be the legislative intent that the public emergency requires that the benefits of any increase of prices received by milk dealers by virtue of the minimum price provisions of this section shall be given to producers except in any case where the Board deems a deviation from this policy necessary in order to maintain proper milk markets and outlets for producers The Board shall whenever it deems such action necessary to accomplish this purpose issue orders rules or regulations to effectuate this intent

D The Board after making the examniation or investigation provided by this section may fix by official order the minimum prices to be paid by milk dealers to producers and others for milk The order of the Board with respect to the minimum prices to be paid to the producers and others shall apply to the locality or zone in which the milk is produced and to the market or markets in which the milk so produced is sold and may vary in different localities or markets according to varying uses and different conditions Each such order may classify such milk by forms classes grades or uses as the Board may deem advisable and may specify the minimum prices therefor

E After the Board shall have fixed prices to be charged or paid for milk whether by class grade or use it shall be unlawful for a milk dealer to sell or buy or offer to sell or buy milk at any price less or more than such price or prices as shall be applicable to the particular transaction and no method or device shall be lawful whereby milk is bought or sold or offered to be bought or sold at a price less or more than such price or prices as shall be applicable to the particular transaction whether by any discount or rebate or free service or advertising allowance or a combined price for such milk together with another commodity or commodities or service or services which is less or more than the aggregate of the prices for the milk and the price or prices for such other commodity or commodities or service or services when sold or offered for sale separately or otherwise

F The Board may upon its own motion or upon application from time to time alter revise or amend an official order at any time made with respect to the prices to be charged or paid for milk After making such investigation and before making revising or amending any order fixing the price to be charged or paid for milk the Board shall hold a hearing thereon after giving reasonable notice thereof to interested parties of whom the Board has notice and to the public in such newspaper or newspapers as in the judgment of the board shall afford sufficient notice and publicity

G It is hereby declared to be the legislative intent that the instant whenever that may be that the handling within the Commonwealth by a milk dealer of milk produced outside of the Commonwealth becomes a subject of regulation by the Commonwealth becomes a subject of regulation by restrictions set forth in this act respecting such milk so produced shall apply and the powers conferred by this act on the Board shall attach After any such milk so produced shall have come to rest within the Commonwealth it shall be unlawful except in any cases in which the Board shall otherwise determine for any milk dealer to sell such milk within the Commonwealth if he has paid to the producer thereof outside the Commonwealth a price lower than that which he would have been required to pay for milk produced within the Commonwealth purchased for similar purposes and under similar conditions less a proper allowance for the transportation thereof

H It is also declared to be the legislative intent that the producers of milk in this Commonwealth who sell their milk to milk dealers for shipment into and sale in another state where prices to producers are regulated by a state board or other authority with powers substantially similar to the Milk Control Board established by this act shall receive the same price that producers in such other state receive for milk purchased for similar purposes and under similar conditions less a proper allowance for the transportation thereof It shall be unlawful for any milk dealer except in any cases in which the Board shall otherwise determine to pay to a producer within this Commonwealth for milk to be sold in such other state a price lower than that fixed by the state board or other authority in such other state for sale of milk in such other state for similar purposes and under similar conditions minus a proper allowance for the transportation of the milk to the market in such other state

Section 19 Legislative Intent It is hereby declared to be the legislative intent that no provision of this act shall prevent and no provision contained therein shall be deemed or construed to prevent any co-operative agricultural association organized under the laws of this Commonwealth or a similar association or corporation organized under the laws of any other state and engaged in making collective sales or marketing of milk for the producers thereof from blending the net proceeds of all its sales in various classes and whether in fluid form or as manufactured products both within and without the Commonwealth and paying its producers such blended price with such deductions and differentials as may be authorized under contract between such association and its producers or from making collective sales of the milk of its members and other producers represented by it at a blended price based upon sales thereof in the various classes and whether in fluid form or as manufactured products both within and without the Commonwealth and which price is to be paid either directly to the producers or to the co-operative agricultural association Nothing herein contained shall prevent any milk dealer from contracting for his milk with such co-operative agricultural association upon such basis Also no provision of this act shall be deemed or construed to affect the contracts of such cooperative agricultural association with its producers nor to affect or abridge the rights and powers of such an association or any of its operations This section shall not however be construed to exempt such association from the jurisdiction of the Board over the prices at which it may sell milk to milk dealers or consumers

Section 20 Interstate and Federal Compacts The Board is hereby vested with authority to confer with legally constituted authorities of other states and of the United States with respect to uniform milk control within the states and as between states and may enter into a compact or compacts for such uniform milk control subject to such federal approval as may be required by law

Section 21 Dissemination of Information Conferences Licensees under this act and associations thereof and producers of milk and co-operative agricultural associations engaged in collectively processing preparing for market handling or marketing milk may require exchange interpret and disseminate past present and future market statistical economic and similar information by direct exchange between such persons or such associations or by and through a common agent created or selected by them And such producers and associations may confer and discuss the cost of production of marketing market conditions and prices for sale of milk

Section 22 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 23 Saving Clause No provision of this act shall apply or be construed to apply to foreign or interstate commerce except in so far as the same may be effective in accordance with the Constitution of the United States and the laws of the United States enacted pursuant thereto

Section 24 Duration of Board The Board shall continue with all its powers and shall be subject to all the duties and responsibilities prescribed by this act until the thirtieth day of April one thousand nine hundred thirty-five at which time it shall be deemed abolished and the powers duties and jurisdiction conferred or imposed upon the Board by this act shall terminate All books papers records and documents in its possession upon that date shall remain in the possession of the Department of Agriculture

Section 25 Appropriation In addition to any other appropriation made by this act the sum of fifty thousand dollars ($50,000.00) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Agriculture for the use of the Board in administering the provisions of this act

Section 26 This act shall take effect immediately upon its approval by the Governor and shall continue in effect until the thirtieth day of April one thousand nine hundred thirty-five

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Commitee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 36 (House Bill No. 10), entitled:

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation of such beverages into the State except as herein provided prohibiting certain sales of practices in connections with and transactions in such beverages by licenses and other making disposition of the receipts from State stores and of license fees and imposing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 36, (House Bill No. 10), the bill just read, be recommitted to the Committee on Judiciary General.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT

Mr. SCOTT. Mr. President. I move that the Senate do now adjourn.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:15 A. M. until 9 o'clock Monday evening, November 27, 1932.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., MONDAY, NOVEMBER 27, 1933. No. 9.

SENATE

MONDAY, November 27, 1933.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Oh, Thou Infinite, Eternal and Unchanging God, may we at the commencement of this Session of the Senate, and at the commencement of this Thanksgiving week, give thanks unto Thee for all Thy infinite goodness and mercy to us. Amid Time's devasting flight we have the Infinite and Eternal and Unchanging God to tie to. Upon him we can rely ultimately for everything in our lives.

Bless all the members of the Senate tonight. Be with the presiding officer and with all of the officials of the Senate.

May we have Thy presence and Thy guidance giving us courage.

Let us realize one thing above everything else: That this nation and this Commonwealth need, at this time, men of courage and conviction.

Abide with us and bless us in all that we do, we ask in Thy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. ARON, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

The CHAIR asked and obtained an extension of one week of the leave of absence granted to the Senator from Philadelphia, Dr. Woodward.

The CHAIR also asked and obtained an extension of one week of the leave of absence granted to the Senator from Delaware, Mr. McClure.

REPORT FROM COMMITTEE

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 22, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

G. Paul Moore, Wilkinsburg,
A. August Smith, Pittsburgh, 2830 2nd Ave.

BEAVER COUNTY

J. Walter Lewis, New Brighton

BUCKS COUNTY

C. Harold Terry, Perkasie

DELAWARE COUNTY

William T. Ward, Ridley Park

ERIE COUNTY

Mrs. Mildred V. Johnson, Erie
Miss Esther G. Nodes, Erie

LEHIGH COUNTY

Miss Margaret G. Casarotto, Allentown
Miss Gladys A. Nagle, Allentown

PHILADELPHIA COUNTY

Harry A. McGehee, Philadelphia, 6935 Garman St.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Lanius,	Salus,
Aron,	Einstein,	Mansfield,	Scott,
Batchelor,	Fay,	Miller,	Shapiro,

Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Hunsicker,	Rice,	Ziesenheim,
Coyne,	Krause,	Roberts,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. HOMSHER. Mr. President, I move that the Executive Session do now rise.

Mr. PRINCE. Mr. President, I second the motion.

The motion was agreed to.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations:

MAGISTRATE OF COURT NO. 20 OF THE CITY OF PHILADELPHIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of David E. Triester, of Philadelphia, Philadelphia County, as Magistrate of Court No. 20, of the City of Philadelphia, in the County of Philadelphia, vice Robert J. Patton, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

MEMBER OF BOARD OF TRUSTEES OF THE PENNSYLVANIA INDUSTRIAL SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Noble Jones, of Leechburg, Armstrong County, as a member of the Board of Trustees of the Pennsylvania Industrial School, vice Howard J. Thompson, of Curwensville, resigned, for the term of four years, and until his successor is qualified.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY

Chris G. Gillotti, Pittsburgh, Berger Building.
Mrs. Anna J. Hughes, Pittsburgh, 2135 Sarah Street.
Mrs. Catherine A. Maier, Etna.
Miss Eleanor A. Peters, Pittsburgh, 3701 Liberty Avenue.

BEDFORD

W. A. McGregor, Alum Bank.

BLAIR

Miss Kathryne Bratton, Altoona.

LACKAWANNA

Claude J. Swift, Blakely.

LANCASTER

Charles C. Hicks, Maytown.

PHILADELPHIA

John T. Dolde, Philadelphia, 308 North 52nd Street.

SCHUYLKILL

Joseph E. Graham, Mahoney City.

GIFFORD PINCHOT.

BILLS INTRODUCED

Mr. ZIESENHEIM read in his place and presented to the Chair Senate Bill No. 42, entitled:

A Joint Resolution creating a Liquor Control Investigation Commission, defining the powers and duties of said Commission; and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. REED read in his place and presented to the Chair Senate Bill No. 43, entitled:

An Act making an appropriation to the Department of Military Affairs.

Which was committed to the Committee on Appropriations.

Mr. PIERSON read in his place and presented to the Chair Senate Bill No. 44, entitled:

An Act making an appropriation to the Department of Military Affairs for the purchase of supplies, materials and equipment to improve the Military Reservation at Indiantown Gap.

Which was committed to the Committee on Appropriations.

Mr. COYNE read in his place and presented to the Chair Senate Bill No. 45, entitled:

An Act making it unlawful for a person, association, partnership, or corporation licensed as a distiller, to manufacture and market more than one brand of whiskey at the same distillery.

Which was committed to the Committee on Law and Order.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 46, entitled:

An Act to amend part of section two of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," as amended, changing certain routes in the city of Oil City.

Which was committed to the Committee on Public Roads and Highways.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 47, entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

Which was committed to the Committee on Judiciary General.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 48, entitled:

An Act requiring counties cities boroughs towns townships school districts and poor districts to insert in contracts for public works and improvements stipulations with respect to minimum wages to be paid to laborers and mechanics employed on such public works and improvements and providing for penalties and the enforcement thereof.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 49, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

Which was committed to the Committee on Elections.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 35, entitled:

An Act relating to milk and the products thereof declaring an emergency with respect to their production and marketing creating a Milk Control Board in the Department of Agriculture defining its jurisdiction powers and duties regulating the production transportation manufacture processing storage distribution delivery and sale of milk and the products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring licensees to furnish bonds for the protection or prodcers authorizing the examination of the business papers and affairs of and requiring the filing of reports by licensees and other milk dealers and permitting with limitations the dissemination of information obtained therefrom authorizing the issuance of subpoenas by the Board or its agents and conferring jurisdiction upon courts to punish contempts providing for appeals to the courts from decisions of the Milk Control Board imposing penalties and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Lanius,	Salus,
Aron,	Einstein,	Mansfield,	Scott,
Batchelor,	Fay,	Miller,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Hunsicker,	Rice,	Ziesenheim,
Coyne,	Krause,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until 10:30 for the purpose of holding a joint meeting of the Committees on Finance and Judiciary General.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 39 (Senate Bill No. 50), entitled:

An Act authorizing the sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund; defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; and providing for the payment of interest on, and the redemption of, such bonds.

Which was committed to the Committee on Military Affairs.

House Bill No. 40 (Senate Bill No. 51), entitled:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War, the war between the United States and Spain, the China Relief Expedition, or in the Philippines of Guam; imposing certain duties on the Adjutant General; making an appropriation; and repealing inconsistent legislation.

Which was committed to the Committee on Military Affairs.

REHABILITATION OF CLOSED INDUSTRIES IN PHILADELPHIA.

He also presented extract from the Journal of the House of Representatives, which was read as follows and referred to the Committee on Municipal Affairs.

In the House of Representatives, November 20, 1933.

Whereas, The administration of the Honorable Franklin Delano Roosevelt has set forth a program containing the only hope for the improvement of existing conditions and the

bringing back to domestic happiness by restoring employment and affording permanent relief to the people and

Whereas, The program has already advanced to success by the creation of employment for those desiring and seeking the same and

Whereas, The program of the Federal Civil Works Administration promises work for three hundred thousand wage earners within this Commonwealth and

Whereas, In order to bring about a complete return to work of the unemployed it is necessary for the Commonwealth and municipal authorities to cooperate with the Federal recovery program and

Whereas, Complete recovery within the Commonwealth must necessarily include the opening and full operation of our coal mines iron and steel mills and all other industries which are now idle and

Whereas, Philadelphia the workshop of the world is filled with non-operating industries which can be made to function by a full cooperation with those having in charge the program of our President and

Whereas, The safety happiness and contentment of our people demand this cooperation in order to continue rapidly on the road to complete recovery therefore be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania hereby calls upon the Reconstruction Finance Corporation and other agencies of the National Government having in charge the carrying out of the President's program to give consideration to the rehabilitation of the cosed industries of the city of Philadelphia and be it further

Resolved, That a copy of this resolution be forwarded to the Reconstruction Finance Corporation at Washington and to the Mayor of the City of Philadelphia.

REPORT FROM COMMITTEES

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Finance, re-reported as committed, Senate Bill No. 33, entitled:

An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board.

BILL ON THIRD READING AND FINAL PASSAGE

Mr. SALUS. Mr. President, I move that the Senate do now proceed to the third reading and consideration of Senate Bill No. 33, entitled:

An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 33, entitled:

An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Ealy,	Lanius,	Salus,
Aron,	Einstein,	Mansfield,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Sones,
Bell,	Graff,	Parkinson,	Sordoni,
Bennett,	Harris,	Pethick,	Staudenmeier,
Boyd,	Harvey,	Pierson,	Thompson,
Brandt,	Homsher,	Prince,	Trainer,
Buckman,	Howell,	Quigley,	Williamson,
Chapman,	Hunsicker,	Reed,	Ziesenheim,
Clark,	Krause,	Rice,	

NAYS—3

Coyne,	Roberts,	Snyder,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

REPORTS FROM COMMITTEE

Mr. BELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BELL, from the Committee on Appropriations reported as committed, Senate Bill No. 43, entitled:

An Act making an appropriation to the Department of Military Affairs.

BILLS INTRODUCED

Mr. BUCKMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 52, entitled:

An Act to amend the title and sections one, two, and three of the act approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand two hundred twenty-nine), entitled, "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption, conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," as amended, by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health.

Which was committed to the Committee on Agriculture.

Mr. EINSTEIN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection, The Chair hears none.

Mr. EINSTEIN read in his place and presented to the Chair Senate Bill No. 53, entitled:

An Act providing for the creation of public "Authorities" in counties of the second class; authorizing such "Authorities" to enter into agreements with the Government of the United States, particularly as they relate to the National Industrial Recovery Act and any amendments and supplements thereto, the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others; defining and providing for the organization and dissolution of such "Authorities"; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions upon which such "Authorities" may exercise their powers; endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds; authorizing such "Authorities" to make and receive appropriations; repealing certain acts and parts of acts inconsistent herewith; and for other purposes.

Which was committed to the Committee on Municipal Affairs.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ZIESENHEIM, from the Committee on Military Affairs, reported as committed, Senate Bill No. 50 (House Bill No. 39), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund; defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; and providing for the payment of interest on, and the redemption of, such bonds.

Also, from the Committee on Military Affairs, reported as committed, Senate Bill No. 51 (House Bill No. 40), entitled:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War, the war between the United States and Spain, the China Relief Expedition, or in the Philippines or Guam; imposing certain duties on the Adjutant General; making an appropriation; and repealing inconsistent legislation.

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none. none.

Mr. OWLETT, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 36 (House Bill No. 10), entitled:

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation of such beverages into the State except as herein provided prohibiting certain sales of practices in connections with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of license fees and imposing penalties

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Tioga, Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett, permit himself to be interrogated?

Mr. OWLETT. Mr. President, I will.

Mr. SHAPIRO. Mr. President, will the Senator state whether or not the amendments in this bill have been typewritten?

Mr. OWLETT. Mr. President, the amendments are all noted, and have been agreed on.

Mr. SHAPIRO. Mr. President, have they been prepared?

Mr. OWLETT, Mr. President, they have been prepared.

Mr. SHAPIRO. Mr. President, have they been typewritten?

Mr. OWLETT. Mr. President, they have been prepared.

Mr. SHAPIRO. Mr. President, have they been drafted?

Mr. OWLETT. Mr. President, they have.

Mr. SHAPIRO. Mr. President, I object to the reporting of this bill until the amendments have been typewritten.

Mr. OWLETT. Mr. President, I was directed by the Committee on Judiciary General to report House Bill No. 10 out, and I have done so.

Mr. SHAPIRO. Mr. President, I request that the record shall show the fact that the proposed amendments do not accompany this bill. I think they are not prepared.

Mr. HARRIS. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, I will.

Mr. HARRIS. Mr. President, I ask the Senator from Philadelphia, Mr. Shapiro, to produce any parliamentary manual, Jefferson's or any other manual or rule of the Senate, that provides for the typewriting of these amendments.

Mr. SHAPIRO. Mr. President, my answer is that I know of no such rule, but this bill has been reported as amended, and there are no amendments prepared.

Mr. BUCKMAN. Mr. President, the Senator from Philadelphia, Mr. Shapiro, is very much mistaken when he says that no amendments have been prepared; because I know that the amendments were offered, placed in the bill by the committee, and they are there. And when the bill comes before the Senate, if it is not in proper shape the Senator will be in a position to object.

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Bucks, Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks, Mr. Buckman, permit himself to be interrogated?

Mr. BUCKMAN. Mr. President, I will.

Mr. SHAPIRO. Mr. President, has the Senator from Bucks, Mr. Buckman, seen the bill?

Mr. BUCKMAN. Mr. President, I have seen the bill.

Mr. SHAPIRO. Mr. President, I have seen no amendments for this bill as reported out.

Mr. BUCKMAN. Mr. President, I have.

Mr. SHAPIRO. Mr. President, I have not seen any. Perhaps the eyesight of the Senator from Bucks, Mr. Buckman, is better than mine.

Mr. BUCKMAN. Mr. President, maybe it is.

And now, Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, I will.

Mr. BUCKMAN. Mr. President, I would like to ask the Senator from Philadelphia, Mr. Shapiro, whether he is a member of the Committee on Judiciary General.

Mr. SHAPIRO. Mr. President, I do not think that is relevant. I am not a member of the Committee on Judiciary General, but I was invited by the committee to participate in the hearing, and while I was there I learned, as a matter of fact, that there were no amendments prepared for the bill; and they do not accompany the bill.

MOTION TO READ BILL THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 43, entitled:

An Act making an appropriation to the Department of Military Affairs.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 50 (House Bill No. 39), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 51 (House Bill No. 40), entitled:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 11 o'clock.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 P. M. until Tuesday, November 28, 1933, at 11 o'clock A. M.

HOUSE OF REPRESENTATIVES

MONDAY, November 27, 1933.

The House met at 9:00 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Gracious Father, it is good to be here with Thee in the center of stirring action. It is as rest after toil, and as sunshine after storm, to come into Thy presence. Help us to remember always that Thou art near us and that in Thy presence we find the secret of real living; that sorrow, disappointment and defeat cannot cast us down utterly while we abide in Thee. May Thy servants share Thy joy—the joy that can see the rainbow thru the rain, and hear the birdsong across the winter's cold and storms, and follow the highest we know, until we know the highest. In Thy name, Dear Lord, and in obedience to our high commission we advance to the tasks now challenging. May good success crown the efforts of these, Thy servants. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, November 22, 1933.

The Clerk proceeded to read the Journal of Wednesday, November 22, 1933, when, on motion of Mr. Tahl, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. RICE. HOUSE BILL No. 102.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges; defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; providing for the payment of interest on, and the redemption of, such bonds; and making an appropriation.

Referred to the Committee on Highways.

By Mr. RICE. HOUSE BILL No. 103.

An Act to amend sections one, two, nine and eleven of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 395), entitled, "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing for the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation;" extending the provisions thereof to all bridges wholly within the Commonwealth, and providing for the payment of the cost of acquiring such bridges out of the Toll Bridge Fund.

Referred to the Committee on Highways.

By Mr. HUTTON. HOUSE BILL No. 104.

An Act relating to bailment leases, requiring all such leases to contain certain standard clauses, setting forth the rights of the respective parties thereto in cases where the owner or lessor shall retake possession of the goods or articles covered by such lease.

Referred to the Committee on Judiciary General.

By Mr. BECHTEL. HOUSE BILL No. 105.

An Act to amend section nineteen of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State and election officers; providing penalties; and repealing existing acts," by providing for the distribution of license fees to school districts in townships of the second class.

Referred to the Committee on Judiciary General.

By Mr. LEONARD P. KANE. HOUSE BILL No. 106.

An act requiring perons to obtain State permits for the purchase of spiritous alcoholic liquors not for consumption on the premises where sold; prescribing the fee and procedure therefor and the distribution of said fees; and prescribing penalties.

Referred to the Committee on Judiciary General.

By Mr. RAUB. HOUSE BILL No. 107.

An act to amend the act, approved the thirty-first day of May, one thousand nine hundred and thirty-three (P. L. 1134), entitled "An act adjourning county treasurers sales of seated and unseated lands in counties of the fourth class to be held in the year one thousand nine hundred thirty-three until the time fixed by law for such sales in the year one thousand nine hundred and thirty-four or any later date to which such sales may be adjourned; and suspending existing laws;" providing for the adjournment of such tax sales in the year one thousand nine hundred and thirty-four.

Referred to the Committee on Counties.

By Mr. J. E. BROWN. HOUSE BILL No. 108.

An act imposing a State tax upon corporations, associations, co-partnerships and persons supplying electric power, natural or artificial gas or telephone service within this Commonwealth, and providing for the assessment and collection of such tax.

Referred to the Committee on Ways and Means.

By Mr. MOHN. HOUSE BILL No. 109.

An act to amend section one of the act, approved the twenty-sixth day of August, one thousand nine hundred and thirty-two (P. L. 100), entitled "An act authorizing the abatement of penalties on local taxes," as amended, by providing for the extension of time during which such abatements may be allowed.

Referred to the Committee on Municipal Corporations.

By Mr. WOODSIDE. HOUSE BILL No. 116.

An act staying certain writs for the sale of real property for a certain period.

Referred to the Committee on Judiciary General.

By Mr. HOOPES. HOUSE BILL No. 117.

An act to regulate the payment of wages or compensation for labor or service in private employments; establishing regular pay days; providing that notices as to pay days must be kept posted by the employer; and providing penalties.

Referred to the Committee on Labor.

By Mr. PHILIP STERLING. HOUSE BILL No. 118.

An act imposing a graduated income tax for school purposes on residents of Pennsylvania, including fiduciaries, and on income of non-residents derived from property or business in Pennsylvania; providing for disposition of proceeds of the tax, defining taxable income and requiring filing of returns thereof; providing for the withholding of the tax at source in certain cases and imposing duties on withholding agents; providing methods and proceedings for the determination and collection of the tax, and imposition of liens therefor; providing for administration of the act by Department of Revenue; authorizing that Department to make rules; imposing penalties; and making an appropriation for administration costs.

Referred to the Committee on Ways and Means.

By Mr. BAKER. HOUSE BILL No. 119.

An act to amend section seventeen of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen, (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, construing the word "indebtedness" as used in said section, and denying the right of the Commonwealth to collect taxes on deposits in banks, banking institutions, savings institutions and trust companies.

Referred to the Committee on Ways and Means.

By Mr. RICE. HOUSE BILL No. 120.

An Act in aid of unemployment relief for the citizens of this Commonwealth by providing for preference to citizens of this Commonwealth in employment upon public works of this Commonwelath, conferring certain duties on the Department of Labor and Industry, and providing penalties.

Referred to the Committee on State Government.

By Mr. JOHN E. BROWN. HOUSE BILL No. 121.

An Act requiring wages to be paid in cash, check, or other evidence of indebtedness, redeemable in lawful money of the United States.

Referred to the Committee on Labor.

By Mr. JOHN E. BROWN. HOUSE BILL No. 122.

An Act to amend section two of an act approved the ninth day of June, one thousand eight hundred ninety-one (Pamphlet Laws, two hundred and fifty-six), entitled "An act to prohibit mining and manufacturing corporations from engaging in the business of carrying on stores known as company stores or general supply stores" by prohibiting certain contracts for and deductions from wages of employes of mining and manufacturing companies for amounts due owners of stores and making such contracts or deductions prima facie evidence of control of such stores.

Referred to the Committee on Mines and Mining.

By Mr. POWERS. HOUSE BILL No. 123.

An Act authorizing the Department of Highways to provide parking spaces along primary State highways; and providing for the acquisition of lands for such purposes and the manner of compensation therefor.

Referred to the Committee on Highways.

By Mr. MASON. HOUSE BILL No. 124.

An Act to amend the act approved the thirteenth day of May, one thousand nine hundred fifteen (Pamphlet Laws, two hundred eighty-six), entitled "An act to provide for the health, safety, and welfare of minors; by forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment, by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance, authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by prohibiting employment of minors between fourteen and sixteen years of age, except in certain types of work which will not interfere with school attendance; further limiting the occupations in which minors between fourteen and eighteen years of age may be employed or permitted to work and the

hours of labor; further regulating employment certificates and requiring minors under eighteen to procure such certificates, imposing on school districts to issue such certificates and repealing certain sections and acts.

Referred to the Committee on Labor.

By Mr. FITZGERALD. HOUSE BILL No. 125.

An Act for the protection of health, safety and welfare of women and minors in any occupation, trade or industry except domestic service in private homes and farm labor, by regulating under the police power of the Commonwealth the minimum wage which shall be paid to such women and minors; providing for wage boards, their powers and the procedure to determine the necessity for and to establish the minimum wage standard in any industry where the health, safety and welfare of women and minors is jeopardized by the payment of an oppressive and unreasonable wage; creating powers and imposing duties on the Department of Labor and Industry, the Secretary of Labor and Industry and such director as he may appoint to carry out this act; imposing certain duties on employers and requiring certain records to be kept and information to be furnished by him; permitting publication after hearing of the names of violators of minimum wage standards; prohibiting contracts for and payment of less than the minimum wage standards and providing penalties.

Referred to the Committee on Public Health and Sanitation.

By Mr. SHORTZ. HOUSE BILL No. 126.

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

Referred to the Committee on Constitutional Amendments.

By Mr. ANDREWS. HOUSE BILL No. 127.

An Act relating to the payment of salaries, subsistence and expenses of and control over special deputy sheriffs and policemen appointed by sheriffs or other public officials to preserve the public peace; prohibiting contracts for payment or the payment of such salaries, subsistence or expenses by persons, firms, or corporations and requiring payment thereof out of public funds of the proper county or municipality; and providing penalties.

Referred to the Committee on Counties.

By Mr. HERMANSEN. HOUSE BILL No. 128.

An Act to amend section one of article one of the act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," as amended, empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures.

Referred to the Committee on Mines and Mining.

By Mr. BOYD. HOUSE BILL No. 129.

An Act to amend section three of article twenty-eight of the act, approved the ninth day of June, one thousand nine hundred and eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," by extending the provisions of said act to all bituminous coal mines employing five or more persons, and empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures.

Referred to the Committee on Mines and Mining.

By Mr. NEGLEY. HOUSE BILL No. 130.

A Joint Resolution creating a Commission on Sectional Employment to study the causes of permanent unemployment in industrial areas, the effect on finances of local government in such sections and prescribing its powers and duties and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. NEGLEY. HOUSE BILL No. 131.

An Act relating to executions or judgments entered on bonds or notes secured by mortgages or deeds of trust; limiting the property that may be sold thereon without leave of court; and prescribing the effect of sales made in violation of the provisions of this act.

Referred to the Committee on Judiciary General.

By Mr. NEGLEY. HOUSE BILL No. 132.

An Act concerning deficiency judgments; providing methods for determining the amount thereof and the disposition of costs, and in certain cases, defining the fair market value of the property sold.

Referred to the Committee on Judiciary General.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 4. (HOUSE BILL No. 110.)

An Act authorizing officers, departments, boards, and commissions of the Commonwealth, and also cities, counties, boroughs, incorporated towns, townships, school districts and poor districts to cancel certain supply contracts and to relieve contractors of obligations thereunder, under certain circumstances, and validating like cancellations made heretofore.

Referred to the Committee on Judiciary General.

SENATE BILL No. 7. (HOUSE BILL No. 111.)

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class.

Referred to the Committee on Cities.

SENATE BILL No. 15. (HOUSE BILL No. 112.)

An Act to enable city, county, poor, ward, school, borough and township tax collectors, their executors and administrators if they are deceased, or either surety or sureties, to collect taxes, for the payment of which they have become personally liable without having collected the same, by the expiration of the authority of their respective bonds, or by the expiration of the authority of their respective warrants, or by the expiration of their terms of office, and to extend the time for the collections of the same for a period of two years from the passage of this act.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 16. (HOUSE BILL No. 113.)

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts. page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," making an appropriation for the payment of certain expenses of the General Assembly convened in Extraordinary Session on the thirteenth day of November, one thousand nine hundred thirty-three.

Referred to the Committee on Appropriations.

SENATE BILL No. 19. (HOUSE BILL No. 114.)

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

Referred to the Committee on Elections.

SENATE BILL No. 29. (HOUSE BILL No. 115.)

An Act to amend paragraph (a) of section nine of article three of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the Commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said Commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals; and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" by authorizing the Commission in special cases to grant relief to common carriers from the long and short haul and the aggregate of intermediate rates provisions.

Referred to the Committee on Public Utilities.

COMMUNICATIONS

The SPEAKER laid before the House the following communications which were read by the Clerk.

DISTRIBUTION OF ALCOHOL BEVERAGES BY DRUG STORES

Commissioner of Industrial Alcohol.

Referred to the Committee on Judiciary General.

OPPOSING PENDING LIQUOR CONTROL LEGISLATION

Philadelphia Chamber of Commerce.
Philadelphia Business Progress Association.

Referred to the Committee on Judiciary General.

URGING ELIMINATION OF COAL AND IRON POLICE

Organizer, Amalgamated Association of Iron, Steel, and Tin Workers of N. A.

Referred to the Committee on Corporations.

LEAVES OF ABSENCE

Mr. NEGLEY asked and obtained leave of absence for Mr. McCandless.

Mr. MUMFORD asked and obtained leave of absence for Mr. Wheeler.

Mr. GEORGE E. DOWNEY asked and obtained leave of absence for Mr. Stone.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 9.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 22, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed, at 5:35 P. M., House Bill No. 9, Printer's No. 15, entitled, "An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties."

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 14.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 23, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 14, Printer's No. 3, entitled, "An Act to provide for the expenses of the extraordinary session of the Legislature assembled November thirteenth Anno Domini one thousand nine hundred thirty-three in pursuance of the proclamation of the Governor of the Commonwealth dated the ninth day of November Anno Domini one thousand nine hundred thirty-three."

GIFFORD PINCHOT.

RESOLUTIONS

MEMORALIZING CONGRESS TO EQUALIZE TAXATION BETWEEN RIVER AND RAILROAD TRANSPORTATION

Mr. LANE offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, November 27, 1933.

Whereas In many cases boats on rivers are operated in open competition with railroad transportation and

Whereas Boats so operated are not compelled to maintain rights of way in the manner required of railroads and as a consequence can offer lower rates for transportation and

Whereas The belief prevails that river transportation is not subjected to a burden of Federal and State taxation equal to that imposed on railroads and

Whereas Railroad transportation is essential to the development of the commerce and business of the United States and

Whereas River transportation is in most instances a matter of interstate commerce over which the Federal Government has control therefore be it

Resolved (if the Senate concur) That the General Assembly memoralize Congress of the United States to enact legislation which will equalize the burden of taxation between river and railroad transportation in order to enable railroads to secure a fair share of the business

Resolved That a copy of this resolution be forwarded by the Chief Clerk of the House of Representatives to the President of the Senate and Speaker of the House of Represntatives of the United States.

RESOLUTION No. 2

Mr. CANNON. Mr. Speaker, I desire to call up at this time Resolution No. 2, Printer's No. 14.

The resolution was read by the Clerk as follows:

In the House of Representatives, November 20th, 1933.

Whereas The administration of the Honorable Franklin Delano Roosevelt has set forth a program containing the only hope for the improvement of existing conditions and the bringing back of domestic happiness by restoring employment and affording permanent relief to the people and

Whereas The program has already advanced to success by the creation of employment for those desiring and seeking the same and

Whereas The program of the Federal Civil Works Administration promises work for three hundred thousand wage earners within this Commonwealth and

Whereas In order to bring about a complete return to work of the unemployed it is necessary for the Commonwealth and municipal authorities to cooperate with the Federal recovery program and

Whereas Complete recovery within the Commonwealth must necessarily include the opening and full operation of our coal mines iron and steel mills and all other industries which are now idle and

Whereas Philadelphia the workshop of the world is filled with non-operating industires which can be made to function by a full cooperation with those having in charge the program of our President and

Whereas The safety happiness and contentment of our people demand this cooperation in order to continue rapidly on the road to complete recovery therefore be it

Resolved (if the Senate concur) That the General Assembly of the Commonwealth of Pennsylvania hereby calls upon the Reconstruction Finance Corporation and other agencies of the National Government having in charge the carrying out of the President's program to give consideration to the rehabilitation of the closed industries of the city of Philadelphia and be it further

Resolved That a copy of this resolution be forwarded to the Reconstruction Finance Corporation at Washington and to the Mayor of the City of Philadelphia

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for its concurrence.

RESOLUTION No. 1

Mr. FLANAGAN. Mr. Speaker, I desire to call up at this time Resolution No. 1, Printer's No. 9.

The resolution was read by the Cleark as follows:

In the House of Representatives, November 16, 1933.

Whereas The Government of the United States under the leadership of the President has taken many steps and appropriated tremendous amounts of money to bring this country out of the existing economic depression and

Whereas While leadership is an important factor in any public movement and in the application of the laws enacted by representatives of the people its success in the end depends in large measure upon the wholesome cooperation of the people and

Whereas The backbone of the whole recovery program is in the National Recovery Act which seeks to provide a maximum amount of work at reasonable hours and wages therefore be it

Resolved That the House of Representatives of the Commonwealth of Pennsylvania in extraordinary session assembled does hereby extend its sincere well wishes to the President of the United States for the success of his recovery program and extends congratulations for his courage in attempting so comprehensive a program and calls upon all loyal and patriotic citizens of the Commonwealth to support the recovery program wholeheartedly in all its details to the end that economic recovery may be hastened

Resolved that a copy of this resolution be transmitted to the President of the United States

On the question,

Will the House adopt the resolution?

It was adopted.

RESOLUTION

FIXING LAST DAY FOR INTRODUCTION OF BILLS

Mr. HUTTON from the Committee on Rules offered a resolution which was twice read, as follows:

In the House of Representatives, November 27, 1933.

Resolved, That Wednesday, November 29th, be the last day for the introduction of Bills in the House.

Committee on Rules

GROVER C. TALBOT
A. J. WHITE HUTTON
T. B. WILSON
JOSEPH G. STEEDLE
MORTON WITKIN

On the question,

Will the House adopt the resolution?

The SPEAKER declared the ayes appeared to have it,

Whereupon, a division was called for, and ninety-five members having voted in the affirmative and sixty-two members having voted in the negative, the question was determined in the affirmative and the resolution was adopted.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 10.00 o'clock P. M. Are there objections? The Chair hears none, and (at 9.23 o'clock P. M.) declares a recess until 10.00 o'clock P. M.

AFTER RECESS

The House reconvened at 10.00 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 37 (Senate Bill No. 3), entitled:

An Act to amend sections one four and five of the act approved the sixteenth day of March one thousand nine hundred thirty-three (Act number ten) entitled "An act authorizing the Department of Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges authorizing the construction and maintenance of such bridges approaches and connecting roads to State highways by the Department of of Highways providing for the condemnation of property necessary for the construction thereof and the assessment and payment of damages therefor providing for the collection of tolls upon certain terms and conditions and the deposit thereof in the State Treasury in a special fund providing for the payment of toll collection costs maintenance charges and repayments to the Reconstruction Finance Corporation from said funds providing for the cessation of tolls and payment of subsequent maintenance costs from the Motor License Fund and appropriating certain money in the Motor License Fund to carry out the provisions of said act" by authorizing similar arrangements to be made with other agencies of the Federal Government.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 39, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205

Andrews,	Greenstein,	McGinnis,	Sheffer,
Baker,	Griffith,	McGrail,	Shellenberger,
Baldi,	Habbyshaw,	McGregor,	Shenkel,
Barnhardt,	Haines,	McHenry,	Shettel,
Bechtel,	Hamilton,	McKay,	Shortz,
Beech,	Harmuth,	McKinney,	Shreiner,
Bennett,	Harris,	Melchiorre,	Shugarts,
Bernhard,	Hart,	Meredith,	Simon,
Blumberg,	Hartman,	Merrell,	Sinwell,
Boyd,	Heffernan,	Mohn,	Snyder,
Brancato,	Hefferon,	Moore,	Sowers,
Brennan,	Heffner,	Mumford,	Spann,
Brown, J. E.,	Hermansen,	Munley,	Stank,
Brown, W. L.,	Hester,	Murphy,	Steedle,
Brownfield,	Hewitt,	Myers,	Sterling, P.,
Cannon,	Himes, H. E.,	Negley,	Sterling, R. B.,
Caputo,	Himes, L. R.,	Nothnagle,	Stevens,
Carey,	Hoffman,	O'Connor,	Stevenson,
Carson,	Holmes, J. B.,	O'Keefe,	Stiteler,
Chervenak,	Holmes, J. L.,	O'Neil,	Storb,
Cohen,	Hoopes,	O'Rourke,	Stott,
Conner,	Horst,	Patterson,	Surface,
Cooke,	Hough,	Peeler,	Tahl,
Cordier,	Howard,	Pennock,	Terry,
Craig,	Hutton,	Perry, D. R.,	Trout,
Cramer,	Jaffe,	Perry, J. J.,	Turner,
Dane,	Jones,	Peters,	Wade,
Davies,	Kane, J. J.,	Powell,	Wagner,
DeFrehn,	Kane, L. P.,	Powers,	Walker, G. E.,
Denning,	King,	Price,	Walker, W. A.,
Downey, G. E.,	Kinney,	Quinn,	Wall,
Downey, J. J.,	Labar,	Raub,	Wasserman,
Duffy,	Lane,	Rectenwald,	Way,
Dunmire,	Laubach,	Reed,	Weidemann,
Ederer,	Lenahan,	Reilly,	Welsh,
Emhardt,	Lewis,	Rhodes,	Westrick,
Eroe,	Long,	Rice,	White,
Evans,	Lord,	Roan,	Wike,
Fitzgerald,	Lose,	Root,	Williams, G. W.,
Flanagan,	Lovett, J. E.,	Roth,	Williams, J. J.,
Fleisher,	Lovett, W. S.,	Royle,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Ruby,	Wilson, T. B.,
Flynn, J. M.,	Lynch, M.,	Ruth,	Witkin,
Flynn, J. W.,	Male,	Sarig,	Wood,
Forrest,	Malina,	Sautter,	Woodside,
Furman,	Maloney,	Schrock,	Wright,
Gallagher, T. J.,	Marcks,	Schrope,	Yeakel,
Gallagher, W. J.,	Mason,	Schwab,	Yourishin,
Gartner,	McBride,	Schwartz,	Zimmerman,
Gillette,	McClure,	Scorza,	Talbot,
Gorman	McCreary,	Scott,	Speaker.
Green,	McElwee,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 40, entitled:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitutions, the yeas and nays were taken and were as follows, viz:

YEAS—205

Andrews,	Greenstein,	McGinnis,	Sheffer,
Baker,	Griffith,	McGrail,	Shellenberger,
Baldi,	Habbyshaw,	McGregor,	Shenkel,
Barnhardt,	Haines,	McHenry,	Shettel,
Bechtel,	Hamilton,	McKay,	Shortz,
Beech,	Harmuth,	McKinney,	Shreiner,
Bennett,	Harris,	Melchiorre,	Shugarts,
Bernhard,	Hart,	Meredith,	Simon,
Blumberg,	Hartman,	Merrell,	Sinwell,
Boyd,	Heffernan,	Mohn,	Snyder,
Brancato,	Hefferon,	Moore,	Sowers,
Brennan,	Heffner,	Mumford,	Spann,
Brown, J. E.,	Hermansen,	Munley,	Stank,
Brown, W. L.,	Hester,	Murphy,	Steedle,

Brownfield,	Hewitt,	Myers,	Sterling, F.,
Cannon,	Himes, H. E.,	Negley,	Sterling, R. B.,
Caputo,	Himes, L. R.,	Nothnagle,	Stevens,
Carey,	Hoffman,	O'Connor,	Stevenson,
Carson,	Holmes, J. B.,	O'Keefe,	Stiteler,
Chervenak,	Holmes, J. L.,	O'Neill,	Storb,
Cohen,	Hoopes,	O'Rourke,	Stott,
Connor,	Horst,	Patterson,	Surface,
Cooke,	Hough,	Peelor,	Tahl,
Cordier,	Howard,	Pennock,	Terry,
Craig,	Hutton,	Perry, D. R.,	Trout,
Cramer,	Jaffe,	Perry, J. J.,	Turner,
Dane,	Jones,	Peters,	Wade,
Davies,	Kane, J. J.,	Powell,	Wagner,
DeFrehn,	Kane, L. P.,	Powers,	Walker, G. E.,
Denning,	King,	Price,	Walker, W. A.,
Downey, G. E.,	Kinney,	Quinn,	Wall,
Downey, J. J.,	Labar,	Raub,	Wasserman,
Duffy,	Lane,	Rectenwald,	Way,
Dunmire,	Laubach,	Reed,	Weidemann,
Ederer,	Lenahan,	Reilly,	Welsh,
Emhardt,	Lewis,	Rhodes,	Westrick,
Eroe,	Long,	Rice,	White,
Evans,	Lord,	Roan,	Wike,
Fitzgerald,	Lose,	Root,	Williams, G. W.
Flanagan,	Lovett, J. E.,	Roth,	Williams, J. J.,
Fleisher,	Lovett, W. S.,	Royle,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Ruby,	Wilson, T. B.,
Flynn, J. M.,	Lynch, M.,	Ruth,	Witkin,
Flynn, J. W.,	Male,	Sarig,	Wood,
Forrest,	Malina,	Sautter,	Woodside,
Furman,	Malone,	Schrock,	Wright,
Gallagher, T. J.,	Marcks,	Schrope,	Yeakel,
Gallagher, W. J.,	Mason,	Schwab,	Yourishin,
Gartner,	McBride,	Schwartz,	Zimmerman,
Gillette,	McClure,	Scorza,	Talbot,
Gorman,	McCreary,	Scott,	Speaker.
Green,	McElwee,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 8, as follows:

An Act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors and providing penalties

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Spirituous and Vinous Liquor Tax Law"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Container" Any receptacle vessel or cask barrel drum keg can or bottle or other form of package used for the transferring or shipment of distilled spirits rectified spirits or wines

"Corporation" A corporation or joint stock association organized under the laws of this Commonwealth the United States or any other State territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Distilled Spirits" Any alcohol other than denatured alcohol unfit for beverage purposes and liquid usable for beverage purposes which contains more than one-half of one per cent of alcohol by volume obtained by distillation or any process of evaporation mixed with water and other substances in solution including brandy rum whisky gin and any other alcoholic beverage obtained as aforesaid by whatever name such beverage may be called All wines containing more than twenty-four (24) per cent absolute alcohol by volume shall be classed as "distilled spirits" for the purpose of this act

"Gallon" A liquid measure containing two hundred thirty-one (231) cubic inches

"Importer" Any person who or which

1 Imports or causes to be imported from any other state or territory of the United States or from any foreign country distilled spirits rectifed spirits or wines for his own use in the Commonwealth of Pennsylvania or for sale and delivery in and after reaching the Commonwealth other than in the original package receptacle or container

2 Imports or causes to be imported from any other state or territory of the United States or from any foreign country distilled spirits rectified spirits or wines for his own use in the Commonwealth of Pennsylvania or for sale or delivery therein after the same have come to rest or storage therein whether or not in the original package receptacle or container

3 Purchases or receives distilled spirits rectified spirits or wines in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use or for sale and delivery therein from any person who has imported the same from a foreign country

4 Purchases or receives distilled spirits rectified spirits or wines in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use therein or for sale and delivery therein from any person who has imported the same from any other state or territory of the United States in case such distilled spirits rectified spirits or wines have not prior to such purchase or receipt come to rest or storage in the Commonwealth of Pennsylvania

5 Receives and in any manner uses or distributes distilled spirits rectified spirits or wines in the Commonwealth of Pennsylvania where the tax provided in this act has not been previously paid

"In bond" Distilled spirits rectified spirits and wines shall be construed to be "in bond" when they are lodged or stored in any place or warehouse designated or defined from time to time by or pursuant to any Act of Congress as a bonded winery distillery warehouse general bonded warehouse or special bonded warehouse under bond of the owner thereof conditioned upon the payment of taxes due thereon to the United States

"Manufacturer" Any person association or corporation engaged in the producing manufacturing distilling rectifying or compounding of distilled spirits rectified spirits or wines in this Commonwealth

"Person" Every natural person association or corporation Whenever used in a clause prescribing or imposing a fine or imprisonment or both the term "person" as applied to "association" shall mean the partners or members thereof and as applied to "corporation" shall mean the officers thereof

"Proof Gallon" A gallon of liquid which contains one-half (½) of its volume of alcohol of a specific gravity of seven thousand nine hundred thirty-nine ten thousandths (.7939) at sixty degrees (60°) fahrenheit

"Rectified Spirits" Any beverage containing more than one-half of one per cent of alcohol by volume obtained by rectification redistillation refining or purifying of distilled spirits or wines by any process other than by original and continuous distillation from mash wort or wash through continuous closed vessels and pipes until the manufacture thereof is completed or by mixing distilled spirits wines or other liquor with any materials or with any other distilled spirits wines or other liquor thereby producing any spurious imitation blended or compound alcoholic liquor

"Secretary" The Secretary of Revenue of this Commonwealth or his duly authorized deputy or representative

"Spirituous and Vinous Liquors" Distilled spirits rectified spirts and wines as defined in this section

"Wines" Any beverage containing more than one-half of one per cent and not more than twenty-four (24) per cent absolute alcohol by volume obtained by the fermentation of the natural sugar contents of fruits or other agricultural products containing sugar including all natural wines and fortified wines within the above limits but not including any

beverage known as beer lager beer ale porter or similar fermented malt liquor obtained by alcoholic fermentation of an infusion or decoction of barley malt and hops in water

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax

(a) Every manufacturer shall be subject to pay to the Commonwealth of Pennsylvania the taxes imposed in this section for the privilege of producing manufacturing distilling rectifying or compounding distilled spirits rectified spirits or wines in this Commonwealth when such distilled spirits rectified spirits or wines are withdrawn from bond or if not required by Act of Congress to be stored or placed in bond when prepared for market or for use in the manufacture or production of any beverage intended for sale

Such taxes shall be measured by the amount of such distilled spirits rectified spirits and wines so produced manufactured distilled rectified or compounded by the manufacturer on or after the effective date of this act and shall be computed thereon at the following rates

On distilled spirits one dollar ($1) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On rectified spirits thirty cents ($.30) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon in addition to the tax imposed herein on the privilege of producing using or selling within this Commonwealth the distilled spirits or wines from which said rectified spirits are produced manufactured or compounded

On wines one-half cent ($.005) per unit of proof per wine gallon and a proportionate tax at a like rate on all fractional parts of such wine gallon

(b) Every importer shall be subject to pay to the Commonwealth of Pennsylvania the taxes imposed in this section for the privilege of selling or using in this Commonwealth distilled spirits rectified spirits or wines produced manufactured distilled rectified or compounded without this Commonwealth Such taxes shall be measured by the amount of such distilled spirits rectified spirits and wines so sold or used by the importer in this Commonwealth on or after the effective date of this act and shall be computed thereon at the following rates

On distilled spirits one dollar ($1.) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On rectified spirits one dollar and thirty cents ($1.30) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On wines one-half cent ($.005) per unit of proof per wine gallon and a proportionate tax at a like rate on all fractional parts of such wine gallon

Section 4 Monthly Reports and Payments of Taxes By Manufacturer Penalty For the purpose of ascertaining the amount of taxes payable under this act by manufacturers it shall be the duty of each manufacturer on or before the fifteenth day of each month to transmit to the department upon a form prepared and furnished by the department a report under oath or affirmation of the distilled spirits rectified spirits and wines withdrawn from bond or if not required by Act of Congress to be stored or placed in bond prepared for market or for use in the manufacture or production of any beverage intended for sale by him within this Commonwealth during the preceding month Such reports shall show the number of proof gallons or wine gallons of alcoholic beverages withdrawn from bond or if not required by Act of Congress to be stored or placed in bond prepared for market or for use in the manufacture or production of any beverage intended for sale during the period for which it is made and such further information as the department shall prescribe

Every manufacturer at the time of making each report required by this section shall compute and pay to the department the tax due by him to the Commonwealth under the provisions of this act The amount of all taxes imposed under the provisions of this act for every month shall be due and payable on the fifteenth day of the next succeeding month and shall bear interest at the rate of one (1) per cent per month or factional part of the month from the day they were due and payable until paid

If any manufacturer shall neglect or refuse to make any report or payment as herein required an additional ten per centum of the amount of taxes shall be added by the department and collected as hereinafter provided and in addition thereto the Pennsylvania Liquor Control Board at the request of the department may suspend any permit issued by it to such manufacturer

Section 5 Determination and Redetermination of Taxes Penalty and Interest due by Manufacturers

(a) If the department is not satisfied with the report and payment of taxes made by any manufacturer under the provisions of this act it is hereby authorized and empowered to make a determination of the taxes due by such manufacturer based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such manufacturer Within thirty (30) days after the date of any such determination such manufacturer may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons which the petitioner believes entitle him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within ninety (90) days after the date of any determination to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within thirty (30) days after notice by the department of the action taken on any petition for redetermination filed with it the manufacturer against whom such determination was made may by petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reasons upon which the petitioner relies and shall be in such form as the Board of Finance and Revenue shall prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received and in the event of the failure of said board to dispose of any such petition within ninety (90) days the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the taxes due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within ninety (90) days may within sixty (60) days appeal to the court of common pleas of Dauphin county from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(e) If any manufacturer shall neglect or refuse to make any report and payment of taxes required by this act the department shall estimate the tax due by such manufacturer and determine the amount due by him for taxes penalties and interest thereon as prescribed herein from which determination there shall be no right of review or appeal

Section 6 Labels to be Affixed to Containers by Manufacturers Every manufacturer shall affix to each container in which distilled spirits rectified spirits or wines are placed for sale a label setting forth the name of the manufacturer the place where and the date upon which the contents of such containers were produced manufactured distilled rectified or compounded and the words "Pennsylvania Spirituous and Vinous Liquor Tax Paid" Such Label shall be affixed in such manner that its removal shall require the continued application of steam or water

Section 7 Spirituous and Vinous Liquor Tax Stamps Penalties The payment of taxes herein provided to be paid by importers under the provisions of this act shall be evidenced by the affixing of "spirituous and vinous liquor tax stamps" to the containers in which all such beverages are intended for sale or use Such stamps shall be affixed by importers to

each individual container in which such beverages are intended for sale or use before such beverages are sold or used within this Commonwealth

Any importer who shall fail to affix to the containers of such beverages the stamp as required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than two hundred dollars ($200) or more than one thousand dollars ($1,000) and costs of prosecution or to undego imprisonment for a term of not less than six (6) months or more than three (3) years or both in the discretion of the court

Any importer who shall be convicted of a misdemeanor under this section shall in addition to the punishment heretofore described be adjudged to pay to the Commonwealth the taxes due together with interest at the rate of one (1) per cent per month or fraction of a month from the date when said taxes were due and payable Such adjudication shall be certified to the prothonotary and shall be indexed as and have the effect of a judgment for the amount of such tax and interest

Section 8 Sale of Stamps and Reports by Importers The department shall prescribe prepare and furnish such stamps as it deems necessary for the payment of the taxes to be paid by importers under the provisions of this act The department shall make provisions for the sale of such stamps in such places and at such times as it may deem necessary

The department may appoint persons within or without the Commonwealth as agents for the sale of stamps to be used in paying the taxes herein imposed and whenever the department shall sell consign or deliver to any such agent any such stamps for sale or use the agent shall be entitled to receive as compensation for his services and expenses as such agent and to retain out of the moneys to be paid by him for such stamps a commission of one half of one per cent of the face value thereof The department is hereby authorized and required to allow such commission or compensation in the settlements of the accounts of such agent upon payment by him into the State Treasury through the department of any moneys which may be or become due to the Commonwealth by reason of the sale delivery or consignment to such agent of such stamps

Monthly Reports by Importers For the purpose of verifying the stamp requirements of this act it shall be the duty of every importer on or before the tenth day of each month to transmit to the department on forms prepared and supplied by the department a report under oath or affirmation of all spirituous and vinous liquors imported and sold or used by the importer in this Commonwealth and such other information as the department shall prescribe

Section 9 Manner of Affixing Stamps Stamps shall be affixed in such manner that their removal shall require continued application of steam or water

Section 10 Purchase and Use of Stamps by Foreign Vendors Producers or other vendors of distilled spirits rectified spirits and wines from without this Commonwealth may purchase stamps from the department and affix them in the manner prescribed by the department to original containers in which such beverages are to be sold in this Commonwealth in which case the recipient of such beverages within this Commonwealth shall not be required to purchase and affix stamps thereon or pay the taxes herein imposed upon the privilege of selling or using such beverages within this Commonwealth

Section 11 Counterfeiting of Stamps Penalty Any person who falsely or fraudulently makes forges or alters or counterfeits any stamp prescribed by the department under the provisions of this act or causes or procures to be falsely or fraudulently made forged altered or counterfeited any such stamp or knowingly and wilfully utters publishes passes or tenders as true any such false altered forged or counterfeited stamp or uses more than once any stamp provided for and required by this act for the purpose of evading the tax hereby imposed and assessed shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment for a term of not less than two (2) years or more than five (5) years

Section 12 Examination of Records Equipment and Stock The Department or any agent appointed by it is hereby authorized at any time to examine the books papers invoices other records and manufacturing equipment pertaining to and stock of distilled spirits rectified spirits and wines in and upon any premises where the same are placed stored or sold either by manufacturers or importers or any other person to verify the accuracy of any report required to be made by this act or payment of or liability for the taxes imposed by this act Any person in possession of such beverages is hereby directed and required to give the Secretary of Revenue or his duly authorized representative the means facilities and opportunity for such examinations

The department is hereby authorized to furnish any information obtained by it in the exercise of its duties under the provisions of this act concerning distilled spirits rectified spirits and wines manufactured in or imported into this Commonwealth to the proper authorities of this or of any other State territory or the United States and to obtain similar information from the proper authorities of any other State territory or the United States

Scetion 13 Acceptance of Beverage not Bearing the Labels or Stamps Required by this Act It shall be unlawful for any retail dealer consumer or any person other than an importer to accept delivery of distilled spirits rectified spirits or wines in containers upon which the labels required to be affixed by manufacturers or the stamps required to be affixed by importers under the provisions of this act do not appear and upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace he shall be fined twenty-five dollars ($25) and in default of payment thereof shall undergo imprisonment for not more than ten (10) days

Section 14 Uncollectible Checks Whenever any check issued in payment of tax penalty or interest imposed by this act shall be returned to the department as uncollectible the department shall charge a fee of five dollars ($5) per one hundred dollars ($100) or fractional part thereof plus all protest fees to the person presenting such check to the department

Section 15 Retention of Records by Manufacturers and Importers Each manufacturer and importer shall maintain and keep for such period as may be required by the department such record or records of distilled sipirts rectified spirits and wines produced manufactured distilled rectified or compounded in or imported into this Commonwealth by him together with invoices bills of lading and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of one thousand dollars ($1,000) and costs of prosecution or to undergo imprisonment for not more than one year or both in the discretion of the court

Section 16 Violations

(a) Any person who shall fail neglect or refuse to make the report and pay the taxes penalties and interest imposed by this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books records invoices other papers and manufacturing equipment pertaining to and stock of distilled spirits rectified spirits and wines within this Commonwealth or who shall make any incomplete false or fraudulent report or who shall attempt to do anything whatsoever to avoid a full disclosure of the amount of distilled spirits rectified spirits and wines by which the taxes under this act are measured or to avoid the payment of the whole or any part of the taxes penalties and interest due shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and costs of prosecution and to undergo imprisonment for not less than six (6) months or more than three (3) years Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

(b) Any person who shall falsely label any container in which distilled spirits rectified spirits or wines are placed for sale or use a false or fictitious name or give a false or fictitious address in any application or form required under the provisions of this act or otherwise commit a fraud in any application record or report shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars ($500) or more than one thousand dollars ($1,000) and costs of prosecution or undergo imprisonment for not less than six (6) months or more than three (3) years or both in the discretion of the court Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

(c) Upon the conviction of any person of any of the misdemeanors described in this section the Alcohol Permit Board at the request of the department may revoke any permit issued by it to such person

Section 17 Enforcement The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

Section 18 Disposition of Tax Fees Fines and Interest All taxes fines penalties and interest received collected or accruing under the provisions of this act shall be paid into the General Fund of the State Treasury by and through the department

Section 19 Exemption from Tax From and after the date upon which the Commonwealth of Pennsylvania begins to operate Pennsylvania Liquor Stores no taxes shall be imposed or collected under the provisions of this act upon the privilege of producing selling or using such distilled spirits rectified spirits and wines as are sold to or sold or used by the Commonwealth

Section 20 Other Exemptions No tax shall be imposed under the provisions of this act upon the privilege of selling any wine imported into this Commonwealth by the holder of a sacramental wine permit or upon the privilege of manufacturing or selling any distilled spirits rectified spirits or wines for or to pharmacists duly licensed and registered under the laws of this Commonwealth or manufacturing pharmacists or chemists or other persons for use in the manufacture or compounding of preparations unfit for beverage purposes

Section 21 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 22 Effective Date This act shall become effective the day after the day the Twenty-first Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. WITKIN. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of amendment.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 17, as follows:

An Act to amend the title and certain sections of the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances resigned or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permits through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by providing that the act shall be administered by the Pennsylvania Liquor Control Board making the act inconsistent with the repeal of the Eighteenth Amendment changing definitions and exemptions bringing rectifiers and blenders within the act providing for the abatement of nuisances and increasing fees

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" is hereby amended to read as follows

[A SUPPLEMENT

To the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws" providing for the registering of federal permits also regulating]

AN ACT

Regulating under permit through [a] the Pennsylvania Liquor Control Board [created in the Department of Welfare] the manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire [sale at wholesale] and transportation for hire of any alcohol [or] alcoholic liquid or alcoholic beverage by certain persons requiring the registration of federal permits also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act

Section 2 Sections 2 3 4 5 7 8 9 10 12 15 17 18 19 and 21 of said act are hereby amended to read as follows

Section 2 (Definitions) For the purpose of this act the following terms shall have the following meanings respectively designated for each

[(a) The phrase "intoxicating liquor" as used in this act shall mean anything found and determined from time to time to be intoxicating by act of Congress passed pursuant to and in the enforcement of the Constitution of the United States of America]

[(b)] (a) The word "person" shall mean and include natural persons associations partnerships and corporations for whatever purpose organized

[(c)] (b) The phrase "alcohol and alcoholic liquid" whenever used in this act shall mean and include alcohol and all distilled redistilled denatured recovered liquids or substances and any compound or admixture thereof beer ale wines porter

spirits whiskey and all liquors from whatever source or by whatever processes produced which contain any alcohol by volume capable of being used for beverage purposes [or as intoxicating liquor] during or after manufacture production distillation redistillation denaturization rectification blending or recovery

[(d)] (c) The term "application" shall mean a formal verified written request under oath or supported by a verified statement of facts for a permit for the privilege authorized by law

[(e)] (d) The term "permit" shall mean a formal written authorization by the board setting forth specifically therein the things that are authorized

[(f)] (e) The term "board" shall mean the Pennsylvania Liquor Control Board [authorized and created by this supplemental act]

[(g)] (f) The term "regulations" shall mean any regulation prescribed by the board for carrying out the provisions of this act

[(h)] (g) The term "container" shall mean and include any receptacle vessel or form of package tank vat cask barrel drum keg can bottle or conduit used or capable of use for holding storing transferring or shipment of alcohol or alcoholic liquid

[(i)] (h) The term "federal permit" as used in this act shall be construed to mean what is commonly known as the [basic] permit issued by authority of the United States of America in conformity with the [National Prohibition Act] Acts of Congress and the regulations issued pursuant thereto and shall not include a subsidiary or installment permit [for a particular transaction issued to the holder of a basic permit]

[(j) The phrase "National Prohibition Act" shall be construed to mean the act of Congress approved October twenty-eighth one thousand nine hundred and nineteen known as the National Prohibition Act as supplemented and amended]

[(k)] (i) The term ["industrial alcohol plant"] "distillery" shall mean and include any premises or plant [or distillery] wherein alcohol or alcoholic liquid is manufactured made and distilled from raw material blended or rectified or any place wherein alcohol or alcoholic liquid is produced by any method suitable for the production of alcohol

[(l)] (j) The term "denaturing plant" shall mean and include all plants used exclusively for the denaturization of alcohol either specially or completely by the admixture of such denaturing materials as shall render the alcohol or any compound in which it is authorized to be used unfit for use as [an intoxicating] a beverage

[(m)] (k) The phrase ["dealcoholizing plant"] "brewery" shall mean and include [all] any premises and plants where [alcohol or] alcoholic liquids or beverages are produced by the process of which beer ale or porter [or wine is] are produced [or wine] [by wasting the acohol or by arrested fermentation and all premises and plants where alcohol alcoholic liquids or beverages are treated so that the percentage of alcohol is diminished]

(l) The phrase "winery" shall mean and include any premises and plants where alcoholic liquids or beverages are produced by the process by which wine is produced or premises and plants wherein liquid such as wine is produced

[(n)] (m) The term "bonded warehouse" shall mean and include all places and warehouses legally established under the provisions of the [National Prohibition Act] Act of Congress and the administrative provisions of the internal revenue laws of the government of the United States of America for the storage concentration distribution and holding in bond of alcohol or alcoholic liquid

[(o)] (n) The term "manufacture" shall mean and include all means methods and processes used employed and made use of to produce and make alcohol or alcoholic liquid from raw materials and shall mean and include rectification and blending of alchol and alcoholic liquid the production recovery or reuse of alcohol in the making developing using in the process of manufacture denaturing redistilling or recovering of any alcohol or alcoholic liquid in distilleries denaturing plants breweries and wineries

[(p)] (o) The term "denatured alcohol" shall mean and include all alcohol or alcoholic liquid or any compound thereof which by the admixture of such denaturing material or materials is rendered unfit for use as [an intoxicating] a beverage

Section 3 It shall be unlawful for any person without a permit from the Commonwealth obtained as hereinafter provided except as exempted by section five hereof to manufacture produce distill develop or use in the process of manufacture denature redistill recover rectify blend reuse hold in bond hold in storage as bailee for hire [sell at wholesale] or transport for hire within this Comonwealth any alcohol or alcoholic liquid

Section 4 Every person except as exempted by section five hereof holding a federal permit under the [National Prohibition Act] Acts of Congress to manufacture produce distill develop or use in the process of manufacture denature redistill recover reuse hold in bond hold in storage as bailee for hire [sell at wholesale] or transport for hire within this Commonwealth any alcohol or alcoholic liquid shall within thirty (30) days after this act takes effect file a true and exact copy of the same with the Pennsylvania Alcohol Permit Board and every person thereafter obtaining such a federal permit shall file forthwith a true and exact copy of the same with said board Said board shall keep a record of said federal permits and register therein the name and address of each person to whom said federal permit is issued the date of the federal permit the date of its expiration and a brief description of the provisions of the federal permit and shall file said copy in its office Provided however That no federal permit shall be registered for any applicant who is not a citizen of the United States or who has within two (2) years prior to the making of such application been convicted of a violation of the laws of this Commonwealth or of the United States relating to alcohol and alcoholic liquors

Conviction of a violation of any of the statutes of this Commonwealth or the laws of the United States relative to alcohol and alcoholic liquors by the holder of any federal permit shall operate as a revocation of the registration of such federal permit

Section 5 It is hereby declared that registration of a federal permit or securing a permit hereunder shall not be required from any registered pharmacist or a physician licensed by the State Boad of Medical Education and Licensure or a person or persons who made and sell vinegar [non-intoxicating] cider and fruit juices or a person or persons who [make] manufacture store sell or transport methanol [distilled from wood] propanol butanol and amanol or a person or persons who conduct a wholesale drug business or a person or persons who conduct a mercantile business chiefly devoted to the sale of food stuffs and having an established place located within the Commonwealth or a person or persons who manufacture alcoholic liquids and preparations not fit for use as a beverage or for [intoxicating] beverage purposes a person or persons engaged in the manufacture possession or sale of patent patented or proprietary medicines toilet medicinal or antiseptic preparations or solutions or flavoring extracts or syrups or a person or persons who manufacture or sell paints varnishes enamels lacquers stains or paint or varnish removing or reducing compounds or wood fillers or a person or persons who manufacture any substance where the alcohol or alcoholic liquid is changed into other chemical substances and does not appear in the finished product as alcohol or alcoholic liquid or such common carriers by railroad as are subject to regulation by the Public Service Commission of the Comonwealth of Pennsylvania or a person or persons who sell store or transport alcohol and alcoholic liquids completely denatured or specified by the board

Section 7 Every applicant for a permit under this act shall file with the board a petition in writing duly verified in such form as the board shall from time to time prescribe setting forth

1 The legal names of the applicant and of the owner of the place where business under the permit will be carried on with their residence addresses by street and number if a partnership of each separate partner and if a corporation of each individual officer thereof

2 The exact location of said place of business and of every place to be occupied or used in connection with such business the productive capacity of each plant where any alcohol of alcoholic liquid is to be manufactured produced distilled rectified blended developed or used in the process of manufacture denatured redistilled recovered reused the capacity of every warehouse or other place where such alcohol or alcoholic liquid is to be held in bond or stored for hire [the storage capacity of every place where a wholesale busines in any alcohol or

alcoholic liquid is to be conducted] or the equipment to be used where a transportation business is to be carried on under the permit

3 The period of time the applicant has been carrying on the business for which the permit is desired

4 If the permit is for the manufacture production distillation development rectification blending or denaturization holding in bond holding in storage of any alcohol or alcoholic liquid the maximum quantity per month to be manufactured developed or stored and if the permit is for the use redistillation recovery rectification blending or reuse of any alcohol or alcoholic liquid the purpose or purposes for which the same is to be used

5 That no one of the applicants has been convicted of a violation of this act or of any law or regulation of the United States of America or of the Commonwealth of Pennsylvania for the control of the manufacture possession and traffic in [any intoxicating liquor] alcohol or alcoholic liquids

6 That each and every one of the applicants is a citizen of the United States of America

7 Such other relevant information as the board shall from time to time require by rule or regulation

This petition must be verified by affidavit of the applicant made before any officer legally qualified to administer oaths and if any false statement is wilfully made in any part of said petition the applicant or applicants shall be deemed guilty of the crime of perjury and upon indictment and conviction shall be subject to its penalties

Section 8 Upon the filing of the application in the form herein provided and upon execution of a bond to the Commonwealth and a warrant of attorney to confess judgment in the penal sum of ten thousand dollars ($10,000) with surety to be approved by the board which bond shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to [intoxicating liquors] alcohol or alcoholic liquid and the conditions of the permit the board may grant to such applicant a permit to engage in the manufacturing producing distilling developing or using in the process of manufacturing denaturing redistilling recovering rectifying blendng reusing holding in bond holding in storage as balee for hire [selling at wholesale] and transporting for hire of alcohol or alcoholic liquid

Section 9 All persons except as exempted by section five hereof manufacturing producing distilling developing or using in the process of manufacture denaturing redistilling recovering rectifying blending reusing holding in bond holding in storage as bailee for hire [selling at wholesale] or transporting for hire of alcohol or alcoholic liquid under the provisions of this Act of Assembly shall securely and permanently attach to every container ready for shipment thereof as the same is manufactured produced distilled developed denatured redistilled recovered rectified blended reused a label stating name of manufacturer kind and quantity of alcohol or alcoholic liquid contained therein and the date of its manufacture together with the number of the permit authorizing the manufacture thereof and all persons possessing such alcohol or alcoholic liquid in wholesale quantities shall securely keep and maintain such label thereon [and all persons selling at wholesale shall attach to every package of alcohol or alcoholic liquid when sold a label setting forth the kind and quantity of alcohol or alcoholic liquid contained therein by whom manufactured the date of sale and the person to whom sold which label shall likewise be kept and maintained thereon until the alcohol or alcoholic liquid is used for the purpose for which such sale was authorized]

Section 10 Every permit issued under the provisions of this act for the manufacture production distillation development denaturization redistillation recovery rectification blending reuse holding in bond holding in storage of any alcohol or alcoholic liquid per month which may lawfully be manufactured produced distilled rectified blended developed denaturized redistilled reused held in bond or stored under such permit Any permit issued for the use of any alcohol or alcoholic liquid in the process of manufacture shall specify the purpose or purposes for which such alcohol or alcoholic liquid is to be used and the maximum quantity per month which may lawfully be used under such permit Every permit shall specify by definite location every place to be occupied or used in connection with the business to be conducted thereunder It shall be unlawful for the holder of any permit to manufacture produce distill develop denaturize redistill recover rectify blend reuse hold in bond hold in storage or use a greater quantity of any alcohol or alcoholic liquid in any month than that specified in his permit or to use any alcohol or alcoholic liquid for any purpose other than that specified in his permit or to occupy or use any place in connection with any business authorized under a permit other than the place or places designated therein

Section 12 Every place operated under permit secured hereunder where any alcohol or alcoholic liquid is manufactured produced distilled developed or used in the process of manufacture denatured redistilled rectified blended recovered reused held in bond stored for hire or in connection with a permittee's business [sold at wholesale] shall be subject to inspection by members of the board or by persons duly authorized and designated by the board at any and all times of the day or night as they may deem necessary (a) for the detection of violations of this act or of the rules and regulations of the board promulgated under the authority of this act or of the act to which this is a supplement or (b) for the purpose of ascertaining the correctness of the records required by this act to be kept by permittees and the books and records of permittees and the books and records of their customers insofar as they relate to purchases from said permittees shall at all times be open to inspection by the members of the board or by persons duly authorized and designated by the board for the purpose of making inspections as authorized by this section Members of the board and the persons duly authorized and designated by the board shall have the right without fee or hindrance to enter any place which is subject to inspection hereunder or any place where records subject to inspection hereunder are kept for the purpose of making such inspections

Section 15 [All persons now carrying on any business requiring a permit under the provisions of this act must apply for the same within sixty (60) days after its passage and any such business may continue if a permit has been so applied for until it is granted or refused] The fee for every brewery permit issued under the provisions of this act shall be one thousand dollars ($1,000.00) The fee for every permit issued to a winery shall be five hundred dollars ($500.00) The fee for every permit issued to distilleries shall be one cent per proof gallon on the annual amount authorized by the permit but not less than five thousand dollars ($5,000.00) The fee for all other permits shall be one hundred dollars ($100.00) The fees for all permits when applied for and issued on or after April first but prior to July first shall be three-fourths of the annual fee July first but prior to October first shall be one-half of the annual feet October first but prior to January first one-fourth of the annual fee All fees shall be paid to the board which shall deposit the same in the State Treasury through the Department of Revenue [where they shall be kept apart from all other funds in the State Treasury in a separate fund to be known as the ["Permit Fund" The moneys from time to time in the said fund are hereby specifically appropriated to the board for the payment of any and all expenses of every kind and description which may be necessary for the proper administration and enforcement of this act Moneys shall be paid out of the said fund by warrant of the Auditor General upon the State Treasurer after requisition by the Secretary of Welfare]

For the purpose of this section the term "proof gallon" shall mean a gallon of liquid which contains one-half its volume of alcohol of a specific gravity of seven thousand nine hundred thirty-nine thousandths (.7939) at sixty degrees Fahrenheit

Section 17 The board shall have the power to make and promulgate appropriate rules and regulations for carrying into effect the provisions of this act [Provided That as far as practicable the rules and regulations of the board shall conform to the rules and regulations promulgated by the appropriate agency of the government of the United States for carrying into effect the provisions of any act or acts of Congress regulating the manufacture development storage sale or transportation of any alcohol or alcoholic liquid or intoxicating liquor]

Section 18 (a) Any place within this Commonwealth in which any alcohol or alcoholic liquid is manufactured produced distilled developed or used in the process of manufacture denatured redistilled recovered rectified blended reused stored in bond or stored for hire [or sold a wholsale] by a person without a permit as required by the provisions of this act and any place in which a person holding a permit issued under the provisions of this act shall violate any provisions of this act or any rule or regulation of the board or any provisions of the act to which this is a supplement is hereby declared to be a common nuisance and upon such violation the permit if any

held by such person shall be automatically suspended [Any nuisance as in this section defined may be abated under the provisions of the act of the twenty-seventh day of March one thousand nine hundred and twenty-three Pamphlet Laws thirty-four to which this is a supplement]

(b) An action to enjoin any nuisance defined in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General of the State or by the district attorney of the respective county Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases within the county in which the offense occurs If it is made to appear by affidavit or otherwise to the satisfaction of the court that such nuisance exists a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the proceedings If a temporary injunction is prayed for the court may issue an order restraining the defendant and all other persons from removing or in any way intefering with the liquor or other things used in connection with the violation of this act constituting such nuisance No bond shall be required in instituting such proceedings It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing but on finding that the material allegations of the petition are true the court shall order that no alcohol or alcoholic liquid or alcoholic beverage be manufactured produced distilled developed rectified or used in the process of manufacture denatured redistilled recovered reused rectified stored in bond stored for hire or sold at wholesale by a person without a permit as required by the provisions of this act Upon the decree of the court ordering such nuisance to be abated the court may upon proper cause shown order that the room house building structure boat vehicle or place shall not be occupied or used for one year thereafter but the court may in its discretion permit it to be occupied or used if the owner lessee tenant or occupant thereof shall give bond with sufficient surety to be approved by the Court making the order in the penal and liquidated sum of not less than five hundred dollars ($500.00) payable to the Commonwealth of Pennsylvania for use of the county in which said proceedings are instituted and conditioned that no alcohol or alcoholic liquid or alcoholic beverage be manufactured produced distilled developed rectified or used in the process of manufacture denatured redistilled recovered reused rectified stored in bond stored for hire or sold at wholesale by a person without a permit as required by the provisions of this act

Section 19 Whenever any person or persons withdraw or remove any alcohol or alcoholic liquid which has not been denatured from any distillery [industrial alcohol plant] denaturing plant [dealcoholizing plant] brewery winery or bonded warehouse for the purpose of denaturing the same it shall be unlawful for any such person or persons to use sell or conceal or attempt to use sell or conceal or be concerned in the sale use or concealment of any such alcohol or alcoholic liquid unless before such sale or use the said alcohol or alcoholic liquid shall be denatured by adding thereto denaturing material or materials or admixtures thereof which render it unfit for beverage purposes

It shall be unlawful for any person or persons to recover and reuse or attempt to recover and reuse by redistillation or by any other process or means whatsoever any alcohol or alcoholic liquid from denatured alcohol or to knowingly use sell conceal or otherwise dispose of alcohol or alcoholic liquid so recovered or redistilled

Section 21 No property rights shall exist in any alcohol or alcoholic liquid manufactured possessed produced distilled developed or used in the process of manufacture denatured redistilled recovered rectified reused held in bond held in storage as bailee for hire [sold at wholesale] or transported for hire in violation of any of the provisions of this act and the same shall be deemed contraband and forthwith destroyed No alcohol or alcoholic liquid in the custody of any officer of the law shall be seized or taken from him on any writ of replevin injunction or other like process

Section 3 This act shall become effective immediately upon its approval by the Governor except that the increased fees provided by this act shall first become effective for permits issued for the year one thousand nine hundred and thirty-four

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. WILSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of amendment.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. GEORGE W. WILLIAMS, from the Committee on Boroughs and Townships, reported as committed, House Bill No. 56, entitled:

An Act to amend sections one thousand seven hundred and seventy-six, two thousand one hundred and twelve, and two thousand one hundred and forty-one, of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs;" lengthening the time for which assessments bonds for street and sewer improvement may be issued; regulating notice where sewer-works are constructed without the limits of a borough.

Mr. GEORGE W. WILLIAMS, from the Committee on Appropriations, reported as committed, House Bill No. 41, entitled:

An Act making an appropriation for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three.

Mr. CONNER, from the Committee on Appropriations, reported as amended, House Bill No. 88, entitled:

An Act making an appropriation out of the General Fund to the Pennsylvania Liquor Control Board for the administration and enforcement of the Pennsylvania Liquor Control Act, including the establishment, operation, maintenance and equipment of Pennsylvania Liquor Stores, and places for the storing and testing of liquors, and providing for the partial reimbursement of the General Fund by making an appropriation from The State Stores Fund, to be transferred in installments to the General Fund.

Mr. SCHWARTZ, from the Committee on Appropriations, reported as committed, House Bill No. 55, entitled:

An Act making an appropriation out of The State Stores Fund to the State Emergency Relief Board, for direct relief, work relief and expenses; defining the purposes for which such moneys may be expended; providing for the audit of such expenditures; and the prescribing the powers and duties of the State Emergency Relief Board and of certain State departments.

Mr. SCHWARTZ, from the Committee on Appropriations, reported as committed, House Bill No. 78, entitled:

An Act making an appropriation out of The State Stores Fund to the Department of Welfare for old age assistance.

Mr. STORB, from the Committee on Appropriations, reported as amended, House Bill No. 87, entitled:

An Act appropriating the moneys in The State Stores Fund.

Mr. STEEDLE, from the Committee on Appropriations reported as committed, House Bill No. 18, entitled:

An Act providing for assistance to aged poor persons, and for the sharing of such assistance by the Commonwealth and poor districts; providing for the appointment of county boards for the assistance to the aged to administer the provisions hereof, and for the payment of their expenses, and for the appointment of a State Supervisor and necessary assistants, and prescribing his powers and duties; imposing duties and liabilities upon the Department of Welfare, counties, the State Treasurer, and the authorities having in charge the admin-

istration of local poor relief; providing for the acceptance of the provisions hereof by county commissioners and the authorities in poor districts; and prescribing penalties.

Mr. HART, from the Committee of Appropriations, reported as committed, House Bill No. 77, entitled:

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, assistance to and the burial of certain aged indigent persons, and the administration of this act by the Department of Welfare, the trustees, who administer mothers' assistance in the several counties and others; making counties liable for certain expenses; providing penalties; and making an appropriation.

Mr. HOUGH, from the Committee on Appropriations, reported as committed, House Bill No. 74, entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years begining June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," by making additional appropriations to the Executive and Judicial Departments of the Commonwealth.

Mr. SHREINER, from the Committee on Public Utilities, reported as committed, House Bill No. 115, (Senate Bill No. 29), entitled:

An Act to amend paragraph (a) of section nine of article three of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expenses and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; precribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals; and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" by authorizing the commission in special cases to grant relief to common carriers from the long and short haul and the aggregate of intermediate rates provisions.

QUESTION OF PERSONAL PRIVILEGE

Mr. SOWERS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SOWERS. Mr. Speaker, and members of the House, a number of the members of the House have requested copies of the amendments offered by Mr. Steedle and myself to House Bill No. 10. You can obtain substantially a copy of those amendments if you will get a copy of House Bill No. 75. House Bill No. 75 is House Bill No. 10 as we proposed to amend it.

The SPEAKER. The remarks of the gentleman on the question of personal privilege will be spread upon the Journal.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

MOTION TO ADJOURN

Mr. SOWERS. Mr. Speaker, I move that this House do now adjourn until tomorrow morning, Tuesday, November 28, at 11.00 o'clock.

On the question,

Will the House agree to the motion?

QUESTION OF INFORMATION

Mr. TURNER. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. TURNER. Mr. Speaker, is there not some legislation which has just come from the Senate?

The SPEAKER. That is correct.

Mr. TURNER. Is there not a message that has come from the Senate which has not yet been handed to the Speaker?

The SPEAKER. That is correct.

Mr. WILSON. Mr. Speaker, is this motion debatable?

The SPEAKER. It is not, the Chair informs the gentleman.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows;

SENATE BILL No. 33. (HOUSE BILL No. 141.)

An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board.

Referred to the Committee on State Government.

REQUEST FOR COMMITTEE TO MEET DURING SESSION OF THE HOUSE

Mr. HUTTON. Mr. Speaker, as Chairman of the Committee on State Government, I ask permission of the House for the Committee to sit during the session of the House for a period of ten minutes to consider Senate Bill No. 33. It is important to the House.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 12.25 o'clock A. M. for the purpose of permitting the Committee on State Government to meet. Are there objections? The Chair hears none and (at 12.13 o'clock A. M.) declares a recess until 12.25 o'clock A. M.

AFTER RECESS

The House reconvened at 12.25 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

REPORT FROM COMMITTEE

Mr. WILSON, from the Committee on State Government asked and obtained unanimous consent to report as committed, House Bill No. 141 (Senate Bill No. 33), entitled:

An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board.

CONSENT REQUESTED TO READ BILL FOR THE FIRST TIME

Mr. WILSON. Mr. Speaker, I ask unanimous consent for House Bill No. 141 (Senate Bill No. 33) to be read for the first time.

The SPEAKER. Will the House give its unanimous consent for this bill to be read for the first time? Is there objection?

Mr. SOWERS. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted. The bill lies over for printing.

RULES Nos. 41 AND 43 SUSPENDED

Mr. WILSON. Mr. Speaker, in order that this House may avoid a session on Thanksgiving Day, I move you that House Rules 41 and 43 be suspended for the specific purpose of permitting House Bill No. 141 (Senate Bill No. 33) to be read for the first time.

On the question,

Will the House agree to the motion?

The SPEAKER. The Clerk will call the roll.

The roll was called and was as follows:

YEAS—122

Andrews,	Harmuth,	McGregor,	Shortz,
Baker,	Hefferon,	McHenry,	Shreiner,
Barnhardt,	Heffner,	Mohn,	Simon,
Bechtel,	Hermansen,	Moore,	Snyder,
Beech,	Hester,	Mumford,	Spann,
Bernhard,	Hewitt,	Murphy,	Sterling, P.,
Blumberg,	Himes, H. E.,	Negley,	Stevens,
Boyd,	Hoffman,	Nothnagle,	Stevenson,
Brown, W. L.,	Holmes, J. B.,	O'Keefe,	Stiteler,
Brownfield,	Holmes, J. L.,	Patterson,	Surface,
Caputo,	Hough,	Peelor,	Terry,
Chervenak,	Hutton,	Perry, D. R.,	Trout,
Cohen,	Jaffe,	Perry, J. J.,	Turner,
Cordier,	Jones,	Peters,	Wade,
Craig,	Kane, J. J.,	Powell,	Wall,
Cramer,	King,	Powers,	Way,
Davies,	Kinney,	Rectenwald,	White,
DeFrehn,	Lane,	Reed,	Wike,
Downey, G. E.,	Laubach,	Rhodes,	Williams, G. W.,
Duffy,	Lord,	Rice,	Williams, J. J.,
Dunmire,	Lose,	Roan,	Wilson, L. M.,
Eroe,	Lovett, W. S.,	Royle,	Wilson, T. B.,
Evans,	Lynch, J. R.,	Ruby,	Witkin,
Fitzgerald,	Male,	Schrock,	Wood,
Flynn, J. M.,	Maloney,	Schrope,	Woodside,
Gallagher, T. J.,	McBride,	Schwab,	Wright,
Gallagher, W. J.,	McClure,	Schwartz,	Yeakel,
Gillette,	McCreary,	Scott,	Yourishin,
Griffith,	McElwee,	Sheffer,	Zimmerman,
Habbyshaw,	McGinnis,	Shellenberger,	Talbot,
Haines,	McGrail,	Shenkel,	Speaker.
Hamilton,			

NAYS—37

Baldi,	Flanagan,	Melchiorre,	Stank,
Bennett,	Fleisher,	Myers,	Tahl,
Brown, J. E.,	Green,	O'Connor,	Wagner,
Cannon,	Greenstein,	Pennock,	Walker, G. E.,
Carey,	Harris,	Price,	Wasserman,
Carson,	Hart,	Root,	Welsh,
Conner,	Howard,	Roth,	Westrick,
Cooke,	Lenahan,	Sautter,	
Denning,	Long,	Shugarts,	
Downey, J.,	Lovett, J. E.,	Sowers,	

So the question was determined in the affirmative and the motion was agreed.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 141 (Senate Bill No. 33), entitled:

An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. ANDREWS. Mr. Speaker, when does the legislative day of Monday, November 27th, end?

The SPEAKER. When this House adjourns the legislative day of Monday, November 27th is over.

ADJOURNMENT

Mr. WOODSIDE. Mr. Speaker, I move that this House do now adjourn until Tuesday morning, November 28th, 1933, at 11:00 o'clock.

The motion was agreed to, and (at 12:39 A. M.) the House adjourned until Tuesday morning, November 28th, 1933, at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG PA., TUESDAY, NOVEMBER 28, 1933. No. 10.

SENATE

TUESDAY, November 28, 1933.

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Our Gracious Heavenly Father, we thank Thee again for another beautiful day. Help us during these days and these nights to see the glory of God as revealed in the firmament. Day unto day uttereth speech and night unto night showeth knowledge. Give unto us the desire to get into communication with Thee and with ourselves, and to know our own souls. We think we know everything, and we know nothing unless we know Thee and know our own souls. Help us when we go away at this Thanksgiving holiday to not only leave the things that have been worrying us but come into contact with the things that are true and eternal in the love and affection in our homes. Bless all of our loved ones and keep them at this time. Bless the Senate today. Help the members in all they do. Guide them with Thy spirit. Bless us all, we beseech Thee. For Christ's sake. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. EINSTEIN, the further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 28, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Russell E. Boyer, Pittsburgh, 55 Water St.

BUCKS COUNTY

Miss Mary K. Christine, Perkasie.

CLEARFIELD COUNTY

Clarence A. Davis, Clearfield.

INDIANA COUNTY

Howard B. Reese, Indiana.

PHILADELPHIA COUNTY

J. H. Hoffman, Philadelphia, Girard Trust Bldg.

VENANGO COUNTY

Ralph H. Rebert, Franklin.

WASHINGTON COUNTY

Miss Elizabeth J. Paoly, Charleroi.

GIFFORD PINCHOT.

REPORTS FROM COMMITTEES

Mr. HOMSHER, from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 17, entitled:

An Act to amend section seventeen of the act, approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws, five hundred seven), entitled "An Act to provide revenue for State and county purposes, and, in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by excluding interest bearing accounts in any bank or banking institution, savings institution, or trust company from the provisions thereof.

Mr. CLARK, from the Committee on Agriculture, reported as committed, Senate Bill No. 52, entitled:

An Act to amend the title and sections one, two, and three of the act approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand two hundred twenty-nine), entitled, "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption, conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," as amended, by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health.

Mr. BOYD, from the Committee on Appropriations, reported as committed, Senate Bill No. 44, entitled:

An Act making an appropriation to the Department of Military Affairs for the purchase of supplies, materials and equipment to improve the Military Reservation at Indiantown Gap.

Mr. ARMSTRONG, from the Committee on Appropriations, reported as committed, Senate Bill No. 42, entitled:

A Joint Resolution creating a Liquor Control Investigation Commission, defining the powers and duties of said Commission; and making an appropriation.

BILLS INTRODUCED

Mr. COYNE read in his place and presented to the Chair Senate Bill No. 54, entitled:

An Act abating interest, penalties and costs on county, city, borough, town, township, school and poor taxes on real property for the year one thousand nine hundred and thirty-two, and years prior thereto in certain cases.

Which was committed to the Committee on Municipal Affairs.

Mr. SCOTT read in his place and presented to the Chair Senate Bill No. 55, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction, and providing for the repayment of such moneys from the General Fund.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 56, entitled:

An Act authorizing counties, boroughs, towns, townships and school districts having moneys borrowed for one purpose to use the same for other purposes which will aid recovery from existing economic depression; and requiring in certain such cases the assent of the electors.

Which was committed to the Committee on Municipal Affairs.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

TIME OF NEXT MEETING

Mr. BENNETT offered the following resolution, which was twice read, considered and agreed to:

In the Senate, November 28, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, December fourth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, December fourth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL OVER IN ORDER

The PRESIDENT. Senate Bill No. 36 (House Bill No. 10), on third reading, entitled:

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages, granting powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation of such beverages into the State except as herein provided prohibiting certain sales of practices in connections with transactions in such beverages by licenses and other making disposition of the receipts from State stores and of license fees and imposing penalties.

is not up from the printer and will go over in its order.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 43, as follows:

An Act making an appropriation to the Department of Military Affairs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs for the purpose of paying for clerical hire postage and printing and other necessary expenses incurred by the Adjutant General or the Department of Military Affairs in the dissemination of information and the preparation and distribution of forms for the payment of adjusted compensation to veterans in such manner and in such amounts as is or may be provided by law.

The amount that shall be necessarily expended from said appropriation for the purposes stated shall be repaid into the General Fund in the State Treasury out of the first receipts from the sale of bonds for the payment of such compensation as are or may be authorized by law.

Section 2 This act shall become effective immediately upon final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 50 (House Bill No. 39), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. PETHICK. Mr. President, I move that Senate Bill No 50 (House Bill No. 39), the bill just read, be recommitted t the Committee on Military Affairs.

Mr. ZIESENHEIM. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee o the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 51 (House Bill No. 40), entitled:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War, the war between the United States and Spain, the China Relief Expedition, or in the Philippines of Guam; imposing certain duties on the Adjutant General; making an appropriation; and repealing inconsistent legislation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. PETHICK. Mr. President, I move that Senate Bill No. 51 (House Bill No. 40), the bill just read, be recommitted to the Committee on Military Affairs.

Mr. ZIESENHEIM. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until 4:30 this afternoon.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

TIME OF NEXT MEETING

HOUSE MESSAGES

The Clerk of the House of Representatives being introduced presented communication from the House of Representativs informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, November 28, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, December fourth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, December fourth, at nine o'clock.

HOUSE CONCURS IN SENATE BILL No. 3

He also returned to the Senate, Senate Bill No. 3, entitled:

An Act to amend sections one four and five of the act approved the sixteenth day of March one thousand nine hundred thirty-three (Act number ten) entitled "An act authorizing the Department of Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges authorizing the construction and maintenance of such bridges approaches and connecting roads to State highways by the Department of of Highways providing for the condemnation of property necessary for the construction thereof and the assessment and payment of damages therefor providing for the collection of tolls upon certain terms and conditions and the deposit thereof in the State Treasury in a special fund providing for the payment of toll collection costs maintenance charges and repayments to the Reconstruction Finance Corporation from said funds providing for the cessation of tolls and payment of subsequent maintenance costs from the Motor License Fund and appropriating certain money in the Motor License Fund to carry out the provisions of said act" by authorizing similar arrangements to be made with other agencies of the Federal Government.

with the information that the House has passed the same without amendment.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon), announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 3, entitled:

An Act to amend sections one, four and five of the act, approved the sixteenth day of March, one thousand nine hundred thirty-three (Act number ten), entitled "An act authorizing the Department of Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges; authorizing the construction and maintenance of such bridges, approaches and connecting roads to State highways, by the Department of Highways; providing for the condemnation of property necessary for the construction thereof, and the assessment and payment of damages therefor; providing for the collection of tolls upon certain terms and conditions, and the deposit thereof in the State Treasury in a special fund; providing for the payment of toll collection, costs, maintenance charges and repayments to the Reconstruction Finance Corporation from said funds; providing for the cessation of tolls, and payment of subsequent maintenance costs from the Motor License Fund; and appropriating certain money in the Motor License Fund to carry out the provisions of said act," by authorizing similar arrangements to be made with other agencies of the Federal Government.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon), in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. ARON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 53, entitled:

An Act providing for the creation of public "Authorities" in counties of the second class; authorizing such "Authorities" to enter into agreements with the Government of the United States, particularly as they relate to the National Industrial Recovery Act and any amendments and supplements thereto, the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others; defining and providing for the organization and dissolution of such "Authorities"; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions upon which such "Authorities" may exercise their powers; endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds; authorizing such "Authorities" to make and receive appropriations; repealing certain acts and parts of acts inconsistent herewith; and for other purposes.

Mr. ARMSTRONG. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARMSTRONG, from the Committee on Elections, reported as committed, Senate Bill No. 49, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, pro-

thonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE VALLEY FORGE PARK COMMISSION

Co. Augustine S. Janeway, of Phoenixville, Chester County, as a member of the Valley Forge Park Commission, vice Fred F. Hallowell, of Wayne, resigned, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

ALDERMAN

Charles William Morris, of Washington, Washington County, as Alderman of the 8th Ward of the City of Washington, Washington County, vice Loyal T. Hart, deceased, until the first Monday in January, 1935.

MAGISTRATE OF COURT No. 20 OF PHILADELPHIA

David E. Triester, of Philadelphia, Philadelphia County as Magistrate of Court No. 20, of the City of Philadelphia, in the County of Philadelphia, vice Robert J. Patton, deceased, until the first Monday in January, 1934.

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA INDUSTRIAL SCHOOL

Noble Jones, of Leechburg, Armstrong County, as a member of the Board of Trustees of the Pennsylvania Industrial School vice Howard J. Thompson, of Curwensville, resigned, for the term of four years and until his success is qualified.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 23, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Anna F. Mallon, 3968 Forbes St., Pittsburgh.

DELAWARE COUNTY

James E. Wood, Sharon Hill.

LACKAWANNA COUNTY

Elmer D. Adair, Scranton.

LANCASTER COUNTY

Mrs. Elizabeth B. Stine, Lancaster.

GIFFORD PINCHOT

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY

Chris G. Gillotti, Pittsburgh, Berger Building.
Mrs. Anna J. Hughes, Pittsburgh, 2135 Sarah Street.
Mrs. Catherine A. Maier, Etna.
Miss Eleanor A. Peters, Pittsburgh, 3701 Liberty Avenue.

BEDFORD

W. A. McGregor, Alum Bank.

BLAIR

Miss Kathryne Bratton, Altoona.

LACKAWANNA

Claude J. Swift, Blakely.

LANCASTER

Charles C. Hicks, Maytown.

PHILADELPHIA

John T. Dolde, Philadelphia, 308 North 52nd Street.

SCHUYLKILL

Joseph E. Graham, Mahoney City.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 28, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Russell E. Boyer, Pittsburgh, 55 Water St.

BUCKS COUNTY

Miss Mary K. Christine, Perkasie.

CLEARFIELD COUNTY

Clarence A. Davis, Clearfield.

INDIANA COUNTY

Howard B. Reese, Indiana.

PHILADELPHIA COUNTY

H. M. Hoffman, Philadelphia, Girard Trust Bldg.

VENANGO COUNTY

Ralph H. Rebert, Franklin.

WASHINGTON COUNTY

Miss Elizabeth J. Paoly, Charleroi.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one da

be dispensed with, and that the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to,

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. HOMSHER. Mr. President, I move that the Executive Session do now rise.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED

Mr. BENNETT. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BENNETT read in his place and presented to the Chair Senate Bill No. 57, entitled:

An Act establishing as State highways all existing township roads in townships of the second class which have not heretofore been established as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; authorizing the Secretary of Highways under certain conditions to petition the Court of Quarter Sessions to vacate certain of said roads; and making an appropriation out of the Motor License Fund and repealing certain acts.

Which was committed to the Committee on Public Roads and Highways.

Mr. THOMPSON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON read in his place and presented to the Chair, Senate Bill No. 58, entitled:

An Act providing for the appointment of district auditors by courts of common pleas to serve at primaries and elections in certain election districts; defining their powers and duties, and the duties of courts of common pleas, county commissioners, and other officers serving as return boards for primaries and elections; and providing penalties.

Which was committed to the Committee on Elections.

BILL ON THIRD READING AND FINAL PASSAGE

Mr. SCOTT. Mr. President, I move that the Senate do now proceed to the third reading and consideration of Senate Bill No. 17, reported from the Committee on Judiciary General, at today's session without amendment, entitled:

An Act to amend section seventeen of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred seven), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by excluding interest bearing accounts in any bank or banking institution, savings institution, or trust company from the provisions thereof.

Mr. BUCKMAN. Mr. President, I second the motion

On the question.

Will the Senate agree to the motion?

Mr. BUCKMAN. Mr. President, for the information of the Senate I would like to say that this bill is well known to every member of the Senate when they know what is in it.

At the regular session of 1933 we passed a bill taking off of savings funds the four-mill tax paid by the depositor. Everyone in the Senate voted for that bill, thinking it was a good measure. It was known as the Einstein Bill. After the bill had been passed and signed we woke up to the fact, on the advice of the Attorney General, that while it was true we had taken the four-mill tax off savings funds, to be paid by the depositors, we had automatically, by so doing, reenacted the law and placed the same four-mill tax on the same deposits, the only difference being that the tax should be paid by the banks or savings institutions instead of by the depositors.

This bill now before the Senate for consideration is a repealer of that measure, and it takes the tax off fully and finally from all savings deposits.

Mr. REED. Mr. President, I rise to an inquiry. I have before me the calendar of Tuesday, November 28th, and I do not find the bill on the calendar.

The PRESIDENT. The bill was recommitted on November 23rd.

Mr. BUCKMAN. And I understand, Mr. President, it was re-reported from committee without amendments, therefore, notwithstanding the fact that it is not upon the calendar, I think it is entirely proper that the Senate should vote for it. It has been on a former calendar and the Senators, if they care to do so, may refer to that former calendar. The bill has not been changed since it was printed at that time.

Mr. EALY. Mr. President, last evening when I came to the Senate Chamber this bill was handed to me by Mr. Cooper with the statement that it had been re-committed to to the Committee on Judiciary General. After inquiry I found out that at the instance of Senator Homsher it was recommitted to the Committee on Judiciary General, although it had been previously in the Committee on Finance. Senator Homsher stated he was willing to have the bill reported to the Senate, and therefore it was done without a formal meeting of the committee.

Mr. HARRIS. Mr. President, on the calendar of Thursday, November 23, 1933, this Senate Bill No. 17 appeared. I am perfectly satisfied that it is also in the file of bills and on the calendar, and those who desire information can refer to

Thursday's calendar. The confusion arose because of the similarity of numbers. We have a Printer's No. 17 on page 1 of today's calendar, and that just happens to be the same number as the number of the bill on the calendar of Thursday, November 23rd. That caused the confusion in my mind. Personally I think it is perfectly all right to proceed to the passage of this bill.

Mr. EINSTEIN. Mr. President, I would like to interrogate the Senator from Bucks, Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks, Mr. Buckman, permit himself to be interrogated?

Mr. BUCKMAN. Mr. President, with much pleasure.

Mr. EINSTEIN. Mr. President, I would like to ask the Senator from Bucks, Mr. Buckman, if this bill is really an amendment of section 17 of the Act of 1913?

Mr. BUCKMAN. Mr. President, I think that is correct.

Mr. EINSTEIN. Mr. President, I would like also to ask the Senator from Bucks, Mr. Buckman, whether the other section of the bill stands—that is, the repeal of the four-mill tax on deposits?

Mr. BUCKMAN. Mr. President, that is correct.

Mr. EINSTEIN. And this clears up, Mr. President, the four-mill tax not only on the depositors but also on the banks. Is that correct?

Mr. BUCKMAN. Mr. President, that is correct. It is just what the Senator from Allegheny, Mr. Einstein, tried to do at the last session. He tried hard enough to take the tax off of savings deposits, and succeeded in taking it off the depositors and putting it on the banks. This takes it off fully and finally.

Mr. EINSTEIN. Mr. President, perhaps you know the opinion of our Court in Allegheny County. That bill was before them and the opinion was unanimous in the Orphans' Court that the State could collect the tax.

Mr. BUCKMAN. Mr. President, I did not know about that, —and we will not care about that if we can pass this bill.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Agreeably to order,

The Senate proceeded to the third reading of Senate Bill No. 17, entitled:

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties or city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by excluding interest bearing accounts in any bank or banking institution savings institution or trust company from the provisions thereof.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for twenty minutes.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

ACTING PRESIDENT PRO TEMPORE (Mr. Samuel W. Salus) in the Chair.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. GELDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Public Roads and Highways, reported as amended, Senate Bill No. 37, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, nine hundred five), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by adding a new section thereto for protecting the safety of the public by limiting the size and weight of vehicles which may be operated between the hours of twelve o'clock noon Saturday and twelve o'clock midnight of the following Sunday in any week and on legal holidays.

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 27, entitled:

An Act providing for the construction of a tunnel or tunnels between the State of New Jersey and the Commonwealth of Pennsylvania under the Delaware River and the issuance of permits therefor.

BILLS INTRODUCED

Mr. HARRIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 59, entitled:

An Act to amend section four of the act, approved the fifth day of March, one thousand nine hundred and six (P. L. 78), entitled, "An act to regulate nomination and election expenses, and to require accounts of nomination and election expenses to be filed, and providing penalties for the violation of this act," as amended.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 60, entitled:

An Act to provide for the permanent personal registration of electors in cities as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries, and the challenge and proof of qualifications of electors; prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration, and other appointees of registration commissions, election officers, municipal officers departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, persons, firms and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties.

Which was committed to the Committee on Elections.

BILLS RECOMMITTED

Mr. BUCKMAN. Mr. President, we have before us on today's calender, Senate Bill No. 36 (House Bill No. 10), Printer's No. 31, as reprinted; but in view of the fact that this reprint does not contain all the amendments made by the Committee on Judiciary General, I move that this bill, Senate Bill No. 36 (House Bill No. 10), on third reading, entitled:

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation of such beverages into the State except as herein provided prohibiting certain sales of practices in connections with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of license fees and imposing penalties

be committed to the Committee on Judiciary General for further consideration.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

Mr. PARKINSON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objections? The Chair hears none.

Mr. PARKINSON read in his place and presented to the Chair Senate Bill No. 61, entitled:

An Act relating to distilled liquors; defining distilled liquors; providing for the protection of the public health and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, more than one brand of distilled or spirituous liquors in any one distillery; prescribing certain duties of the Alcohol Control Board in reference thereto; and providing penalties for the violation thereof.

Which was committed to the Committee on Law and Order.

RECESS

Mr. ARON. Mr. President, I move that the Senate do now take a recess until 8 o'clock this evening.

Mr. FAY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess until 10 o'clock this evening.

Mr. FRAZIER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. EALY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 36 (House Bill No. 10), entitled:

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connections with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of license fees and imposing penalties.

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Finance, re-reported as amended, Senate Bill No. 12 (House Bill No. 13), entitled:

An Act to amend certain sections of the act, approved the fifth day of May, one thousand nine hundred thirty-three (Act number one hundred four), entitled: "An act imposing a State Tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the

sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties," by restricting the provisions of the act to malt liquors, as defined therein and clarifying certain provisions of the act.

BILL INTRODUCED

Mr. MANSFIELD. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No. 62, entitled:

An Act reducing to five days the period during which municipal subdivisions of the Commonwealth are required to advertise notice of proposed awards of contracts for articles to be used on projects financially by the Federal Civil Works Administration.

Which was committed to the Committee on Municipal Affairs.

BILL ON THIRD READING AND FINAL PASSAGE

Mr. BUCKMAN. Mr. President, I move that the Senate do now proceed to the third reading and consideration of Senate Bill No. 36 (House Bill No. 10), re-reported from Committee on Judiciary General at to-day's session, entitled:

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania [Alcohol Permit] Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connections with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of license fees and imposing penalties.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to

Agreebly to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 36 (House Bill No. 10), as follows:

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connections with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of license fees and imposing penalties

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1 Short Title This act shall be known and may be cited as the "Pennsylvania Liquor Control Act"

Section 2 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Association" shall mean a partnership limited partnership or any form of unincorporated enterprise owned by two or more persons

"Board" shall mean the "Pennsylvania Liquor Control Board" of this Commonwealth

"Club" shall mean any group of individuals associated together not for profit for legitimate purposes of mutual benefit entertainment fellowship or convenience which if incorporated has been in continuous existence and operation for at least six months and if unincorporated for at least ten years immediately preceding the date of its application for a license under this act and which regularly occupies as owner or lessee a clubhouse

"Corporation" shall mean a corporation or jointstock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Hotel" shall mean any reputable place operated by responsible persons of good reputation where the public may for a consideration obtain sleeping accommodations with meals and which in a city has at least ten and in any other place at least six permanent bedrooms for the use of guests a public dining room operated by the same management accommodating at least forty persons at one time and a kitchen apart from the public dining room in which food is regularly prepared for the public

"Liquor" shall mean and include any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic and all drinks or drinkable liquids preparations or mixtures which contain more than one-half of one per cent of alcohol by volume except alcohol and malt liquors.

"Malt Liquor" means any beer lager beer ale porter or similar fermented malt liquor containing one-half of one per centum or more of alcohol by volume by whatever name such liquor may be called.

"Manufacturer" shall mean any person association or corporation engaged in the producing manufacturing distilling rectifying or compounding of liquor in this Commonwealth

"Municipality" shall mean any city borough incorporated town or township of this Commonwealth

"Package" shall mean any container or containers or receptacle or receptacles used for holding liquor as marketed by the manufacturer.

"Person" Every natural person association or corporation Whenever used in a clause prescribing or imposing a fine or imprisonment or both the term "person" as applied to "association" shall mean the partners or members thereof and as applied to "corporation" shall mean the officers thereof

"Restaurant" shall mean a reputable place operated by responsible persons of good reputation and habitually and principally used for the purpose of providing meals for the public the place to have an area within a building of not less than five hundred square feet equipped with tables and chairs accommodating at least fifty persons at one time and a kitchen apart from such area regularly used for the preparation of food for the public and in which at least three persons are regularly employed in the preparation of meals or work incidental thereto

"Sale" or "Sell" shall include any transfer of liquor for a consideration and any gift in connection with or as a part of a transfer of property other than liquor for a consideration

Section 3 Interpretation of Act (a) This act shall be deemed an exercise of the police power of the Commonwealth for the protection of the public welfare health peace and morals of the people of the Commonwealth and to prohibit forever the open saloon and all of the provisions of this act shall be liberally construed for the accomplishment of this purpose

(b) The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

(c) Except as otherwise expressly provided the purpose of this act is to prohibit transactions in liquor which take place wholly within the Commonwealth except by and under the control of the board as herein specifically provided and every section and provision of the act shall be construed accordingly The provisions of this act dealing with the importation sale

and disposition of liquor within the Commonwealth through the instrumentality of the board and otherwise provide the means by which such control shall be made effective This act shall not be construed as forbidding affecting or regulating any transaction which is not subject to the legislative authority of this Commonwealth

(d) Any reference in this act to the provisions of law on any subject shall apply to statutes becoming effective after the effective date of this act as well as to those then in existence

(e) Section headings shall not be taken to govern or limit the scope of the sections of this act The singular shall include the plural and the masculine shall include the feminine and the neuter

ARTICLE II

GENERAL POWERS AND DUTIES OF PENNSYLVANIA LIQUOR CONTROL BOARD

Section 201 General Powers of Board Under this act the board shall have the power and its duty shall be

(a) To buy import or have in its possession for sale and sell liquor in the manner set forth in this act

(b) To control the possession sale consumption and delivery of liquor in accordance with the provisions of this act

(c) To determine the municipalities within which Pennsylvania Liquor Stores shall be established and the locations of the stores within such municipalities.

(d) To grant and issue liquor licenses as provided in this act

(e) To lease through the Department of Property and Supplies as agent and furnish and equip such buildings rooms and other accommodations as shall be required for the operation of this act

(f) To appoint fix the compensation and define the powers and duties of such managers officers inspectors clerks and other employes as shall be required for the operation of this act subject to the provisions of The Administrative Code of 1929 except as otherwise provided in this act

(g) To determine the nature from and capacity of all packages to be used for containing liquor kept or sold under this act

(h) Without in any way limiting or being limited by the foregoing to do all such things as are deemed necessary or advisable for the purpose of carrying into effect the provisions of this act and the regulations made thereunder

Section 202 General Power to Make Regulations The board may from time to time make such regulations not inconsistent with this act as it may deem necessary for the efficient administration of this act The board shall cause such regulations to be published and disseminated through the Commonwealth in such manner as it shall deem necessary and advisable Such regulations adopted by the board shall have the same force as if they formed a part of this act

Whenever it is provided in this act that any act matter or thing may be done if permitted or authorized by the regulations or may be done in accordance with the regulations or as provided by the regulations prescribed by the board under this act the board subject to the provisions of this act shall have the power to prescribe regulations respecting such act matter or thing

Section 203 Specific Subjects on which Board may Adopt Regulations Subject to the provisions of this act and without limiting the general power conferred by the preceding section the board may make regulations regarding

(a) The equipment and management of Pennsylvania Liquor Stores and warehouses in which liquor is kept or sold and the books and records to be kept therein

(b) The duties and conduct of the officers and employes of the board

(c) The purchase of liquor and its supply to Pennsylvania Liquor Stores

(d) The classes varieties and brands of liquor to be kept and sold in Pennsylvania Liquor Stores

(e) The issuing and distribution of price lists for the various classes varieties or brands of liquor kept for sale by the board under this act

(f) The sealing and labeling of liquor sold under this act and of liquor lawfully acquired by any person prior to January first one thousand nine hundred and thirty-four

(g) Forms to be used for the purposes of this act

(h) The issuance of licenses to hotels restaurants clubs and railroad pullman or steamship companies and the conduct management and equipment of licensed places

(i) The place and manner of depositing the receipts of Pennsylvania Liquor Stores and the transmission of balances to the Treasury Department through the Department of Revenue

(j) Advertising the sale of liquors and malt liquors

ARTICLE III

PENNSYLVANIA LIQUOR STORES

Section 301 Board to Establish State Liquor Stores The board shall establish operate and maintain at such places throughout the Commonwealth as it shall deem essential and advisable stores to be known as "Pennsylvania Liquor Stores" for the sale of liquor in accordance with the provisions of and the regulations made under this act When the board shall have determined upon the location of a Liquor Store in any municipality it shall give notice of such location by public advertisement in at least two newspapers of general circulation If within five days after the appearance of such advertisement fifteen or more taxpayers residing within a quarter of a mile of such location shall file a protest with the Court of Quarter Sessions of the county averring that the location is objectionable because of its proximity to a church a school or to private residences the court shall forthwith hold a hearing affording an opportunity to the protestants and to the board to present evidence The court shall render its decision immediately upon the conclusion of the testimony and from its decision there shall be no appeal If the court shall determine that the proposed location is undesirable for the reasons set forth in the protest the board shall abandon it and find another location The board may establish operate and maintain such establishments for storing and testing liquors as it shall deem expedient to carry out its powers and duties under this act

The board may lease the necessary premises for such stores or establishments but all such leases shall be made through the Department of Property and Supplies as agent of the board The board through the Department of Property and Supplies shall have authority to purchase such equipment and appointments as may be required in the operation of such stores or establishments

Section 302 Selection of Personnel No officer or employe shall be appointed or employed by the board after January first one thousand nine hundred and thirty-four except as provided in this section Any officers or employees engaged prior to January first one thousand nine hundred and thirty-four except employees heretofore in the service of the Pennsylvania Alcohol Permit Board shall be deemed provisional employees and shall be retained thereafter only under the provisions of this section The board is hereby authorized to prescribe from time to time by rule or regulation the qualifications to be possessed by persons desiring employment in such stores or establishments The qualifications shall be such as will best promote the efficient operation and management of such stores or establishments but in all cases persons appointed shall be citizens of the United States and in the case of appointments to operate or assist in the operation of liquor stores shall be qualified electors of the county in which the store is located

Every person desiring employment in a Pennsylvania Liquor Store or establishment shall file with the board an application under oath or affirmation which shall be in such form and shall set forth such information as the board shall prescribe Provided however That the board shall not require an applicant to furnish a photograph of him or her self and that no application blank shall require the color of the applicant to be designated Upon receiving such application the board shall transmit the same to the Department of Public Instruction which shall determine whether under the rules or regulations of the board the applicant is qualified for the employment he seeks If so the applicant shall be admitted to competitive examination when examinations shall next be held for positions in the class of employment he seeks Such competitive examinations shall be practical in character and as far as may be possible shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to perform the duties of the service to which they seek to be appointed

The Department of Public Instruction shall conduct such examinations at such places in the Commonwealth as to make it reasonably convenient and inexpensive for applicants to attend them When there are positions to be filled examinations shall be held at least twice in each year The Department may divide the State into districts for the purpose of conducting such examinations Every candidate admitted to such examinations shall be given a number so that when his paper is marked and graded it will be impossible for the person passing upon the examination papers to ascertain his identity until his grade has been established The examination papers of such candidates shall be marked by committees composed of representatives of the Department and of persons not employed by the Comonwealth in any other capacity designated by the presidents of the colleges and universities receiving State aid from the Commonwealth All such examination papers shall be graded on a basis of one hundred per centum and less Such examination papers shall immediately thereafter be filed and the applicants listed Any person who shall have been a member of the armed forces of the United States during a war or expedition for which the Government of the United States issued a campaign badge whose separation from said service was honorable whether by discharge or otherwise shall receive in addition to his rating on his examination paper an additional rating of five per centum All such outside examiners shall receive compensation at the rate of fifteen dollars per day for their services The number of committees which may be necessary shall be determined by the Department and each committee shall consist of three persons The selections made by the presidents of State-aided colleges and universities shall be submitted to the Department in writing by each such president and the Department shall designate committee members from the lists so submitted in rotation

All offices places and employments in Pennsylvania Liquor Stores or establishments operated by the board shall be filled by selections from persons who have satisfactorily passed the examinations The person receiving the highest grade shall be first appointed and so on The list of eligibles in any district shall be valid only until the next examination is held in such district

Section 303 Management of Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall be conducted by a person appointed in the manner provided in this article who shall be known as the "manager" and who shall under the directions of the board be responsible for carrying out the provisions of this act and the regulations adopted by the board under this act as far as they relate to the conduct of such stores

Sction 304 When Sales May be Made at Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall be open for business week days except legal holidays or any day on which a general municipal special or primary election is being held from nine A. M. to nine P. M. The board may with the approval of the Governor temporarily close any store in any municipality during any period of emergency proclaimed to be such by the Governor

Section 305 Sales by Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall keep in stock for sale such classes varieties and brands of liquor as the board shall prescribe If any person shall desire to purchase any class variety or brand of liquor which any such store does not have in stock it shall be the duty of such store immediately to order the same upon the payment of a reasonable deposit by the purchaser in such proportion of the approximate cost of the order as shall be prescribed by the regulations of the board The customer shall be notified immediately upon the arrival of the goods

Unless the customer pays for and accepts delivery of any such special order within five days after notice of arrival the store may place it in stock for general sale and the customer's deposit shall be forfeited

Every Pennsylvania Liquor Store shall sell liquors at wholesale to hotels restaurants clubs and railroad pullman and steamship companies licensed under this act and under the regulations of the board to pharmacists duly license and registered under the laws of the Commonwealth and to manufacturing pharmacists or chemists All other sales by such stores shall be at retail No liquor shall be sold except for cash except that the Board may by regulation authorize the acceptance of checks for liquor sold at wholesale

No liquor shall be sold to any purchaser except in a package sealed with the official seal of the board required by this act which package shall not be opened on the premises of a Pennsylvania Liquor Store No manager or other employe of the board employed in a Pennsylvania Liquor Store shall allow any liquor to be consumed on the store premises nor shall any person consume any liquor on such premises

Every purchaser of liquor from a Pennsylvania Liquor Store shall receive a numbered receipt which shall show the brand of liquor the price paid therefor and such other information as the board may prescribe Copies of all receipts issued by a Pennsylvania Liquor Store shall be retained by and shall form part of the records of such store

Section 306 Audits by Auditor General It shall be the duty of the Department of the Auditor General to make all audits which may be necessary in connection with the administration of financial affairs of the board and the Pennsylvania Liquor Stores operated and maintained by the board

At least one audit shall be made each year of the affairs of the board and all collections made by the Pennsylvania Liquor Stores shall be audited quarterly.

Special audits of the affairs of the board and the Pennsylvania Liquor Stores maintained and operated by the board may be made whenever they may in the judgment of the Auditor General appear necessary and shall be made whenever the Governor shall call upon the Auditor General to make them

Copies of all audits made by the Department of the Auditor General shall be promptly submitted to the board and to the Governor

Unless the Department of the Auditor General shall neglect or refuse to make annual quarterly or special audits as hereinabove required it shall be unlawful for the board to expend any money appropriated to it by the General Assembly for any audit of its affairs except for the payment of the compensation and expenses of such auditors as are regularly employed as part of the administrative staff of the board

ARTICLE IV

LICENSES AND PERMITS

Section 401 Authority to Issue Liquor Licenses to Hotels Restaurants and Clubs (a) Subject to the provisions of this act and regulations promulgated under this act the board shall have authority to issue a liquor license for any premises kept or operated by a hotel restaurant or club and specified in the license entitling the hotel restaurant or club to purchase liquor from a Pennsylvania Liquor Store and to keep on the premises such liquor and subject to the provisions of this act and the regulations made thereunder to sell the same and also malt liquor to guests patrons or members for consumption on the hotel restaurant or club premises Such licenses shall be known as hotel liquor licenses restaurant liquor licenses and club liquor licenses respectively

Section 402 Application for Hotel Restaurant or Club Liquor Licenses Every applicant for a hotel liquor license restaurant liquor license or club liquor license shall file a written application with the Board in such form as the board shall from time to time prescribe which shall be accompanied by an application fee of ten dollars the prescribed license fee and the bond hereinafter specified Every such application shall contain a description of that part of the hotel restaurant or club for which the applicant desires a license and shall set forth such other material information description or plan of that part of the hotel restaurant or club where it is proposed to keep and sell liquor as may be required by the regulations of the board If the applicant is a natural person his application must show that he is a citizen of the United States and has been a resident of this Commonwealth for at least three years immediately preceding his application If the applicant is a corporation the application must show that the corporation was created under the laws of Pennsylvania or holds a certificate of authority to transact business in Pennsylvania and that the manager of the hotel restaurant or club is a citizen of the United States and has been a resident of this State for at least three years immediately preceding the date of the application The application shall be signed and verified by oath or affirmation by the owner if a natural person or in the case of an association by a member or partner thereof or in the case of a corporation by an executive officer thereof or any person specifically authorized by the corporation to sign the application to which shall be attached written evidence of his authority If the applicant is an association the application shall set forth the

names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof

Section 403 Issuance of Hotel Restaurant and Club Liquor Licenses Upon receipt of the application the proper fees and bond and upon being satisfied of the truth of the statements in the application and that the applicant seeks a license for a hotel restaurant or club as defined in this act the board shall in the case of a hotel or restaurant and in the case of a club may grant and issue to the applicant a license entitling him to purchase liquor from a Pennsylvania Liquor Store and in that part of the hotel restaurant or club set out in the license to sell by open bottle glass or other container or in any mixture the liquor so purchased and also malt liquor to the patrons guests or members for consumption in that part of the hotel or restaurant habitually used for the serving of meals to patrons guests or members or in private rooms of the building as hereinafter provided and in accordance with the provisions of this act and the regulations made thereunder.

Section 404 Appeals From Refusal of Board to Issue Licenses Any person aggrieved by the refusal of the board to issue a hotel restaurant or club liquor license may appeal to the court of quarter sessions of the county in which the hotel restaurant or club is located Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the board whereupon a hearing shall be held upon the petition by the court upon ten days' notice to the board which shall be represented in the proceeding by the Department of Justice. At such hearing testimony may be presented by the applicant and the board after the consideration of which the court shall either sustain the refusal of the board or order the issuance of the license to the applicant There shall be no further appeal

Section 405 Display of License Every license issued under this act shall be constantly and conspicuously exposed in that part of the hotel restaurant or club specified in the license where liquor may be kept sold and consumed under such license

Section 406 All Licensees to Furnish Bond A liquor license shall not be granted and issued to any hotel restaurant or club until the applicant therefor has filed with the board a surety bond payable to the Commonwealth of Pennsylvania in the amount of two thousand dollars ($2,000) Such bond shall have as surety a duly authorized surety company or two individuals to be approved by the board All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to liquors and malt liquors Such bonds shall be filed with and retained by the board Every such bond shall be turned over to the Department of Justice to be sued out if and when the licensee's license shall have been revoked as provided in this act

Section 407 License Fees (a) Every applicant for a hotel liquor license or restaurant liquor license shall before receiving such license pay to the board the following license fees which shall be graduated according to the population of the municipality as determined by the last preceding decimal census of the United States in which the hotel or restaurant is located as follows

In municipalities having a population of less than fifteen hundred inhabitants one hundred fifty dollars ($150.00)

In those having a population of fifteen hundred and more but less than ten thousand inhabitants two hundred dollars ($200.00)

In those having a population of ten thousand and more but less than fifty thousand inhabitants three hundred dollars ($300.00)

In those having a population of fifty thousand and more but less than one hundred thousand inhabitants four hundred dollars ($400.00)

In those having a population of one hundred thousand and more but less than one hundred forty thousand inhabitants five hundred dollars ($500.00)

In those having a population of one hundred forty thousand and more inhabitants six hundred dollars ($600.00)

(b) Every applicant for a club liquor license shall before receiving such license pay to the board a license fee of fifty dollars ($50.00) except clubs which cater to groups of non-members either privately or for functions in which case the license fee shall be the same as for hotels and restaurants located in the same municipality and the board shall by its rules and regulations define what constitutes catering under this clause

(c) The fees for hotel restaurant or club licenses when applied for and issued on or after

April first but prior to July first shall be three-fourths of the annual fee

July first but prior to October first shall be one-half of the annual fee

October first but prior to January first one-fourth of the annual fee

(d) All license fees authorized under this section shall be collected by the board for the use of the municipalities except townships of the second class in which such fees were collected License fees for liquor licenses issued to hotels restaurants or clubs located in townships of the second class shall be collected by the board for the use of the school districts coextensive with such townships.

Section 408 Licenses Not Assignable Transfers (a) Licenses issued under this act may not be assigned The board is hereby authorized to transfer any hotel restaurant or club liquor license from one person to another or from one place to another within the same municipality as the board may determine but no transfers shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not originally have been issued lawfully Any such transfer of a license may be made at any time Upon any refusal to grant a transfer the person aggrieved shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to grant licenses

(b) Applications for any such transfers shall be filed with the board at least one week before the transfer is made Whenever any license is transferred no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current license year except a fee of twenty dollars ($20.00) to be paid to the board for the use of the Commonwealth

Section 409 License Year Renewal of Licenses (a) Unless previously revoked every license issued by the board under this act shall expire and terminate on the thirty-first day of December in the year for which the license is issued

(b) Licenses issued under the provisions of this act shall be renewed annually upon the filing of applications in such form as the board shall prescribe but no license shall be renewed until the applicant shall file with the board a new surety bond and shall pay the requisite application fee and license fee specified in this act

Section 410 Revocation and Suspension of License After a license has been issued to a hotel restaurant or club under this act the Attorney General the district attorney or fifteen or more taxpayers residents of the municipality where the hotel restaurant or club is located may petition the court of quarter sessions of the proper county for the revocation of such license If after notice and hearing it shall appear to the court that the licensee has violated any law of this Commonwealth or regulation of the board relating to liquor malt liquor or alcohol the court may suspend or revoke the license The court shall assess or remit the costs in its discretion The action of the court in suspending or revoking a license shall be final The Board may also after notice and hearing revoke a club license for any reason which would justify revocation of such license by the Court

Any licensee whose license is revoked shall be ineligible to have a license or permit under this act or under any other act relating to the manufacture sale or distribution of liquor or malt liquor until the expiration of five years from the date his license was revoked

Section 411 Sales of Liquor by Licensees Every hotel restaurant or club licensee may sell liquor for consumption only in that part of the hotel or restaurant habitually used for the serving of meals to guests patrons or members and in the case of hotels and clubs to guests or members in their private rooms in the hotel or club In the case of a restaurant located in a hotel which is not operated by the owner of the hotel and which is licensed to sell liquor under this act liquor may be sold for consumption in that part of the restaurant habitually used for the serving of meals to patrons and also to guests in private guest rooms in the hotel

A hotel restaurant or club licensee shall not maintain any counter or bar at or over which liquors are sold to guests patrons or members

Liquor may be sold by licensees only after seven o'clock ante meridian of any weekday and until two ante meridian of the following week day and shall not be sold on Sunday or on any day on which a general municipal special or primary election is being held.

The Board may with the approval of the Governor temporarily close all licensed places within any municipality during any period of emergency proclaimed to be such by the Governor

Section 412 Sale of Malt Liquor Every license issued to a hotel restaurant club or a railroad pullman or steamship company under this act for the sale of liquor shall authorize the licensee to sell malt liquor at the same places but subject to the same restrictions and penalties as apply to sales of liquor It shall not be necessary for such licensees to obtain malt liquor retail licenses under the provisions of the Malt Liquor License Law.

Section 413 Public Service Liquor Licenses Subject to the provisions of this act and regulations promulgated under this act the board upon application shall issue liquor licenses to railroad or pullman companies permitting liquor and malt liquor to be sold in dining club or buffet cars to passengers for consumption while en route on such railroad and may issue liquor licenses to steamship companies permitting liquor or malt liquor to be sold in the dining compartments of steamships or vessels wherever operated in the Commonwealth except when standing or moored in stations terminals or docks within a municipality wherein sales of liquor for consumption on the premises are prohibited Such licenses shall be known as public service liquor licenses

For the purpose of considering an application by a steamship company for a public service liquor license the board may cause an inspection of the steamship or vessel for which a license is desired The board may in its discretion grant or refuse the license applied for and there shall be no appeal from its decision except that an action of mandamus may be brought against the board in the manner provided by law

Every applicant for a public service liquor license shall before receiving such license pay to the board for each dining club or buffet car for which a license is desired an annual fee of twenty dollars ($20.00) and for each steamship or vessel for which a license is desired an annual fee of one hundred dollars ($100.00) The board shall collect a proportionate license fee for such licenses issued during a license year in such proportions as elsewhere provided in this act in the case of hotels restaurants or club liquor licenses

A public service liquor license shall not be granted and issued to any railroad pullman or steamship company until the applicant therefor has filed with the board a surety bond similar to that required to be filed by a hotel restaurant or club licensee under this act except that in the case of a railroad or pullman company such bond shall cover every dining club or buffet car of such company for which a license is issued under this section

Unless previously revoked every license issued by the board under this section shall expire and terminate on the thirty-first day of December in the year for which the license is issued Licenses issued under the provisions of this section shall be renewed annually upon the filing of applications in such form as the board shall prescribe but no license shall be renewed until the applicant shall file with the board a new surety bond and shall pay the requisite license fee specified in this section

Sales of liquor and malt liquor by public service company licensees shall be made in accordance with and shall be subject to the provisions of this act relating to the sale of liquors by restaurant licensees

Section 414 Sacramental Wine Permits The board may upon application endorsed by the highest authority within this Commonwealth of at least one religious denomination or sect grant to responsible persons of good character sacramental wine permits The fee for such permits shall be one hundred dollars per annum and before any such permit shall be granted the applicant shall file with the board a bond in the sum of ten thousand dollars conditioned for the faithful observance by the permittee of all of the laws of this Commonwealth relating to the distribution sale and use of liquor and of the regulations of the board.

Holders of such permits may purchase from manufacturers or bring or import into this Commonwealth wine to be used for sacramental or religious purposes and to sell the same only to priests clergymen or rabbis for such purposes under such regulations as the board shall prescribe Priests clergymen and rabbis may lawfully make purchase from such permittees under the regulations of the board but any wine purchased under authority of this section shall not be used for any other than sacramental or religious purposes

Any such permit may be revoked by the board upon proof satisfactory to it that the permittee has violated any law of this Commonwealth relating to the distribution sale or use of liquor or any regulaion of the board

Section 415 Importer's Licenses The board may upon application grant to responsible persons of good reputation importer's licenses Such licenses shall permit the holders thereof to bring or import liquor from other States foreign countries and insular possessions of the United States to be sold outside of this Commonwealth and exclusively to Pennsylvania Liquor Stores within this Commonwealth

The fee for such licenses shall be one hundred dollars per annum and before any such license shall be granted the applicant shall file with the board a bond in the sum of ten thousand dollars conditioned for the faithful observance by the licensee of all of the laws of this Commonwealth relating to the distribution sale and use of liquor and of the regulations of the board

Any such permit may be revoked by the board upon proof satisfactory to it that the licensee has violated any law of this Commonwealth relating to the distribution sale or use of liquor or any regulation of the board

ARTICLE V

LOCAL OPTION

Section 501 Local Option Areas Authorized In any municipality an election may be held but not oftener than once in four years on the date of any general or municipal election to determine the will of the electors with respect to the granting of licenses by the board to hotels restaurants and clubs within the limits of such municipality for the sale of liquor for consumption upon the premises of such hotels restaurants and clubs

Section 502 Petition of Electors for Local Option Whenever electors equal to at least ten per centum of the highest vote cast for any office in the municipality or township at the last preceding general election shall petition the corporate authorities of the municipality or township for a referendum on the question of granting such licenses the respective corporate authorities shall cause a question to be submitted at the general or municipal election occuring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners for submission of such question on the ballot or on voting machines at such election in the manner provided by the election laws of the Commonwealth

Such question shall be in the following form

Do you favor the granting of liquor licenses for the sale of liquor for consumption on premises where sold in of ?	Yes No	

If a majority of the persons voting on such question vote "Yes" then liquor licenses shall be granted by the board to hotels restaurants and clubs in such municipality or township for the sale of liquors for consumption on their premises under the provisions of this act but if a majority of the persons voting on such question vote "No" then the board shall thereafter have no power to grant or to renew upon their expiration any liquor licenses in such municipality or township under the provisions of this act unless and until the people therein shall at a later time have again voted on the question and decided in the affirmative

Section 503 Unlawful to Sell Liquor for Consumption in Certain Local Option Areas It shall be unlawful for any person firm or corporation to sell liquor for consumption on the premises of any hotel restaurant club or other place in any local option area where the electors have voted against such

sales but the sale of malt liquors by retailers shall not be unlawful in such areas unless the electors have also voted to prohibit such sales as provided in the Beverage License Law

ARTICLE VI

ILLEGAL ACTS PENALTIES

Section 601 Restrictions on Sales by Manufacturers or Licensed Importers It shall be unlawful for any manufacturer or licensed importer of liquor in this Commonwealth to sell or offer to sell any liquor in this Commonwealth except to the board for use in Pennsylvania Liquor Stores or to the holder of a sacramental wine permit but a manufacturer or licensed importer may sell or offer to sell liquor to persons outside of this Commonwealth

Section 602 Sales by Persons Other than Manufacturers (a) Except as provided in this act it shall be unlawful for any person by himself or by an employe or agent to expose or keep for sale or directly or indirectly or upon any pretense or upon any device to sell or offer to sell any liquor within this Commonwealth but this clause shall not be construed to prohibit hospitals physicians dentists or veterinarians who are licensed and registered under the laws of this Commonwealth from administering liquor in the regular course of their professional work and taking into account the cost of the liquor so administered in making charges for their professional services or a pharmacist duly licensed and registered under the laws of this Commonwealth from dispensing liquor on a prescription of a duly licensed physician dentist or veterinarian or selling medical preparations containing alcohol or using liquor in compounding prescriptions or medicines and making a charge for the liquor used in such medicines or a manufacturing pharmacist or chemist from using liquor in manufacturing preparations unfit for beverage purposes and making a charge for the liquor so used

(b) It shall be unlawful for any person except a manufacturer or the board or the holder of a sacramental wine permit or of an importer's license to keep any liquor within this Commonwealth which was not lawfully acquired prior to January first one thousand nine hundred and thirty-four or has not been purchased from a Pennsylvania Liquor Store

(c) Except as provided in this act it shall be unlawful for any person within this Commonwealth by himself or by an employe or agent to attempt to purchase or directly or indirectly or upon any pretense or device whatsoever to purchase any liquor from any person or source other than a Pennsylvania Liquor Store

(d) It shall be unlawful for any person except a manufacturer or the board or the holder of a sacramental wine permit or of an importer's license or a priest clergyman or rabbi who has purchased wine from the holder of a sacramental wine permit to have or keep any liquor within the Commonwealth unless the package (except the decanter or other receptacle containing liquor for immediate consumption) in which the liquor is contained has while containing that liquor been sealed with the offical seal of the board

(e) It shall be unlawful for any licensee or the board or any employe of such licensee or of the board to sell furnish or give any liquor or to permit any liquor to be sold furnished or given to any person visibly intoxicated or to any insane person or to any minor

(f) It shall be unlawful for any licensee to sell or offer to sell any liquor to any person on credit excepting credit extended by a hotel or club to a bona fide guest or member No right of action shall exist to collect any claim for credit extended contrary to the provisions of this clause

(g) It shall be unlawful for any licensee or the board or any employe or agent of a licensee or of the board to sell offer to sell or furnish any liquor to any person on a pass-book or store order or to receive from any person any goods wares merchandise or other articles in exchange for liquor

(h) It shall be unlawful for any person to hawk or peddle any liquor in this Commonwealth

Section 603 Unlawful to Fortify Adulterate or Contaminate Liquor It shall be unlawful for any licensee or any employe or agent of a licensee or of the board to fortify adulterate or contaminate any liquor except as permitted by the regulations of the board

Section 604 Things of Value Not to be Offered for the Return of Certain Articles—It shall be unlawful for any licensee or the board or any employe or agent of a licensee or of the board to offer to give anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing liquor or to offer or give anything of value as a premium or present to induce the purchase of liquor or for any other purpose whatsoever in connection with the sale of such liquor provided however that this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof

Section 605 Delivery Vehicles to Bear Name and Address of Manufacturer It shall be unlawful for a manufacturer to deliver any liquor except in his own vehicles bearing his name and address on each side in letters not smaller than four inches in height or in the vehicle of another person duly authorized to transport liquor within this Commonwealth.

Section 606 Restrictions on Importation of Liquor into the Commonwealth It shall be unlawful for any person other than the board or the holder of a sacramental wine permit or of an importer's license to import any liquor whatsoever into this Commonwealth but this section shall not be construed to prohibit railroad and pullman companies from selling liquors purchased outside the Commonwealth in their dining club and buffet cars which are covered by public service liquor licenses and which are operated in this Commonwealth

Section 607 Restrictions on Members and Employes of the Board (a) A member or employe of the board shall not be directly or indirectly interested or engaged in any other business or undertaking dealing in liquor whether as owner part owner partner member of syndicate shareholder agent or employe and whether for his own benefit or in a fiduciary capacity for some other person.

(b) A manager or employe of the board or any employe of the Commonwealth shall not solicit or receive directly or indirectly any commission remuneration or gift whatsoever from any person having sold selling or offering liquor for sale to the board for use in Pennsylvania Liquor Stores

(c) It shall be unlawful for any person selling or offering to sell liquor to or purchasing liquor from the board either directly or indirectly to pay or offer to pay any commission profit or remuneration or to make or offer to make any gift to any member or employe of the Commonwealth or to anyone on behalf of such member or employe

Section 608 Nuisances (a) Any room house building boat vehicle structure or place where liquor is sold offered for sale bartered or furnished in violation of this act and all liquor and property kept or used in maintaining the same is hereby declared to be a common nuisance and any person who maintains such a common nuisance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to the penalties hereinafter provided

(b) An action to enjoin any nuisance defined in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General of the State or by the district attorney of the proper county Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases within the county in which the offense occurs If it is made to appear by affidavit or otherwise to the satisfaction of the court that such nuisance exists a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the proceedings If a temporary injunction is prayed for the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the liquor or other things used in connection with the violation of this act constituting such nuisance No bond shall be required in instituting such proceedings It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing but on finding that the material allegations of the petition are true the court shall order that no liquor shall be sold offered for sale bartered or furnished in such room house building structure boat vehicle or place or any part thereof Upon the decree of the court ordering such nuisance to be abated the court may upon proper cause shown order that the room house building structure boat vehicle or place shall not be occupied or used for one year thereafter but the court may in its discretion permit it to be occupied or used if the owner lessee tenant or occupant thereof shall give bond with suf-

ficient surety to be approved by the court making the order in the penal and liquidated sum of not less than five hundred dollars ($500.00) payable to the Commonwealth of Pennsylvania for use of the county in which said proceedings are instituted and conditioned that liquor will not thereafter be manufactured sold offered for sale bartered or furnished therein or thereon in violation of this act and that he will pay all fines costs and damages that may be assessed for any violation of this act upon said property

Section 609 Interlocking Business Prohibited (a) No manufacturer and no officer or director of any manufacturer shall at the same time be a holder of a hotel restaurant or club liquor license nor be the owner proprietor or lessor of any place covered by any hotel restaurant or club liquor license

(b) No manufacturer shall own any stock or have any financial interest in any hotel or restaurant licensed ununder this act

(c) Excepting as hereinbefore provided no manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a hotel or restaurant license is granted nor shall a manufacturer either directly or indirectly lend any moneys credit or the equivalent thereof to any hotel or restaurant equipping fitting out or maintaining and conducting either in whole or in part a hotel or restaurant licensed for the selling of liquor for use and consumption upon the premises

(d) Excepting as hereinbefore provided no hotel licensee restaurant licensee or club licensee shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same used by a manufacturer in manufacturing liquor nor shall any hotel restaurant or club licensee either directly or indirectly lend any moneys credit or the equivalent thereof to any manufacturer for equipping fitting out or maintaining and conducting either in whole or in part an establishment used for the manufacture of liquor

The purpose of this section is to require a separation of the financial and business interests between manufacturers and holders of hotel or restaurant licenses and as herein provided of club licenses issued under this act and no person shall by any device whatsoever directly or indirectly evade the provisions of this section

Section 610 Penalties (a) Any person who shall sell attempt to sell in or who shall bring or import or attempt to bring or import any liquor into this Commonwealth except as provided in this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1,000) or to undergo imprisonment not exceeding one year or both in the discretion of the court and for any second or subsequent offense upon conviction thereof shall be sentenced to pay a fine of not less than one thousand dollars ($1,000) and to undergo imprisonment not exceeding two years.

(b) Except as hereinbefore provided in this section any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than three hundred dollars ($300.00) nor more than five hundred dollars ($500.00) and on failure to pay such fine to imprisonment for six months and for any subsequent offense shall be sentenced to pay a fine of five hundred dollars ($500.00) and to undergo imprisonment for a period of one year

ARTICLE VII

DISPOSITION OF MONEYS ACCRUING FROM PENNSYLVANIA LIQUOR STORES AND LICENSE FEES

Section 701 License Fees to Be Returned to Municipalities All license fees collected by the board under the porvisions of this act except fees for public service liquor licenses shall be paid into the State Treasury through the Department of Revenue into a special fund to be known as the "Liquor License Fund" Public service liquor license fees shall be paid into the General Fund The moneys in the "Liquor License Fund" shall on the first days of February May August and November of each year be paid by the board to the respective municipalities except townships of the second class in which the respective licensed places are situated in such amounts as represent the aggregate license fees collected from licensees in such municipalities during the preceding period On the above dates in each year the board shall pay to the respective school districts coextensive with townships of the second class the license fees collected by it during the period immediately preceding the date of payment for licenses issued to hotels restaurants or clubs located in townships of the second class.

Section 702 Application Fees and Receipts from Pennsylvania Liquor Stores to be Retained by the Commonwealth All application fees and moneys accruing from sales of liquor at Pennsylvania Liquor Stores and all fines penalties and forfeitures collected received or recovered by the board under the provisions of this act shall be paid into the State Treasury through the Department of Revenue into a special fund to be known as "The State Stores Fund" All moneys in such fund shall be available for the purposes for which they are appropriated by law.

ARTICLE VIII

EFFECTIVE DATE AND REPEAL

Section 801 Effective Date This act shall become effective immediately upon its passage and approval by the Governor except that nothing herein contained shall authorize the sale of any liquor prior to the day when the Twenty-First Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states and except that the provisions of this act forbidding the importation of liquor except by Pennsylvania Liquor Stores and purchases not for consumption on the premises except from Pennsylvania Liquor Stores shall not become effective until the first day of January one thousand nine hundred and thirty-four

Prior to January first one thousand nine hundred and thirty-four holders of manufacturers' permits heretofore issued by the Pennsylvania Alcohol Permit Board may sell liquor not for consumption on the premises otherwise than to Pennsylvania Liquor Stores and holders of liquor licenses issued by the board may buy liquor otherwise than from Pennsylvania Liquor Stores and sell it not for consumption on the premises as well as for consumption on the premises but they shall keep such records and make such reports of sales not for consumption on the premises as may be required by the board for the use of the Department of Revenue

The provisions of Section four hundred seven clause (c) shall not be effective until January first one thousand nine hundred and thirty-four

For all licenses and permits issued during the year one thousand nine hundred and thirty-three the full annual license or permit fee shall be charged but such licenses and permits shall be valid until midnight of the thirty-first day of December one thousand nine hundred and thirty-four unless sooner revoked as provided in this act And all bonds filed with the Board in connection with the issuance of such licenses and permits shall cover the period ending December thirty-first one thousand nine hundred and thirty-four.

Section 802 Repeal The act approved the twenty-seventh day of March one thousand nine hundred twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic license laws," and all other acts and parts of acts including special or local acts inconsistent herewith are hereby repealed.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. BUCKMAN. Mr. President, this bill being now on third reading and final passage, an amendment may be made to it without delaying the passage of the bill, as the proposed amendment consists in a strike-out. In other words, there will be no change in the bill except certain words and lines

which may be stricken out; and I therefore offer the following amendment to the bill:

Mr. PRESIDENT. I ask unanimous consent to amend section 402, page 17, line 20, by striking out at the end of the line after the word "States" the words: [and has been a resident of this State for at least]; also section 402, page 17, by striking out line 21; also section 402, page 17, line 22, by striking out at the beginning of the line before the word "The" the syllable: [tion].

The amendment was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading as amended?

Mr. TRAINER. Mr. President, I ask unanimous consent to amend section 302, page 8, item (j) line 27, by striking out the entire line.

The amendment was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PRINCE. Mr. President: I should like to volunteer a word concerning this bill, not so much to urge its passage which I do not think is in doubt, as to offer one or two reasons why we may congratulate ourselves and the State upon a signally constructive piece of legislation.

For the first time in our history an amendement to the Constitution of the United States has been repealed. The Fifteenth Amendment was a dead letter from the start. The Fourteenth Amendment in its original emphasis has been consistently ignored. But the Eighteenth Amendment has been repealed by an overwhelming verdict of the American electorate. This does not mean that the American people intend to drown themselves in a continental ocean of fermented juice or demonstrate their capacity to absorb malt, vinous and spirituous beverages in unlimited quantity. But it does mean that they have decided that national prohibition is not the way to solve the problem of intemperance. Constitutionally and legally we are now free to make a fresh start, with experience to point out the mistakes of the past and common sense to indicate the course of wisdom and of probable success.

Any method which we may adopt to meet the situation created by the return of liquor is bound to produce revenue for the State. But not every method is equally certain to insure control of the traffic. From the standpoint of public welfare, control is the important thing. Private interest, whether represented by hotels, restaurants, drug stores, or proprietorships of any sort, must not be permitted to stand in the way of that.

Neither extreme drys nor extreme wets are going to be satisfied with the present enactment which must in the very nature of the case embody the spirit of compromise, and compromise is never acceptable to extremists.

Only two alternative settlements of this question are possible or even have been contemplated. These are license and State monopoly. There are objections to both systems and defects in both systems. But the objections are not equally valid and the defects are not equally serious.

The essential weakness of the license system is inherent and ineradicable. It consists in the element of private profit. No matter how upright and fair-minded a man may be, no matter in what business he may engage, he is going to make all he can. In order to do this he must stimulate demand for what he has to sell. Mere things, in and of themselves, are neither good nor bad. They become good or bad according to the use made of them. But this particular commodity, hard liquor, because of the tendency to unwise or excessive use becomes a dangerous article of exchange, and for that reason it is incompatible with public welfare to encourage its indiscriminate use.

Not only would the license system lead to reckless consumption of a dangerous commodity, but it would force liquor into politics and would keep it there. The drys would constantly demand more stringent legislation. The wets would just as certainly insist upon more liberal laws. The Legislature would find itself between a perpetual cross-fire of organized and aggressive lobbyists, and the liquor question would again be precipitated into every local, state, and national election.

Starting now, any method of control is bound to be experimental, with the possibility of radical change by future legislation. That being the case, we ought to initiate the experiment with a method which is not only comparatively free from utilitarian objection, but which would not aggravate the difficulties of readjustment in the event of subsequent change by presenting the problem of what to do with capital legitimately invested in distilleries and breweries. If we should start with license and later adopt the State stores system or outright prohibition, we should have to face the expense of condemnation proceedings and consequent damages. But if we start with the State stores plan and later should turn either to prohibition or to license, no such problem could arise because no such investment rights would be involved.

Personally, I do not fancy the idea of government going into business. But the liquor traffic is not analogous to economic enterprise generally. No other business requires police control. And anyhow, government has always been identified with the liquor business, determining the quality of the commodity itself, regulating the conditions of its manufacture and sale, and sharing liberally in the profits through taxation. In assuming full control the government will also assume full responsibility for a business whose unholy alliances it has already dissolved, and it will recover revenues long diverted to free-booters and racketeers.

For fifteen years national prohibition was on trial. Now liquor is on trial, and it cannot forget that prior to the adoption of the Eighteenth Amendment it had been outlawed by more than one-third of the very states upon whose voluntary sufferance it must now depend. In this Commonwealth it is about to come back; not as a private money-making enterprise to revive and perpetuate the scandals of the old regime, but as a State monopoly administered by the government, to protect the people from a dangeorus inmate of their own household, long exiled, whom they themselves have invited to return.

Mr. SNYDER. Mr. President, and gentlemen of the Senate, probably I should make an apology for again asking the indulgence of the Chair and the Senate in matters pertaining to the liquor control question. I find no pleasure in differing in my opinion with my distinguished colleague Dr. Prince, but there are many citizens of Pennsylvania,—I venture to say the majority of the people of Pennsylvania; yes, sir, the great majority of the people of Pennsylvania,—who are opposed to this bill. I believe that that same great majority has come to the conclusion that there is more danger of politics being brought into the question by this system than by the old system which we knew as the Brooks High License Law.

Dr. Prince has mentioned the fact that this bill is the result of a compromise, and while I do not want to differ with the directness of his statement, I owe it to those members of the Senate to say that there is nothing like a compromise in this bill. This bill, and this system, were agreed upon, if the press gave out the correct information, before we were called into session. From the very outstart of the deliberations on this question the Governor of the Commonwealth stated openly that he insists on the State stores system. Repeatedly in discussion and, as is known to my colleagues in the Senate, in committee meetings there were attempts to strike out of this plan the State stores and some other objectionable features, and to return, as far as possible, to the old system.

We have, in this bill, given to a new board powers the like of which do not appear upon the statute books of this State. If it is to be the continued policy of this State of Pennsylvania to create boards and commissions and bureaus; if we, as members of the bar, can no longer look to the pamphlet laws for the law, but must look beyond the law to rules and regulations the character and nature of which we leave entirely to the boards themselves,—if that policy is to continue, let me make the humble prediction that at the present rate, looking ahead twenty or twenty-five years, it will be bureaus that will be in control and not the Legislature or even the Governor of the State.

In other words, there are those of us who believe that this board is given entirely too much power,—and when I mention that I do not for a moment question the personnel as far as we know it today. It is not the individuals whom I question; it is the system to which I object. They are given such sweeping powers in this bill, gentlemen; and I now refer to a new amendment, on page 8, which gives them the right, if you and I have lawfully acquired liquor in our homes, to pass rules and regulations whereby that liquor may or must be concealed or revealed.

There is now in existence, Mr. President, a law in this State which provides that every person in the State, every private individual, if you please, is taxable at $2.00 a gallon. That law, we have been told, will never be enforced. In the first place, because the time may be too short to enforce it. And let me make the appeal to you, gentlemen, that if there is anything that is destructive of the respect for law, it is the open admission that there shall be written upon the statute books of our State laws which are not to be enforced.

In this bill you are giving to a commission tremendous power. I do not question the good faith of the Governor of this Commonwealth. I do not have the least suspicion that he, even if he could, would practice politics through this board; and I want to say that the men who have been recommended are not that type of gentlemen; I have the utmost confidence in the men who, I suppose, will compose this board. But we have got to look into the future.

I differ from the statement that this experiment,—and it has been named such by those who would lead us in our deliberations,—is a good one; and I will tell why it is not a good one. It is a poor one, gentlemen, because it is the most expensive type of experiment that the Commonwealth of Pennsylvania could possibly have made. If declared constitutional, it will cost thousands of dollars, yes, it may cost millions of dollars, to put this great system of liquor control into operation. And if it is true that it is an experiment, I again, as a matter of pure logic, would suggest that if in these days of emergency experiments must be necessary, we should cling to that type of experiment which will necessarily produce the least burden on the people of Pennsylvania; and I, for one, would have it known,—and I am not ashamed of the position I take,—that the State stores or departments will not be operated at a profit.

My predictions of a week ago, I think, are entirely justified even now in the defence which the liquor industry is making in the State of Pennsylvania. No one has had the time, or, perhaps, the desire, to look into the legal question involved in the litigation that is now pending; but when by one stroke of the pen you strive to destroy an industry that has a perfect right to be here, you can expect that that industry will fight. They have a right to exist in Pennsylvania. And I am predicting that there will be just the very question that was brought to sight last week.

There are some mirth-provoking, if I may use that expression, provisions in this bill. Naturally, I have no right to discuss a bill unless I call attention to some of the provisions in it; and I say some of the provisions of this bill are mirth-provoking if nothing else. I never knew, gentlemen, that I would be called upon to witness the day, as a member of the State Senate, when we would even attempt to create what has been known as, but is not, a Civil Service Department under the Department of Public Instruction, and to pass upon what subject? To pass upon the qualifications of people who cannot possibly do anything else than sell goods over the counter in packages, or, perhaps, keep books. Civil Service, if you please! Is that necessary?

I remember reading, as a boy, with a lot of pleasure, that when Judge Douglass accused Abraham Lincoln of selling liquor over a bar, or counter, Abraham Lincoln, in that splendid wit and humor of his manner, said, "Yes, that is true. I sold liquor over the counter. But Judge Douglass was on the other side of the counter, drinking it."

Is Civil Service necessary? Well, we call it Civil Service, which it is not; but let me call your attention to the fact that the proponents of that proposition did not themselves, trust the matter to rest entirely in the hands of those who would have that Civil Service, if you want to call it that, in charge. I was amused, and, I think, so were you, when this bill gave to this board the power to prescribe the forms to be used but, for some reason, it was decided that these gentlemen should be limited in their inquiries into the qualifications of these applicants; because the bill contains the statement that they shall by no means ask any applicant to attach his photograph to his application. Perhaps I cannot look into the matter far enough to understand that, but, beyond that, I do not know of any other institution, private or public, in the State of Pennsylvania where the integrity of the examiners of applicants is questioned in the bill itself which creates the system.

I am rather chagrined to find that somebody found it necessary to include in that bill the provisions that all those who take the examination must have their papers numbered, so that the identity of the applicant cannot be disclosed to the examiner until the rating has been passed upon the papers. I say, again, that is mirth-provoking to me.

Who is to appoint these examiners? I do not know whether it is possible entirely to divert the revenues that are to come from this great control bill to the public school system. I do not see any particular logic in the reasoning that it would be proper to collect revenues from the people who engage in the liquor business to build up the public schools. I do not understand why the presidents of the colleges and

the universities should be called upon to name these examiners. I would like to know just why that is. And even though the hour is late, even though this bill is to be rushed through, I, for one, invite discussion and debate upon this matter, for the reason that, frankly, I cannot understand just why this system should be made complex. The president or the dean, whichever the language may be, of State-aided institutions are to recommend who the examiner or examiners should be, in order to hold examinations upon subjects which will decide the question of qualification of a man or woman who will sell something in packages over the counter! I would not want one cent of the taxpayers' money to be spent in an effort of that kind; and yet I say that I have been told again and again that this bill will pass.

There may have been surrenders, yes; there may have been people who clung to their own convictions for a while and then yielded to the purposes of those who would rush this legislation through; but I, for one, and speaking for the people of Lehigh County, will continue to oppose it, if I am the only man in this body voting against foolish expenditure of the taxpayers' money to create a system of that kind.

Of course, my views upon some of the provisions of this bill may seem radical. The Senate of the State of Pennsylvania, at the last session, was good enough to act favorably upon an amendment which I introduced in the beer bill, keeping at least a counter, used as a bar, in the bill. And I plead with you, sir, and with the members of this Senate, that just as certain as you do not permit the man in overalls to take a drink at the bar he is going to do it somewhere else. Governor Ritchie, of Maryland, is correct when he said it does not make a bit of difference whether you take a drink standing up or sitting down, and that has nothing to do with the sobriety of the people, nor with the good citizenship of the individual.

But you would even go so far, in this bill, as to say that the restaurant shall be substituted for the saloon. That is the hidden purpose. You will go so far as to say that a man's club, —clubs and social organizations,—shall not be permitted to have a bar. What do you hope to gain by that? Private institutions, yes, under the old Brooks High License Law; but not even included in the bill. Are you going to say to a man, "You cannot have a bar at a hotel; you have got to sit down at a table in the restaurant. And you must do the same thing in your club."

And, talking about clubs, did you notice the new amendment in this bill? If a man conducts a hotel or a restaurant and violates the law in any respect, the Court of Quarter Sessions has the right to revoke that license; and also has the right to revoke the license of any club under its jurisdiction. But why is it? I would like to have someone answer me in this regard: That in addition to giving the right to the Court of Quarter Session to revoke the license of a club there is an additional right given to the Board and only in that instance, to revoke the license of the club. Why, if you please, that added provision?

I have spoken very briefly about the contents of the bill itself which might be deserving of consideration, but I still insist on this: That the only important consideration here is the result that will be obtained; and I know I have no right to ask indulgence much longer, but I want upon the record of the Sate Senate at least my own prediction that if this bill is passed you know what is going to happen as far as liquor coming into the State from beyond the borders of the State is concerned. You do know that by action taken last week at least several thousand persons are already on the point of moving their establishments out of the State. You do know that it has been the purpose of the administration to destroy the liquor industry of this State; and, to a certain extent, that purpose has been fulfilled.

Mere mathematics must have some place in our calculations. Would they seem to you, gentlemen, to be a fair basis for the proving of something by politics at least? Take the present rate of taxation. While we know there is within contemplation an increased federal tax,—a tax of $3.00 has been spoken of,— it appears the federal tax on one gallon of liquor is $1.40. There is an estimate made,—and it is largely my own; speaking of one gallon of whiskey,—that as far as bottling and labor incident thereto, and freight and hauling, are concerned we might safely say that there is another item of $1.25 necessary. There is within the contemplation of the administration a permanent tax of $1.00,—a State tax. I presume you would agree that the distiller should have at least $1.50 for his labor, if he makes good whiskey. I suppose you will agree that he should have a profit of $1.00. These figures have been conservative. The total of those calculations is $6.15; and the States stores, in order to make any profit for the Commonwealth of Pennsylvania, should charge at least $1.00 a gallon profit, should they not? That makes it $7.00, and you cannot escape the course of those mathematics; and yet you know that within recent days, yes, years, people have been buying liquor at $5.00 a gallon, regardless of quality. So that, my prophecy that there would not be any profit made by the State stores may, perhaps, have more force to it after all.

But beyond this bill, and finally, gentlemen, there is the political background of the entire matter to which I object. Pennsylvania has stood alone among the States, it seems to me, in one thing, and that is, that we do not invite,—yes, and up to this moment we have said we do not permit, the interference of government in private business. Why is it that the great Commonwealth of Pennsylvania, through its Department of Justice, or through any other department, would, in making its estimates on this proposition, have to go to the Dominion of Canada?

I hate to believe that the State of Pennsylvania, through men who are entirely qualified, are not able to cope with the situation without going beyond the boundaries of the United States. State stores, gentlemen, are unAmerican. It is an un-American doctrine. It is something against which, I believe, the people of Pennsylvania will revolt. At least, they will disapprove in a fashion which cannot readily be misunderstood, whether it is tomorrow or next year or whenever it may come; and I am not speaking of that in a partisan sense. I would rather have,—to speak frankly, sir,—the Republican Party perpetuated in the State of Pennsylvania than retreat one inch in this matter and bring into Pennsylvania for the first time the State Government in private business; and I mean that sincerely. As far as I am concerned, gentlemen, in spite of the fact that the odds may be against the opponents of the bill, I plead with you to remember the traditions of Pennsylvania, and not to surrender now.

Mr. SHAPIRO. Mr. President, I do not expect to affect the attitude of any member of this Senate, or change any votes; but I do not think that I can go back to my constituents and enjoy my living amongst them unless I say a word in their interest, because I come from a place in Philadelphia which had, prior to the prohibition laws, millions of dollars invested in the liquor business.

The Government of the United States, for the purpose of an experiment, took all those millions and made no compensation to any of those people; and today those distilleries cannot begin to operate because, under the bill which is proposed

here, there is no guarantee or assurance of any kind that if they manufacture liquor they will have the opportunity to sell it to the State of Pennsylvania, because there is nothing in the act which provides that even a preference shall be given to those who manufacture liquor in the State of Pennsylvania.

I am not convinced that the argument concerning State stores is valid even though two reasons are advanced why State stores should be encouraged or tried, one being that by means of them profit will inure to the Commonwealth of Pennsylvania, and the other that control will be given over the indiscriminate use, or abuse, of liquor.

Now, with regard to the control over the use of liquor, since this bill will permit any hot dog stand to sell liquor, and any hotel in any city may sell liquor openly, either in bottles or in glasses, I think there will be plenty of liquor flowing. So there will be no objection as to that, and I do not see how it can be controlled unless it is contended that the sale by bottles, for consumption off the premises, will protect us from the evils of the liquor traffic; because that is the only function of the State stores here.

With regard to profit, I do not think that there is any necessity, in order to make a profit, to have State stores, because I am reliably informed that there was a tax bill introduced in the House of Representatives which provides for a permanent tax on liquor sold after December 5th, and an amendment to the bill provides that liquor for use outside of the Commonwealth of Pennsylvania shall not be taxed. Also, under a provision of this House Bill No. 10, which is now before us, no tax shall be charged on liquor sold to the State of Pennsylvania. So that, while the State may make a dollar profit from the sale of liquor in the operation of State stores, it could make the same dollar from the receipt of the tax of one dollar per gallon under House Bill No. 8.

Therefore, to my mind, the two important reasons advanced for the sale of liquor by State stores fall by their own weight, when analyzed.

With regard to the bill before us, we are told this will not become a political matter,—that the appointments will not be made politically. I thought my friend, Senator Snyder, was going to call attention to the Civil Service provisions in this act. The first provision is that no one shall be employed unless he shall have complied with the Civil Service provisions of the Act.

The amendment is, first, that the appointments shall be made provisionally up to January first of the coming year; and, secondly, that all employees of the present Pennsylvania Permit Board shall be retained. Supplementing the remarks of Senator Snyder, I can see very easily that when the provisional appointments are made, and applications are placed before the Department of Public Instruction by these gentlemen who want to be employed, and that department is given the opportunity, as it is under this act, to decide from those applications, before examination, which of them shall be examined, that is, which of them have the qualifications, since it will take a man only thirty days' time to learn how to hand a package of liquor over the counter, he will probably, in thirty days' time, have qualified better, in the opinion of the Department of Public Instruction, to perform those duties than the one who has not had the thirty days of opportunity. So that, those who will be examined will be those who have worked thirty days provisionally under this act.

Therefore, I have no faith in the Civil Service provisions of the act. I would rather have no such provision at all.

I could attack a number of other provisions of the act, but will not bore you with them; but just to give you an idea of what hurried legislation means I suggest that you refer to the latter pages of the act, where you will find an elaborate system of local option; and then I call your attention to page 6 of the act, where you will find a simple system of local option. That system is, that the Liquor Board shall have the right to determine the municipalities within which Pennsylvania liquor stores shall be established. In other words, if the Liquor Board at any time, now or hereafter, shall determine that the City of Philadelphia shall not have liquor stores, under the provisions of this act, they can do so. Therefore, if they so determine, the sale for consumption off the premises cannot be made in the City of Philadelphia. Such a situation in the City of Philadelphia may seem to you to be an indication of a far-stretched imagination, but I say it is not only possible but probable, under the provisions of this act, that any city can be deprived of the right of a man to go into a store and buy a quart of liquor, simply because the Board may feel that that city should not have liquor stores.

The other two objections I have to this bill are, first, that it is my impression that under the 27th Section of Article 3 of the Constitution of the State of Pennsylvania it is prohibited from entering into the business of measuring or examining merchandise; and under the provisions of this act one would think the State is given, and should have, the right to examine the merchandise which it buys, in order to find out whether it is that which the State intended to buy. But the Constitution expressly prohibits the State from measuring or inspecting, or going into the business of measuring or inspecting.

Then there is another provision of the Constitution, familiar to everybody, I think, which provides that the State shall not be subject to debts to private individuals or corporations. Yet every time you go to make a lease, under the provisions of this act, you are incurring indebtedness for the State of Pennsylvania; and these leases may be made, although this is only an experiment, for one year or five years. So that, if the experiment should prove a failure, it seems to me the expenses of the State of Pennsylvania would be heavier than they would be if the State did not have the right to sell liquor.

Now, when these men with previous experience are willing and anxious to go into the business, they take the same chances they have taken before; yet the State of Pennsylvania saddles itself,—unwisely, I say, with long term leases.

In my opinion, therefore, the district which I represent is particularly penalized by the provisions of this bill, because they get no assurance that the distillers they have there can begin to operate with the hope of selling. Secondly, this bill, in my opinion, eventually will meet the constitutional objection of which I have spoken; which will prevent the carrying out of its provisions, and will leave us in the same position that we would be in if we did not pass the bill. It is not, in any sense, anything more nor less than the State of Pennsylvania engaging in a business which, in my opinion, it should not, and which in the eyes of the law, it cannot engage in.

Mr. FRAZIER. Mr. President, I hesitate to follow Doctor Prince, Senator Snyder and Senator Shapiro, but I think it would be very unbecoming on my part if in addition to what I do by my vote I did not say a few words on this bill. I think it was most fitting that the distinguished dry Doctor Prince should be the advocate of this dry bill. I come from a district—and I want to speak briefly about the practical side of this situation—I come from a district representing the entire West Philadelphia. On November 7th we had a vote of 87,869 for repeal, 13,046 against repeal, or a majority of 74,823 for repeal out of the million majority given in the State of Pennsylvania. I cannot help but think and feel that tremendous majority given, given throughout the entire State

was notice and warning to all of us in the Legislature as to the feeling of our constitutents on this question; and I think, looking at the political side of this question that we have conditions and questions of politics. This bill is such legislation that this tremendous majority in the State of Pennsylvania never felt would be written or enacted. I am very sure that the great majority of my people down in the meadow section of Philadelphia can never afford to take a drink. With all the frills that we have in this legislation, it seems that this is a dry bill, written by a dry Governor, and for some unaccountable reason sent to a committee in this chamber presided over by a dry Senator. We talk about politics coming into this situation if we got away from the State stores and went to the old Brooks High License. I say to you that this bill was born in politics, raised in politics, and will die in politics; and I feel that everybody who touches this bill will be besmirched with it. I recall in 1896 of playing baseball with him whom we called then Bob Gawthrop. I have watched his career from then to now, and I feel as Senator Snyder does about Judge Gawthrop. I do not have the honor of knowing the other appointee who has tentatively accepted the appointment, but I feel both of those men are honorable and distinguished citizens, and I feel certain Bob Gawthrop has been persuaded to accept the appointment on this commission. What does it mean? It means nothing except the power given in this last amendment to take away licenses from clubs, which power they do not have so far as hotels and restaurants are concerned. There is nothing that they can do, as I see it, but to give a license to somebody who asks for it and draft uncertain questions. I have wondered in my mind whether this whole situation was not designed as the starting-point of a new campaign for prohibition by legislation. Was it not the thought, quite probably, of our distinguished Governor, with his well-known and outstanding and outspoken dry proclivities, was it not possibly his intention first, if possible, to drive out of Pennsylvania the distilleries? And secondly, if possible, to so flood the State of Pennsylvania with liquor by putting it in control of hot dog stands as to start a new campaign of legislation instead of education? It seems to me if we look back over history we have before us three famous R's, the three R's which were responsible for the defeat of the representative for our President of the United States back in the last century. Let me give you three new words for those three R's; repeal, which has come, revolt of the people against the State stores, and the retirement to private life of all those who have the temerity to back this bill. Or let me give you three D's, three D's: the dry deal made between dry Republicans, dry Democrats and dry Pinchotcrats; and let me say to you that the three D's are—the dry deal means defeat for all those who are responsible for it. And let me say to you honestly and sincerely, my friends, I want to see you all back. I love you all. I have most kind feelings for you all. And I would like to see you all come back in 1935. But I will make the same prediction as that of our distinguished colleague from Lehigh county. I predict that you men who do not heed and do not keep in step with the times and do not know what the voters of Pennsylvania meant on November 7th will have very great difficulty, at least at home, in persuading your constitutents that you carried out the mandates of your constitutents when you voted for this dry legislation and tried to renew an attempt now to start where they started many years ago by legislation to defeat the wish and desire of the people, which must be accomplished by education.

And the question recurring,

Will the Senate agree to the bill on third reading as amended?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Armstrong,	Ealy,	Lanius,	Quigley,
Batchelor,	Einstein,	Mansfield,	Rice,
Baumer,	Gelder,	Miller,	Scott,
Bell,	Graff,	Owlett,	Sones,
Bennett,	Harris,	Parkinson,	Sordoni,
Brandt,	Harvey,	Pethick,	Thompson,
Chapman,	Homsher,	Pierson,	Williamson,
Clark,	Howell,	Prince,	Ziesenheim,
Coyne,			

NAYS—14

Aron,	Hunsicker,	Roberts,	Snyder,
Boyd,	Krause,	Salus,	Staudenmeier,
Buckman,	Norton,	Shapiro,	Trainer,
Frazier,	Reed,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

REPORTS FROM COMMITTEES

Mr. ARON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 56, entitled:

An Act authorizing counties, boroughs, towns, townships and school districts having moneys borrowed for one purpose to use the same for other purposes which will aid recovery from existing economic depression; and requiring in certain such cases the assent of the electors.

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 62, entitled:

An Act reducing to five days the period during which municipal subdivisions of the Commonwealth are required to advertise notice of proposed awards of contracts for articles to be used on projects financed by the Federal Civil Works Administration.

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 54, entitled:

An Act abating interest, penalties and costs on county, city, borough, town, township, school and poor taxes on real property for the year one thousand nine hundred and thirty-two and years prior thereto in certain cases.

BILL INTRODUCED

Mr. PARKINSON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON read in his place and presented to the Chair Senate Bill No. 63, entitled:

An Act to amend section three of the act, approved the third day of June, one thousand nine hundred and thirty-three (P. L. 1520), entitled "An act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the various political subdivisions of the Commonwealth for the maintenance of certain streets and roads during the calendar years one

thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five, and requiring political subdivisions to reduce their tax rates for road and street purposes for said years; providing for certification of mileage of public roads and streets by municipal authorities to the Department of Highways; and providing for the use and maintenance of road building machinery and equipment belonging to such political subdivisions by the Department of Highways in carrying out the purposes of this act," by relieving the Department of Highways of the repair and maintenance of certain roads in townships of the second class.

Which was committed to the Committee on Public Roads and Highways.

REPORT FROM COMMITTEE

Mr. GELDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 63, entitled:

An Act to amend section three of the act, approved the third day of June, one thousand nine hundred and thirty-three (P. L. 1520), entitled "An act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the various political subdisvisions of the Commonwealth for the maintenance of certain streets and roads during the calendar years one thousand nine hundred and thirty-four and one thousand nine hundred thirty-five, and requiring political subdivisions to reduce their tax rates for road and street purposes for said years; providing for certification of mileage of public roads and streets by municipal authorities to the Department of Highways; and providing for the use and maintenance of road building machinery and equipment belonging to such political subdivisions by the Department of Highways in carrying out the purposes of this act," by relieving the Department of Highways of the repair and maintenance of certain roads in townships of the second class.

MOTION TO READ BILLS THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 27, entitled:

An Act providing for the construction of a tunnel or tunnels between the State of New Jersey and the Commonwealth of Pennsylvania under the Delaware River and the issuance of permits therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 37, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, nine hundred five), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by adding a new section thereto for protecting the safety of the public by limiting the size and weight of vehicles which may be operated between the hours of twelve o'clock noon Saturday and twelve o'clock midnight of the following Sunday in any week and on legal holidays.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 42, entitled:

A Joint Resolution creating a Liquor Control Investigation ommission, defining the powers and duties of said Commission; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeable to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 44, entitled:

An Act making an appropriation to the Department of Military Affairs for the purchase of supplies, materials and equipment to improve the Military Reservation at Indiantown Gap.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeable to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 49, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeable to order,

The Senate proceeded to the first reading and consideration of Sennate Bill No. 52, entitled:

An Act to amend the title and sections one, two, and three of the act approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand two hundred twenty-nine), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the

Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," as amended, by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeable to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 53, entitled:

An Act providing for the creation of public "Authorities" in counties of the second class; authorizing such "Authorities" to enter into agreements with the Government of the United States, particularly as they relate to the National Industrial Recovery Act and any amendments and supplements thereto, the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others; defining and providing for the organization and dissolution of such "Authorities;" conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions upon which such "Authorities" may exercise their powers; endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds; authorizing such "Authorities" to make and receive appropriations; repealing certain acts and parts of acts inconsistent herewith; and for other purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 54, entitled:

An Act abating interest, penalties and costs on county, city, borough, town, township, school and poor taxes on real property for the year one thousand nine hundred and thirty-two, and years prior thereto in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 56, entitled:

An Act authorizing counties, boroughs, towns, townships and school districts having moneys borrowed for one purpose to use the same for other purposes which will aid recovery from existing economic depression; and requiring in certain such cases the assent of the electors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 62, entitled:

An Act reducing to five days the period during which municipal subdivisions of the Commonwealth are required to advertise notice of proposed awards of contracts for articles to be used on projects financed by the Federal Civil Works Administration.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 63, entitled:

An Act to amend section three of the act, approved the third day of June, one thousand nine hundred and thirty-three (P. L. 1520), entitled, "An act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the various political subdivisions of the Commonwealth for the maintenance of certain streets and roads during the calendar years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five, and requiring political subdivisions to reduce their tax rates for road and street purposes for said years; providing for certification of mileage of public roads and streets by municipal authorities to the Department of Highways; and providing for the use and maintenance of road building machinery and equipment belonging to such political subdivisions by the Department of Highways in carrying out the purposes of this act," by relieving the Department of Highways of the repair and maintenance of certain roads in townships of the second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 12:15 o'clock.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 P. M. until Wednesday morning, November 29, 1933, at 12:15 o'clock A. M.

HOUSE OF REPRESENTATIVES

TUESDAY, November 28, 1933.

The House met at 11:00 o'clock A. M.
The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

O God, Thy love and care has kept us thus far, we are thankful. Be Thou our constant guide and inspiration as we pursue the tasks appointed us this day.

We thank Thee for the opportunities which are ours to steep our souls in beauty of Capitol Hill—symbolical of the beauty and greatness of our Commonwealth. We thank Thee for the opportunity of girding our minds for the pursuit of truth, which, when attained frees us and helps us to lend helping hands to our fellow citizens.

Dear Lord, continue to inspire our honored leaders, that they discover ways out of our present distresses, and lead us into a better social order.

Bless and keep the home folk of the General Assembly while we are absent one from the other. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. Hermansen, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. SOWERS, HOUSE BILL No. 133.

An Act to aid Economy Recovery, promote the general welfare and happiness of the Commonwealth, relieving persons of fear and worry of old age support and maintenance and burial, providing for assistance to certain aged persons, regulating subject to certain restrictions, limitations and liabilities, assistance to and the burial of certain aged per-

sons, and the administration of this Act by the Department of Welfare, the appointment of a State Supervisor and necessary assistants, and prescribing his powers and duties and imposing duties and liabilities upon the Department of Welfare, the State Treasurer, the Trustees who administer Mothers Assistance in the several Counties and the Authorities having charge of the Administration of this Act, making Counties liable for certain expenses, giving those administering the power to administer oaths, providing penalties for violations and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. RECTENWALD. HOUSE BILL No. 134.

An Act providing for the granting of pensions by the Commonwealth to certain blind persons; imposing duties upon the State Treasurer in connection therewith; providing penalties; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. PRICE. HOUSE BILL No. 135.

An Act relating to executions; providing for the entry of deficiency judgments; and limiting the amount for which writs of execution may issue in certain cases.

Referred to the Committee on Judiciary General.

By Mr. SOWERS. HOUSE BILL No. 136.

An Act to exempt property to the value of one hundred dollars from levy and sale on execution and distress for rent, in addition to present exemptions providing that a debtor may not waive, surrender or release his right to exemption, and declaring contracts waiving, surrendering or releasing such right void.

Referred to the Committee on Judiciary General.

By Mr. SPANN. HOUSE BILL No. 137.

An Act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four, by installments and for a discount for prompt payment of such taxes, in cities of the second class and in school districts of the first class.

Referred to the Committee on Municipal Corporations.

By Mr. RUTH. HOUSE BILL No. 138.

An Act to further amend clause (e) of section three hundred and six of the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," by permitting the extension of time for hospitalization to ninety days at the option of the employer or insurer; and fixing the date when this act becomes effective.

Referred to the Committee on Judiciary General.

By Mr. SOWERS. HOUSE BILL No. 140.

An Act to provide unemployment relief in the present emergency provide for funds of old age assistance providing for and legalizing lotteries to raise approximately one hundred million dollars ($100,000,000) for such purpose creating a committee to conduct such lotteries conferring powers and imposing duties on certain State officers departments and agencies making an appropriation to the Department of Welfare for the old age assistance and prescribing the powers and duties of the board with reference thereto.

Referred to the Committee on Ways and Means.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 35. (HOUSE BILL No. 139.)

An Act relating to milk and the products thereof declaring an emergency with respect to their production and marketing creating a Milk Control Board in the Department of Agriculture defining its jurisdiction powers and duties regulating the production transportation manufacture processing storage distribution delivery and sale of milk and the products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring licensees to furnish bonds for the protection or prodcers authorizing the examination of the business papers and affairs of and requiring the filing of reports by licensees and other milk dealers and permitting with limitations the dissemination of information obtained therefrom authorizing the issuance of subpoenas by the Board or its agents and conferring jurisdiction upon courts to punish contempts providing for appeals to the courts from decisions of the Milk Control Board imposing penalties and making an appropriation.

Referred to the Committee on Agriculture.

LEAVES OF ABSENCE

Mr. McBRIDE asked and obtained leave of absence for Mr. William A. Walker on account of death in the family.

Mr. RUTH asked and obtained leave of absence for Mr. Sarig on account of attendance at a funeral.

Mr. LONG asked and obtained leave of absence for Mr. Gartner on account of illness.

RESOLUTIONS

COMMITTEE TO STUDY CONTROL OF ALCOHOLIC BEVERAGES

Mr. ANDREWS offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, November 28, 1933.

Whereas, This House by its action has already passed upon the propriety of dispensing vinous and distilled liquor for consumption off the premises by State controlled stores and of the establishment and management of such stores by the Pennsylvania Liquor Control Board; and

Whereas, The sale of vinous and distilled liquors for consumption on the premises is a question which more intimately concerns the individual and should possibly be placed beyond the regulatory powers of a board not personally cognizant of local conditions and feelings; and

Whereas, There are communities in which a strong sentiment prevails against the prohibition placed by expected legislation upon the right of individuals to partake of liquor at bars; and

Whereas, The control of the sale of vinous and distilled liquors for consumption on the premises is a responsibility that could more intelligently and fairly be handled by local authorities who better know local conditions; therefore be it

Resolved, That a committee of five members of this House to be appointed by the Speaker shall, immediately after the adjournment of this Extraordinary Session, undertake a study of this question and make a report to this House not later than February 1st, 1935, and shall accompany their report by bills which will have the effect, if enacted, of permitting counties to either adopt the system of sales of vinous and distilled liquors as contained in House Bill No. 10, or to provide for the licensing by proper local authorities of persons or places for the sale of such liquors for consumption on the premises in such manner as the committee shall determine; and be it further

Resolved, That the members of such committee shall be reimbursed for amounts actually expended for railroad fare and hotel accommodations, and shall have the power to ap-

point and fix the compensation of necessary stenographers, payments for which expenses and compensation shall be made out of an item to be inserted in an amendment to the General Appropriation Bill of 1933.

INFORMATION TO BE REQUESTED FROM STATE EMERGENCY RELIEF BOARD

Mr. HABBYSHAW offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, November 28th, 1933.

Whereas, Under the general rules and regulations issued by the Federal Civil Works Administration of Pennsylvania (No. 1, issued November 20, 1933), it is made clear that local and State Governments are expected to cooperate and contribute to the projects to be carried on under the Federal Civil Works Administration, it being specifically stated in such rules and regulations, paragraph 6, as follows:

"The greater the contribution the local government makes in supplying materials and supervision, the more speedily will this program be put in operation, * * *," and

Whereas, Many local governments in communities in which the need is greatest, are not in a position financially to make any contributions to such projects; and

Whereas, It is of paramount importance that projects be instituted in such communities with the greatest possible speed; and

Whereas, The amount of contributions desired by the Federal agency seems to be about ten per centum of the amount to be expended; therefore be it

Resolved, (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania urge and suggest to the State Emergency Relief Board that said board:

(a) Ascertain from the proper Federal authorities the amount of money intended to be spent in the Commonwealth of Pennsylvania through the Federal Civil Works Administration;

(b) Ascertain from such authorities the corresponding amount which will be expected to be expended by State and local governments;

(c) Set aside from the funds for relief purposes in the possession, or to come into the possession, of the board, sufficient moneys to enable expected contributions to be made for local relief projects by the State Emergency Reief Board in worthy cases;

(d) Immediately establish and put into effect a system whereby political and municipal subdivisions of this Commonwealth may apply to the State Emergency Relief Board or such agencies as may be established or designated by the board for State assistance to such political and municipal subdivisions in order that they may cooperate with the Federal Civil Works Administration in local civil works projects; and be it further.

Resolved, That since the program for Federal Civil Works is intended to expire of February fifteenth, one thousand nine hundred and thirty-four, the General Assembly urges upon the Board the necessity for haste; and be it further

Resolved, That copies of this resolution shall immediately upon adoption be furnished the members of the State Emergency Relief Board.

URGING ACTION OF LABOR AND SOCIAL LEGISLATION

Mr. HOOPES offered the following resolution which was wice read and laid over under the rules:

In the House of Representatives, November 28th, 1933.

Whereas, The depression has emphasized the necessity for abor and social legislation such as old age pensions, unemployment insurance, prevention of evictions, minimum wages, estriction of hours of labor, abolition of child labor, regulation of wage payments, and railroad safety measures, and

Whereas, Our Joint Committee to investigate wages and abor conditions of children in the Commonwealth has recommended the adoption of many of these measures and

Whereas, The Governor has included all of these subjects n his call for this special session, and will have us on the pot if we fail to act thereon, and

Whereas, Bills along these lines have been introduced and referred to committees of this House,

Whereas, Although this session is now in its third week, and it is a generally expressed hope that we may conclude our labors within the very near future, several of these committees have held no meetings, and the chairmen thereof, despite repeated requests, have failed and refused to call such meetings, and

Whereas, Our calendars have been very light with the result that the members have been compelled to waste a great deal of time that could have been spent profitably in considering legislation beneficial to the workers of this Commonwealth, now therefore

Be It Resolved, That the chairmen of the Committees to which these bills have been referred are hereby directed to immediately call meetings thereof, and to report measures covering the aforesaid subjects to this House not later than Wednesday, December 6, 1933.

STATEMENT BY MR. FITZGERALD

Mr. FITZGERALD. Mr. Speaker, I would like to make a statement at this time.

The SPEAKER. The gentleman from Erie will make his statement.

Mr. FITZGERALD. Mr. Speaker and members of the House, my attention has been called to a pink circular issued by the National Woman's Party, that urges the defeat of minimum wage legislation.

The circular is grossly misleading. Particularly do I wish to point out this fact: That the circular is out before the bill is even printed. It has in it many misleading facts that do not exist in the bill itself. For instance, it refers to maximum hours. There is no such thing in the bill proposed relative to minimum wages.

That makes me ask who the wage earners are in this so-called Woman's Party. I would like to find out what industries they represent. I would like to know what they know about wages as low as 47 cents a day and $2.50 per week.

I want to say this, that when an impressive delegation of working women from some sweatshop industry come to me and say that they feel that their Constitutional rights and liberties are being taken away by minimum wage legislation, then, and not until then, will I stop my fight for decent wages and a decent standard of living for women in industry.

As a matter of fact, the National Woman's Party does not represent working women. I shall not venture to say what they do represent, but it is not the working classes.

As a member of the Legislature who has always favored the trade unionism, and who has always fought for decent wages and decent working conditions for the laboring classes, I shall take my advice on labor legislation from such organizations as the Women's Trade Union League and the Amalgamated Clothing Workers of America, the Brotherhoods of Railroad Trainmen and Firemen and Enginemen and Telegraphers and the State Federation of Labor, rather than from the enemies of the working classes, in which category I include the National Woman's Party.

I would ask you, members of the House, to closely scan this bill and see whether you can find anything in the bill that refers to night work, or, as they state in the circular, the maximum hours or anything that would take the Constitutional rights away from certain classes. The bill that I have introduced gives the right to the working class to petition for higher wages, and that is the sense of the bill.

I certainly object, members of the House, to a circular that comes out before the bill is even printed, and I want to know where that information comes from.

I thank you members for listening to my statement.

The SPEAKER. The remarks of the gentleman will be spread upon the Journal.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 56, entitled:

An Act to amend sections one thousand seven hundred and seventy-six, two thousand one hundred and twelve, and two thousand one hundred and forty-one, of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs;" lengthening the time for which assessments bonds for street and sewer improvements may be issued; regulating notice where sewer-works are constructed without the limits of a borough.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 41, entitled:

An Act making an appropriation for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 88, entitled:

An Act making an appropriation out of the General Fund to the Pennsylvania Liquor Control Board for the administration and enforcement of the Pennsylvania Liquor Control Act, including the establishment, operation, maintenance and equipment of Pennsylvania Liquor Stores, and places for the storing and testing of liquors, and providing for the partial reimbursement of the General Fund by making an appropriation from The State Stores Fund, to be transferred in installments to the General Fund.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 55, entitled:

An Act making an appropriation out of The State Stores Fund to the State Emergency Relief Board, for direct relief, work relief and expenses; defining the purposes for which such moneys may be expended; providing for the audit of such expenditures; and the prescribing the powers and duties of the State Emergency Relief Board and of certain State departments.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 78, entitled:

An Act making an appropriation out of The State Stores Fund to the Department of Welfare for old age assistance.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 87, entitled:

An Act appropriating the moneys in The State Stores Fund

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 18, entitled:

An Act providing for assistance to aged poor persons, and for the sharing of such assistance by the Commonwealth and poor districts; providing for the appointment of county boards for the assistance to the aged to administer the provisions hereof, and for the payment of their expenses, and for the appointment of a State Supervisor and necessary assistants, and prescribing his powers and duties; imposing duties and liabilities upon the Department of Welfare, counties, the State Treasurer, and the authorities having in charge the administration of local poor relief; providing for the acceptance of the provisions hereof by county commissioners and the authorities in poor districts; and prescribing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 77, entitled:

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, assistance to and the burial of certain aged indigent persons, and the administration of this act by the Department of Welfare, the trustees who administer mothers' assistance in the several counties and others; making counties liable for certain expenses; providing penalties; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 74, entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years begining June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three, by making additional appropriations to the Executive and Judicial Departments of the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 115 (Senate Bill No. 29), entitled:

An Act to amend paragraph (a) of section nine of article three of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing

and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expenses and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; precribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals; and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" by authorizing the commission in special cases to grant relief to common carriers from the long and short haul and the aggregate of intermediate rates provisions.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 141 (Senate Bill No. 33), entitled:

An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 37 (Senate Bill No. 3), entitled:

An Act to amend sections one four and five of the act approved the sixteenth day of March one thousand nine hundred thirty-three (Act number ten) entitled "An act authorizing the Department of Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges authorizing the construction and maintenance of such bridges approaches and connecting roads to State highways by the Department of Highways providing for the condemnation of property necessary for the construction thereof and the assessment and payment of damages therefor providing for the collection of tolls upon certain terms and conditions and the deposit thereof in the State Treasury in a special fund providing for the payment of toll collection costs maintenance charges and repayments to the Reconstruction Finance Corporation from said fund providing for the cessation of tolls and payment of subsequent maintenance costs from the Motor License Fund and appropriating certain money in the Motor License Fund to carry out the provisions of said act" by authorizing similar arrangements to be made with other agencies of the Federal Government

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—197

Andrews,	Habbyshaw,	McGrail,	Shellenberger,
Baker,	Haines,	McGregor,	Shenkel,
Barnhardt,	Hamilton,	McHenry,	Shettel,
Bechtel,	Harmuth,	McKay,	Shortz,
Beech,	Harris,	McKinney,	Shreiner,
Bennett,	Hart,	Melchiorre,	Shugarts,
Bernhard,	Hartman,	Meredith,	Simon,
Boyd,	Heffernan,	Merrell,	Sinwell,
Brancato,	Hefferon,	Mohn,	Snyder,
Brennan,	Heffner,	Moore,	Sowers,
Brown, J. E.,	Hermansen,	Mumford,	Spann,
Brown, W. L.,	Hester,	Munley,	Stank,
Brownfield,	Hewitt,	Murphy,	Steedle,
Cannon,	Himes, H. E.,	Myers,	Sterling, P.,
Caputo,	Hoffman,	Negley,	Sterling, R. B.,
Carey,	Holmes, J. B.,	Nothnagle,	Stevens,
Carson,	Holmes, J. L.,	O'Connor,	Stevenson,
Chervenak,	Hoopes,	O'Keefe,	Stiteler,
Cohen,	Horst,	O'Neill,	Storb,
Conner,	Hough,	O'Rourke,	Stott,
Coons,	Howard,	Patterson,	Surface,
Cordier,	Hutton,	Peelor,	Tahl,
Craig,	Jaffe,	Pennock,	Terry,
Cramer,	Jones,	Perry, D. R.,	Trout,
Dane,	Kane, J. J.,	Perry, J. J.,	Turner,
Davies,	Kane, L. P.,	Peters,	Wade,
DeFrehn,	King,	Powell,	Wagner,
Denning,	Kinney,	Powers,	Walker, G. E.,
Downey, G. E.,	Labar,	Price,	Wall,
Downey, J. J.,	Lane,	Quinn,	Wasserman,
Duffy,	Laubach,	Raub,	Way,
Dunmire,	Lenahan,	Rectenwald,	Weidemann,
Ederer,	Lewis,	Reed,	Welsh,
Embardt,	Long,	Reilly,	Westrick,
Eroe,	Lord,	Rhodes,	White,
Evans,	Lose,	Rice,	Wike,
Fitzgerald,	Lovett, J. E.,	Roan,	Williams, G. W.,
Flanagan,	Lovett, W. S.,	Root,	Williams, J. J.,
Fleisher,	Lynch, J. R.,	Roth,	Wilson, L. M.,
Flinchbaugh,	Lynch, M.,	Royle,	Wilson, T. B.,
Flynn, J. M.,	Male,	Ruby,	Wood,
Flynn, J. W.,	Malina,	Ruth,	Woodside,
Forrest,	Maloney,	Sautter,	Wright,
Furman,	Marcks,	Schrock,	Yeakel,
Gallagher, T. J.,	Mason,	Schrope,	Yourishin,
Gallagher, W. J.,	McBride,	Schwab,	Zimmerman,
Gillette,	McClure,	Schwartz,	Talbot,
Gorman,	McCreary,	Scorza,	Speaker.
Green,	McElwee,	Scott,	
Griffith,	McGinnis,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 28, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, December fourth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, December fourth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 4.30 o'clock P. M. Are there objections? The Chair hears none, and (at 11.53 o'clock A. M.) declares a recess until 4.30 o'clock P. M.

AFTER RECESS

The House reconvened at 4.30 o'clock P. M.

The SPEAKER, (Grover C. Talbot) in the Chair.

BILLS INTRODUCED AND REFERRED

By Mr. JAMES E. LOVETT. HOUSE BILL No. 142.

An Act to amend section four of the act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1024) entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for the violation thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," prohibiting the employment of females in foundries.

Referred to the Committee on Labor.

By Mr. McELWEE. HOUSE BILL No. 143.

An Act prohibiting the granting of licenses for the sale of spirituous and vinous alcoholic liquors in certain territory.

Referred to the Committee on Judiciary General.

By Mrs. WILSON. HOUSE BILL No. 144.

A Joint Resolution proposing an amendment to section seven, article nine of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mrs. WILSON. HOUSE BILL No. 145.

A Joint Resolution proposing an amendment to section eighteen, article three of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. LANE. HOUSE BILL No. 146.

An Act regulating the granting of certificates of public convenienve to operate motor vehicles as a common carrier, and to authorize the transfer or sale of property of companies so operating in certain cases.

Referred to the Committee on Public Utilities.

By Mr. LANE. HOUSE BILL No. 147.

An Act regulating the hours of service of drivers of motor vehicles for hire, the number of employes required on busses carrying passengers for hire and providing penalties.

Referred to the Committee on Highways.

By Mr. MOHN. HOUSE BILL No. 148.

An Act to amend section one thousand six hundred and one of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended; permitting the board of school directors to shorten the school term in districts of the third class.

Referred to the Committee on Education.

By Mr. POWELL. HOUSE BILL No. 149.

An Act to amend section four of the act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1024), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," by changing the hours during which females may be employed.

Referred to the Committee on Labor.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 3.

An Act to amend sections one four and five of the act approved the sixteenth day of March one thousand nine hundred thirty-three (Act number ten) entitled "An act authorizing the Department f Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges authorizing the construction and maintenance of such bridges approaches and connecting roads to State highways by the Department of Highways providing for the condemnation of property necessary for the construction thereof and the assessment and payment of damages therefor providing for the collection of tolls upon certain terms and conditions and the deposit thereof in the State Treasury in a special fund providing for the payment of toll collection costs maintenance charges and repayments to the Reconstruction Finance Corporation from said funds providing for the cessation of tolls and payments of subsequent maintenance costs from the Motor License Fund and appropriating certain money in the Motor License Fund to carry out the provisions of said act" by authorizing similar arrangements to be made with other agencies of the Federal Government.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE TO MEET DURING SESSION

Mr. JOSEPH R. LYNCH, Chairman of the Committee on Cities, asked and obtained permission for that committee to sit in Room 324 during the session of the House.

COMMITTEE ON AGRICULTURE GRANTED PERMISSION TO USE HALL OF HOUSE

Mr. HAINES, Chairman of the Committee on Agriculture asked and obtained permission for that Committee to use the Hall of the House on Monday afternoon, December 4, 1933, at 1.00 o'clock for the purpose of a public hearing on the proposed milk legislation.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement. First, to compliment the members of the body for the work they have done in the two previous weeks. No one in the House more than the Speaker regrets the delay in the session this week. He desires, first, to thank the members for their patience and, second, to assure them that it has been beyond the power of the Speaker to prevent these delays.

REPORT FROM COMMITTEES

Mr. TURNER, from the Committee on Judiciary General, reported as amended, House Bill No. 45, entitled:

An Act making home loan bonds, issued by the United States Government, legal investments for trust funds.

Mr. NOTHNAGLE, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 125, entitled:

An Act for the protection of health, safety and welfare of women and minors in any occupation, trade or industry except domestic service in private homes and farm labor, by regulating under the police power of the Commonwealth the minimum wage which shall be paid to such women and minors; providing for wage boards, their powers and the procedure to determine the necessity for and to establish the minimum wage standard in any industry where the health, safety and welfare of women and minors is jeopardized by the payment of an oppressive and unreasonable wage; creating powers and imposing duties on the Department of Labor and Industry, the Secretary of Labor and Industry and such director as he may appoint to carry out this act; imposing certain duties on employers and requiring certain records to be kept and information to be furnished by him; permitting publication after hearing of the names of violators of minimum wage standards; prohibiting contracts for and payment of less than the minimum wage standards and providing penalties.

Mr. SHREINER, from the Committee on State Government, reported as committed, House Bill No. 120, entitled:

An Act in aid of unemployment relief for the citizens of this Commonwealth by providing for preference to citizens of this Commonwealth in employment upon public works of this Commonwelath, conferring certain duties on the Department of Labor and Industry, and providing penalties.

Mr. GEO. W. WILLIAMS, from the Committee on Highways, reported as committed, House Bill No. 102, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges; defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; providing for the payment of interest on, and the redemption of, such bonds; and making an appropriation.

Mr. CRAIG, from the Committee on Judiciary General, reported as amended, House Bill No. 16, entitled:

An Act to amend title, Whereas clauses, and sections one and four of the act approved the eighteenth day of May, one thousand nine hundred and thirty-three, (P. L. 826) entitled, "An act authorizing the courts of common pleas to stay writs of execution against and tax sales of certain property in certain cases; providing for the continuance of return days of writs of executions; and authorizing sales thereon without issuance of further writs."

Mr. BLUMBERG, from the Committee on Judiciary General, reported as committed, House Bill No. 94, entitled:

An Act to repeal the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (P. L. 34), entitled, "An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws."

Mr. COHEN, from the Committee on Cities, reported as committed, House Bill No. 20, entitled:

An Act authorizing cities to acquire lands and provide for the erection thereon of dwellings for rental to its citizens and appropriate money and issue bonds therefor.

Mr. LANE, from the Committee on Highways, reported as committed, House Bill No. 103, entitled:

An Act to amend sections one, two, nine and eleven of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 395), entitled, "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing for the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation;" extending the provisions thereof to all bridges wholly within the Commonwealth, and providing for the payment of the cost of acquiring such bridges out of the Toll Bridge Fund.

Mr. HEFFERNAN, from the Committee on Ways and Means, reported as committed, House Bill No. 119, entitled:

An act to amend section seventeen of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen, (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, construing the word "indebtedness" as used in said section, and denying the right of the Commonwealth to collect taxes on deposits in banks, banking institutions, savings institutions and trust companies.

Mr. FITZGERALD, from the Committee on Cities, reported as committed, House Bill No. 111 (Senate Bill No. 7), entitled:

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class.

Mr. WEIDEMANN, from the Committee on Ways and Means, re-reported as amended, House Bill No. 17, entitled:

An Act to amend the title and certain sections of the act approved the nineteenth day of February, one thousand nine hundred twenty-six (Pamphlet Laws, sixteen), entitled "A sup-

plement to the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, thirty-four), entitled 'An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws'; providing for the registering of federal permits; also regulating, under permits, through a Pennsylvania Alcohol Permit Board created in the Department of Welfare, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, recovery, reuse, holding in bond, holding in storage by bailees for hire, sale at wholesale, and transportation for hire, of any alcohol or alcoholic liquid, by certain persons; also providing for fees and the disposition thereof; also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act," by providing that the act shall be administered by the Pennsylvania Liquor Control Board; making the act inconsistent with the repeal of the Eighteenth Amendment, changing definitions and exemptions, bringing rectifiers within the act, providing for the abatement of nuisances, and increasing fees.

Mr. PETERS, from the Committee on 'Vays and Means, re-reported as amended, House Bill No. 8, entitled:

An Act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of spirituous and vinous liquors and providing penalties.

BILLS ON FIRST READING

Mr. HEFFERNAN asked and obtined unanimous consent for House Bill No. 119 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 119, entitled:

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended construing the word "indebtedness" as used in said section and denying the right of the Commonwealth to collect taxes on deposits in banks banking institutions saving institutions and trust companies

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. FITZGERALD asked and obtained unanimous consent for House Bill No. 111 (Senate Bill No. 7), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 111 (Senate Bill No. 7), entitled:

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make a statement. Numerous members of this body have come to the Speaker with the suggestion that we start the new legislative day some time after midnight tonight for the purpose of permitting the members to leave early in the morning for their homes and also to give an opportunity to the hunters to get to their positions where they desire to hunt on December first. The Chair lays this suggestion before the body for their consideration, and would like to know the desire of the body.

TIME OF NEXT MEETING

Mr. SIMON. Mr. Speaker, I move that when this House adjourn today, we start the next legislative day at 12.15 o'clock, A. M., Wednesday, November 29, 1933.

On the question,

Will the House agree to the motion?

The SPEAKER. This is not a motion to now adjourn this body, but the will of the House has been indicated to the Chair by this motion, to the effect that when we adjourn it be to meet on November 29th, 1933, at 12.15 o'clock, A. M.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

ADJOURNMENT

Mr. PRICE. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 12.15 o'clock.

The motion was agreed to, and (at 5.10 o'clock P. M.) the House adjourned **until Wednesday, November 29, 1933, at 12.15 o'clock A. M.**

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., WEDNESDAY, NOVEMBER 29, 1933. No. 11.

SENATE

WEDNESDAY, November 29, 1933.

The Senate met at 12:15 A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Acting Chaplain, Rev. Oscar F. R. Treder, offered the following prayer:

Eternal God, Omnipotent and Omnipresent, who knowest our necessities before we ask and our ignorance in asking, in humble acknowledgment of Thy divine omniscience and in acquiescence in Thy will, we make our prayer to Thee. Incline now Thine ear O Lord, and harken unto the prayer of Thy servant, who prayeth before Thee in behalf of this house of legislation. Pour Thy Holy Spirit into the hearts of these, Thy servants, and enlighten their understanding and their counsels, that whatever may be here enacted, human law conforming to the divine, may be to Thy honor and glory and to the welfare of Thy people. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. ARON, the further reading was dispensed with, and the Journal was approved.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until 12:45 this morning.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE BILL NO. 33

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 33, entitled:

An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board.

With the information that the House has passed the same without amendment.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon), announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 33, entitled:

An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon), in the presence of the Senate signed the same.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

APPROVAL OF SENATE BILL NO. 33

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 33, Printer's No. 15, entitled "An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board."

GIFFORD PINCHOT.

MEMBERS OF PENNSYLVANIA LIQUOR CONTROL BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments, to compute from the date of confirmation:

Thomas W. Phillips, Jr., Butler, for the term of two years, and until his successor shall have been appointed and qualified.

A. Marshall Thompson, Pittsburgh, for the term of four years, and until his successor shall have been appointed and qualified.

Robert S. Gawthrop, West Chester, for the term of six years, and until his successor shall have been appointed and qualified.

GIFFORD PINCHOT.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 10.

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 10, entitled:

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connections with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of license fees and imposing penalties.

and present for concurrence further amendments to said bill.

Mr. BUCKMAN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

Said amendments were twice read as follows:

Amend Article 4, Section 401, page 18, line 10, by striking out after the word "shall" the following: "in the case of a hotel or restaurant and in the case of a club may"; also Section 410, page 23, line 16, by striking out after the word "final" the following: "The Board may also after notice and hearing revoke a club license for any reason which would justify revocation of such license by the Court"; also Section 411, page 24, line 8, by striking out the strike-out brackets before and after the word 'or"; also by striking out after the word "restaurant" and before the word 'licensee" the words "or club"; also line 15, by striking out the strike-out brackets before the word "other" and after the word 'clubs".

On the question,

Will the Senate agree to the same?

Mr. BUCKMAN. Mr. President, while I voted against this bill on final passage last evening, I intend to vote to concur in the amendments made by the House for this reason: The amendments made by the House consist of strike-outs of certain amendments placed in the bill by the Senate in three particulars; first, by the strike-out made by the House of certain discretionary powers, particularly the control, was taken away from the licensing of clubs; second, bars are now permitted in clubs; third, the hours during which clubs my remain open have been liberalized. In other words, all of the strike-outs or amendments made by the House make this bill as it is now before us more liberal than it was when it passed the Senate last night; and in view of this situation of the bill and for the further reason that it is very highly important that this Commonwealth should have some regulatory law regulating the sale and traffic in liquor by the fifth of December, by reason of all these facts, nothwithstanding the fact that I voted against this bill on final passage, I intend to vote to concur in the House amendments; and I ask the other Senators on this floor to do likewise.

Mr. REED. Mr. President and gentlemen of the Senate, I voted against this bill because I do not believe in the bill, and I have not changed my opinion. However, the bill has passed the Senate by a large majority, and the bill as amended has passed the House by a large majority. I feel, therefore, that under the existing situation I will vote to sustain the bill and the amendments.

And the question, recurring,

Will the Senate agree to the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Batchelor,	Graff,	Miller,	Reed,
Bell,	Harris,	Owlett,	Scott,
Bennett,	Harvey,	Parkinson,	Snyder,
Buckman	Homsher,	Pethick,	Sordoni,
Chapman	Howell,	Pierson,	Thompson,
Clark,	Lanius,	Prince,	Williamson,
Coyne,	Mansfield	Quigley,	

NAYS—4

Ealy,	Gelder,	Salus,	Shapiro.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE

Mr. PARKINSON, from the Committee on Executive Nominations, reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE PENNSYLVANIA LIQUOR CONTROL BOARD.

Thomas W. Phillips, Jr., Butler, for the term of two years, and until his successor shall have been appointed and qualified.

A. Marshall Thompson, Pittsburgh, for the term of four years, and until his successor shall have been appointed and qualified.

Robert S. Gawthrop, West Chester, for the term of six years, and until his successor shall have been appointed and qualified.

GIFFORD PINCHOT.

EXECUTIVE NOMINATIONS

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and that the Senate do now resolve itself into Executive Session for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Armstrong,	Coyne,	Lanius,	Reed,
Batchelor,	Ealy,	Mansfield,	Salus,
Baumer,	Gelder,	Miller,	Scott,
Bell,	Graff,	Owlett,	Shapiro,
Bennett,	Harris,	Parkinson,	Snyder,
Boyd,	Harvey,	Pethick,	Sordoni,
Buckman,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Quigley,	Williamson,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. QUIGLEY. Mr. President, I move that the Executive Session do now rise.

Mr. BATCHELOR. Mr. President, I second the motion.

The motion was agreed to.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 10, entitled:

An Act to regulate and restrain the sale, importation and use of certain alcoholic beverages; conferring powers and imposing duties upon the Pennsylvania Alcohol Permit Board, the Department of Public Instruction, other officers of the State government, courts and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses subject to local option to sell such beverages for consumption on the premises; forbidding importation of such beverages into the State except by State stores; prohibiting certain sales of, practices in connection with, and transactions in such beverages by licenses and others; making disposition of the receipts from State stores and of license fees; and imposing penalties.

Whereupon,

The PRESIDENT (Lieutenant Governor Edward C. Shannon) in the presence of the Senate signed the same.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until 10 o'clock A. M.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 8, (Senate Bill No. 64), entitled:

An Act imposing State taxes, payable by these herein defined as manufacturers and importers, on the privilege of manufacturing, selling or using in this Commonwealth certain spirituous and vinous liquors, providing for the collection of the taxes and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments, and upon manufacturers, importers and upon those using or engaging in the sale of spirituous and vinous liquors; and providing penalties.

Which was committed to the Committee on Finance.

House Bill No. 17, (Senate Bill No. 65), entitled:

An Act to amend the title and certain sections of the act approved the nineteenth day of February, one thousand nine hundred twenty-six (Pamphlet Laws, sixteen), entitled "A supplement to the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, thirty-four), entitled 'An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws'; providing for the registering of federal permits; also regulating, under permit, through a Pennsylvania Alcohol Permit Board created in the Department of Welfare, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, recovery, re-use, holding in bond, holding in storage by bailees for hire, sale at wholesale, and transportation for hire, or any alcohol or alcoholic liquid, by certain persons; also providing for fees and the disposition thereof; also authorizing the inspection of the records of permittees and purchase of said alcohol or alcoholic liquid; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act," by making the act consistent with the repeal of the Eighteenth Amendment, changing definitions and exemptions, bringing rectifiers within this act, providing for the abatement of nuisances, and increasing fees.

Which was committed to the Committee on Finance.

REPORTS FROM COMMITTEES

Mr. NORTON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection, The Chair hears none.

Mr. NORTON, from the Committee on Appropriations reported as committed, amended, Senate Bill No. 55, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction, and providing for the repayment of such moneys from the General Fund.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 10, entitled:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon, and making an appropriation.

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection, The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations reported as committed, Senate Bill No. 31, entitled:

An Act authorizing the Department of Property and Supplies to act as purchasing agency for certain Federal agencies and making an appropriation of moneys received to reimburse the department for the cost of so acting.

Mr. BELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection, The Chair hears none.

Mr. Bell, from the Committee on Appropriations reported as committed, Senate Bill No. 34, entitled:

An Act authorizing the State Treasurer to act as custodian of moneys and securities contributed to or deposited with the Commonwealth or officers, departments, boards, or commissions of the Commonwealth, prescribing the manner in which such moneys or securities shall be held and disbursed or delivered up, and making an appropriation to the Treasury Department for the cost of administering such moneys and securities.

Mr. GELDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection, The Chair hears none.

Mr. GELDER, from the Committee on Appropriations, reported as committed, Senate Bill No. 9, entitled:

An Act making an appropriation to the Department of Property and Supplies for the erection of an additional office building in Capitol Park, and for grading and terracing the ground surrounding the same.

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The President. Is there objection, The Chair hears none.

Mr. PARKINSON, from the Committee on Appropriations reported as committed, Senate Bill No. 8, entitled:

An Act for the acquisition of property by the Commonwealth east of the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg, and making an appropriation.

CONSIDERATION OF CALENDAR

Mr. HOMSHER. Mr. President, I move that the Senate do now proceed to the consideration of the Calendar, and that bills on second reading only be considered at today's session.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 27, as follows:

An Act providing for the construction of a tunnel or tunnels between the State of New Jersey and the Commonwealth of Pennsylvania under the Delaware River and the issuance of permits therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any individual partnership or corporation incorporated under the laws of this Commonwealth or authorized to do business in this Commonwealth shall have the right subject to the provisions of this act to construct and operate a tunnel or tunnels under the Delaware River connecting the Commonwealth of Pennsylvania with the State of New Jersey

Section 2 No tunnel shall be constructed without permit therefor issued by The Public Service Commission of the Commonwealth of Pennsylvania in accordance with this act

Section 3 The Public Service Commission shall issue a permit for the construction of any such tunnel upon compliance with the terms of this act and the filing with it of (a) a statement of the location of the said tunnel together with the plans and specifications therefor and an estimate of the cost of construtcion thereof (b) plans showing the connection of the tunnel with the existing highway systems of the Commonwealth of Pennsylvania and the State of New Jersey (c) if the applicant be a corporation a copy of its charter showing the authority to construct a tunnel and to do business within the Commonwealth (d) agreements by the holder of the permit providing for the carrying out of the terms of section eight of this act

Section 4 No permit shall be issued for the construction of any tunnel within a distance of ten miles measured along the boundary line between the Commonwealth of Pennsylvania and the State of New Jersey measured from the Delaware River Bridge connecting the City of Philadelphia and the City of Camden or at any location in violation of any compact between the State of New Jersey and the Commonwealth of Pennsylvania

Section 5 Any Permit granted hereunder shall be void unless actual construction of the tunnel covered by the permit shall have been begun within a period of two years from the date of the issuance therefor

Section 6 No permit shall be issued under the terms of this act for the construction of any other tunnel within a distance of ten miles measured along the boundary line between the State of New Jersey and the Commonwealth of Pennsylvania from the site specified in any then unexpired existing permit or within the said distance of ten miles so measured from the tunnel when constructed until such time as any funds advanced by any United States Governmental agency shall have been paid

Section 7 The company constructing or owning the said tunnel shall have the right to charge tolls subject to the provisions of any existing regulatory laws for the use of the said tunnel

Section 8 The net earnings of the tunnel after the payment of all costs of maintenance and operation and necessary improvements and interest at the rate of seven per cent on the entire cost of the tunnel shall be set apart in a sinking fund for the repayment of the cost thereof At the expiration of forty years from the date of the opening of the tunnel or at such earlier time when the amount in the sinking fund shall aggregate one hundred fifteen per cent of the total cost of the tunnel title to the tunnel and its appurtenances shall be conveyed jointly to the Commonwealth of Pennsylvania and the State of New Jersey and for that purpose the necessary and proper agreements approved by the Attorney General shall be lodged with the Commonwealth of Pennsylvania and the State of New Jersey

Section 9 Before any construction is started under any permit granted under the terms of this act there shall be filed with the Public Service Commission all necessary and proper approvals required under the laws of the State of New Jersey and under the laws of the United States

Section 10 Any permit granted under the terms of this act shall be subject to revocation by the Public Service Commission upon the failure of the holder of any such permit within six months to secure necessary and proper approvals of the State of New Jersey or any necessary agency of the United States Government whose approval is necessary under existing laws or in event that the Public Service Commission be convinced of the inability or unwillingness of the applicant to proceed with the construction of the tunnel

Section 11 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 27, the bill just read, be recommitted to the Committee on Public Roads and Highways.

Mr. BELL. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 37, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet

Laws nine hundred five) entitled "An act for the protection of the public safety regulating use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act confering powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negilgent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by adding a new section thereto protecting the safety of the public by limiting the size and weight of vehicles which may be operated between the hours of twelve o'clock noon Saturday and twelve o'clock midnight of the following Sunday in any week and on legal holidays

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the end of Artcile IX of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred five) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that rcords are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" a new section is hereby added to read as follows

Section 907 (a) No commercial motor vehicle trailer or semi-trailer or combination of such vehicles in excess of the sizes or weights hereinafter specified shall be operated upon the highways of this Commonwealth on any legal holiday or between the hours of twelve o'clock noon Saturday and twelve o'clock midnight the following Sunday in any week provided however that this section shall not apply to fire department equipment street sweepers snow plows vehicles loaded with hay or straw in bulk and emergency vehicles operated in the event of a catastrophe or accident affecting the public safety

Operation of any commercial motor vehicle trailer or semi-trailer or combination of such vehicles of a size or weight in excess of the maximum specified in this section shall be permissible only when a special permit shall have been procured in accordance with law

(b) The maximum size and weight of vehicles to which this section is applicable shall be as follows

1 No such vehicle shall exceed a total maximum width of eight feet including load thereon

2 No such vehicle shall exceed a total maximum height of twelve feet six inches including load thereon

3 No such vehicle shall exceed a total maximum length of thirty-three feet including any load thereon and no combination of vehicles coupled together shall exceed a total maximum length of forty-five including load thereon

4 No such vehicle shall exceed a gross weight of twenty thousand pounds and no combination of vehicles shall exceed a gross weight of thirty thousand pounds

Section 2 This act shall become effective upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. GELDER. Mr. President, I move that Senate Bill No. 37, the bill just read, be recommitted to the Committee on Public Roads and Highways.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 42, as follows:

A Joint Resolution creating a Liquor Control Investigation Commisison defining the powers and duties of said Commission and making an appropriation

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That a Liquor ontrol Investigation Commission is hereby created to be composed of three Senators appointed by the President Pro Tempore of the Senate and four Representatives appointed by the Speaker of the House of Representatives The Commission shall organize by the election of a chairman vice-chairman and secretary The secretary need not be a member of the commission

The members of the Commission shall serve without compensation but shall be entitled to all necessary traveling and hotel expenses

The Commission shall have power to employ such clerks assistants and experts as may be deemed necessary to properly perform its functions and to make a report and to fix their compensation The Commission may also fix a compensation for the secretary if not a member of the Commission

The Commission may hold such meetings and hearings in Harrisburg or elsewhere within the Commonwealth as is deemed advisable

Section 2 It shall be the duty of the Commission to study the laws of other states and countries relating to liquor control and the experience of such states and countries and frame legislation which in its opinion is best adapted to this State for control and regulation of the traffis of liquor and alcoholic products usable for beverage purposes

The Commission shall make a report to the General Assembly not later than the first day of February one thousand nine hundred and thirty-five of its findings which report shall contain such drafts of legislation as the Commission deems advisable for the consideration of the General Assembly

Section 3 The sum of ten thousand dollars ($10,000) or as much thereof as may be necessary is hereby specifically appropriated to the Commission for the payment of the expenses of the members for salaries and expenses of employes for postage supplies and incidental expenses and for printing and distributing of its report

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 44, as follows:

An Act making an appropriation to the Department of Military Affairs for the purchase of supplies materials and equipment to improve the Military Reservation at Indiantown Gap

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three hundred and fifty thousand dollars ($350,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs for the purchase of supplies material and equipment deemed necessary for the improvement of the Military Reservation at Indiantown Gap and for making the same suitable and proper for Military Reservation purposes provided however That said appropriation shall not be available for expenditure unless and until the Federal Government or the appropriate agency of the Federal Government shall have made available for expenditure at said reservation sufficient moneys to pay the wages and compensation of persons employed in making such improvements

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 49, as follows:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers court judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That SHORT TITLE SITATION This act shall be known and may be cited as "The Permanent Registration Act in Cities of the Second Class"

Section 2 DEFINITONS (a) The word "commission" shall mean any registration commission having jurisdiction in any city of the second class

(b) "Commissioner" shall mean a member of a registration commission

(c) "Oath" shall include affirmation and "swear" shall include affirm

(d) "Election" shall mean any general special or municipal election unless otherwise specified

(e) "General election" shall mean the election which the Constiution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "November election" shall mean either the general or the municipal election or both according to the context

(h) "Party" shall mean any political party or body of electors one of whose candidates either at the last general or at the last municipal election shall have polled at least five per centum of the largest entire vote cast for any elected candidate in any city of the second class although such percentage of said vote may not have been attained in any particular election district thereof

(i) "Body of electors" shall mean any political body not recognized as a political party but entitled to make nominations of candidates for any public office by nomination papers on whose behalf proper affidavits shall have been filed with the prothonotary or elsewhere as required by law to obtain the exclusive right to use a party name or appellation for any election or primary

(j) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(k)"Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commission as hereinafter provided

(l) 'County" shall mean any county of this Commonwealth within which is located a city of the second class

(m) "City" shall mean only a city of the second class

(n) All references of mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the second class or to those of any county within which such city is located or to any school district within such city.

(o) "Public office" shall mean and include any national state judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(p) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

Section 3 REGISTRATION COMMISSIONS MEMBERSHIP BIPARTISAN TERM OF OFFICE VACANCIES REMOVAL COMPENSATION OATH OF OFFICE ORGANIZATION CHAIRMAN SECRETARY ACTIONS BY VOTE OF MAJORITY OF MEMBERS RECORD OF PROCEEDINGS ANNUAL REPORT (a) There shall be a registration commission in and for each city of the second class which commission shall have jurisdiction over the registration of electors of such city under the provisions of this act

(b) The registration commission shall consist of three commissioners who shall be qualified electors of the city not more than two of whom shall be enrolled members of the same political party who shall be appointed by the Governor with the advice and consent of the Senate and shall hold office for terms of four years or until their successors qualify unless sooner removed or otherwise disqualified Provided however That the term of office of the commissioners first appointed by the Governor under this act shall commence on the first day of February one thousand nine hundred thirty-four and shall expire on the first Monday of January one thousand nine hundred thirty-eight Upon the appointment by the Governor of the registration commission for any such city the terms of office of the existing registration commission or commissioners of any such city shall terminate

(c) The Governor shall fill any vacancy in any such commission within ten days after the vacancy shall occur by appointing a qualified elector of the city to hold office during the remainder of the term of the commissioner who place shall have become vacant

(d) The Governor may at any time remove any commissioner for cause and may appoint a duly qualified elector of the city as his successor for the remainder of his term

(e) Each commissioner shall receive compensation at the rate of three thousand dollars per annum

(f) As soon after their appointment or election as may be the members of each commission shall take the oath of office required by the Constitution of this Commonwealth and shall organize by selecting from their number a chairman and a secretary who shall not be members of the same party

(g) All actions of a commission shall be decided by a majority of vote of all members except as may be otherwise provided herein

(h) Each commission shall keep a record in permanent form of all its proceedings and shall make an annual written report to the Governor

Section 4 POWERS OF COMMISSIONS REGULATIONS ENFORCEMENT CORRECTION OF ERRORS OR IRREGULARITIES CANCELLATION OF REGISTRATION POWERS OF COMMISSIONERS (a) The commisison may make regulations not inconsistent with this act or the laws of this Commonwealth (1) To govern the public sessions of such commission and (2) for the performance of the duties imposed by this act and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the court of common pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

(b) The commission shall have power to correct any error or any irregularity in registration and to cancel the registration of any person whom it may find to be improperly registered subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration is cancelled

(c) The commission and any commissioner shall have power on its or his own motion (1) To summon and interrogate any person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses (4) to require the production of any relevant books and papers

(d) Each commissioner shall have power to administer oaths and affirmations Each person testifying before a commission shall be first duly sworn or affirmed

Section 5 EMPLOYES REFISTRARS INSPECTORS OF REGISTRATION DUTIES APPOINTMENT APPOINTMENT OF CLERKS OR SECRETARIES AS REGISTRARS INCOMPATIBLE OFFICERS (a) The commission shall have power to appoint such assistants and employes as from time to time it may deem necessary to carry out the provisions of this act and may at any time remove the same The commission may with the consent of the county commissioners appoint employes of the county commissioners to act as such for the registration commisison without any additional compensation as such

(b) The employes to be appointed by the commission shall include (1) Registrars whos hall be empowered to register the qualified electors of such cities and in so doing to administer oaths and affirmations and (2) inspectors of registration who shall have and may exercise the powers conferred upon them by this act

(c) Registrars and inspectors of registration shall be qualified electors of the city An election officer may be appointed as a registrar or inspector of registration but no other person who holds or is a candidate for public or party office shall be appointed to or hold any office or employment under any commission except as otherwise provided by this act Registrars and inspectors of registration shall receive such compensation either on a per diem basis for time actually employed or on the basis of work actually done by them as shall be fixed by the salary board of the county

(d) No registrar or inspector of registration shall exercise any power of his office until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and address the date of his appointment and the length of time for which he shall have been appointed

(e) Each commission may appoint a chief clerk who shall have authority to administer oaths and to sign vouchers

(f Any inspector of registration on his own motion or on complaint of any person known to him may and when directed by the commission shall

(1) Inevstigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling building inn lodginghouse or hotel within such city and to interogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or otherin without being required to show any warrant for so doing except his certificate of appointment

(2) Inspect in like manner and copy any register of lodgers in any lodginghouse inn or hotel relating to or affecting the right of any persor to vote or to be registered in such city

(3) Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

(4) Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest

Section 6 COUNSEL COMPENSATION DUTIES The commision may employ special counsel at a compensation not exceeding two thousand dollars per annum Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent the commission on all appeals taken from its decisions or orders to a court of common pleas as herein provided

Section 7 APPROPRIATIONS BY COUNTY COMMISSIONERS UNEXPENDED BALANCES OF APPROPRIATIONS HERETOFORE MADE ADDITIONAL APPROPRIATIONS (a) The county commissioners shall appropriate annually and from time to time the funds that shall be necessary for the maintenance and operation of the commission and the carrying out of the provisions of this act therein including the payment of the compensation of the commissioners registrars inspectors of registration counsel and other assistants and employes and the fees of witnesses as herein defined and likewise for preparing in accordance with the direction of the commission securing and distributing or receiving and preserving all street lists registration cards affidavits vouchers notices account books stationery and other supplies which the commision shall consider necessary for the purpose of this act and for all other necessary expenses

(b) The county commisisoners shall provide the commissions with suitable and adequate offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties

(c) Any unexpended balances of any appropriations heretofore made by the county commissioners for the purpose of carrying out any provision of any existing registration act or the amendments thereto shall be transferred to and made available for the commission hereby created or constituted for the expenses of carrying out the provisions of this act immediately after the passage of this act All moneys required in addition to any original appropriation in the current year or any other year shall be appropriated from time to time as soon as it shall appear what extra sums are needed

Section 8 ACTS OF EMPLOYES Any insertion or removal of names or other information in registers or the amending of any records done by any employe of the commission by order of the commission shall be construed to have been done by the commission itself which shall likewise be responsible for the correction of any errors in the doing thereof

Section 9 COMMISSIONERS MAY ACT AS REGISTRARS AND INSPECTORS A commissioner may act at any time as registrar or inspector of registration and when so acting shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with law upon registrars and inspectors of registration respectively

Section 10 IMMUNITY FROM ARREST Commissioners registrars and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrant of a court of record or judge thereof for felnoy for wanton breach of the peace or for a criminal violation of this act

Section 11 ACTS TO BE DONE ON LEGAL HOLIDAYS AND SUNDAYS No part of any day fixed for the performance of any duties by any person or official under this act shall be deemed a Sunday or a legal holiday so as to affect the legality of any work done for the purpose of carrying out the provisions hereof or the right of any person to any compensation herein provided for rendering any service required hereby or so as to relieve any person from doing on such day whatever is necesasry for such purposes and such services are hereby declared to be necessary public services

Section 12 RECORDS AND DOCUMENTS TO BE OPEN TO PUBLIC INSPECTION The records of each commission

and all district registers street lists of voters voters' certificates affidavits petitions appeals witness lists accounts contracts reports and other documents in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the county during ordinary business hours at any time when they are not necessarily being used by the commission or its employes having duties to perform in reference thereto such public inspection thereof shall only be in the presence of a commissioner or authorized employe of a commission and shall be subject to proper regulation for safekeeping of the records and documents and subject to the further provisions of this act

Section 13 WATCHERS AT PLACES OF REGISTRATION PRIVILEGES (a) Any party or body of electors which now is or hereafter may be entitled to have watchers at any election as well as any organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds may recommend not more than three electors to act as watchers without expense to the county at any place of registration during the time when it shall remain open for the registration of electors The commission shall appoint all such persons as watchers and shall provide them with proper certificates stating their names and the party or policy or citizens' organization which they represent respectively unless any be shown to have previously been convicted of any crime

(b) Any watcher shall be entitled to remain at any place of registration during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registration and to interrogate or challenge any person regarding his right to be registered and to inspect any papers produced by such persons The registrars commissions and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided That a registrar commission or commissioner may at any time require any watcher to show his certificate of appointment And provided That not more than one watcher for any party or body of electors or citizens' organization represented shall be allowed in a place of registration at any one time

Section 14 WATCHERS OR ATTORNEYS AT SESSIONS OF COMMISSION Any party or body of electors or body of citizens which now is or hereafter may be entitled to have watchers at any place of registration or at any election shall also be entitled to appoint any watchers who are qualified electors of the city or attorneys to represent such party or body of electors or body of citizens at any public session or sessions of the commission Such watchers or attorneys may exercise the same rights as watchers at places of registration but the number who may be present at any one time may be limited by the commission to not less than three or any party or body of electors

Section 15 CANDIDATES MAY BE PRESENT AT PROCEEDINGS Every candidate for nomination or election to any office shall be entitled to be present in person or by attorney in fact duly authorized and to participate in any proceeding before any commission whenever any matters may affect his candidacy are being heard

Section 16 DAYS AND HOURS OF REGISTRATION PLACES OF REGISTRATION USE OF POLLING PLACES PAYMENTS OF RENTALS USE OF SCHOOL BUILDINGS PUBLIC NOTICE (a) From and after the first day of February one thousand nine hundred and thirty-four each commission or any commissioner or a registrar shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sundays holidays the day of each election and each primary the thirty days next preceding each election and each primary and the five days next following each election and each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration Provided howeved that in the year one thousand nine hundred and thirty-four applications for personal registration may be received up to and including the fifth day of May anything in this section to the contrary notwithstanding And provided further That in the year one thousand nine hundred and thirty four each commission shall arrange to have a registrar present to receive applications for the personal registration of electors at the poling place or some other suitable place in each election district of the city on at least three separate days prior to May fifth (one of them being in March and another in May) and one day in the period beginning September twenty-fourth and ending October sixth

(b) The County commissioners shall cause any polling place to be open in proper order for such as a place of registration on each day when such polling place may be desired by the registration commission for use as a place of registration and the said county commissioners shall provide for the payment of all rentals for such polling places upon proper vouchers by the treasurer of the county

(c) The board of school directors of each school district shall furnish a room or rooms in any public school building under its jurisdiction or control and shall cause the room or rooms to be open and in proper order for use as a place of registration on each day when such room or rooms may be desired by the registratin commission for use as a place of registration Provided That such use shall not interfere with instruction for the conduct of which such board of school directors shall be responsible

(d) The proper city authorities shall furnish a room or rooms in the city hall or other municipal building under their jurisdiction or control and shall cause the room or rooms to be opened and in proper order for use as a place of registration on each day when such room or rooms may be desired by the commission for such as a place of registration Provided That such use shall not interfere with the use for which such room or rooms is primarily designed

(e) The commission shall publicly announce the address of each place of registration other than the office of the commission and the days and hours when the place shall be open for the registration of electors by posting a notice thereof at its office and at least one placard or notice thereof in a conspicuous place in the neighborhood of such place of registration at least three days prior to the date when the place shall be so open and by such newspapers publication as it deems desirable

Section 17 REGISTRATION CARDS PREPARATION AND DISTRIBUTION (a) For the purpose of registering the qualified elector of each county the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section eighteen of this act and the following affidavit

REGISTRATION AFFIDAVIT

State of Pennsylvania }
County of } ss

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before
me this day of 19

.....
Signature of Voter

.....
Signature of Registrar

(b) Subject to the foregoing provisions of this section the secretary of the Commonwealth shall prescribe the form of such registration cards

(c) Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate for each applicant for registration The commission shall provide suitable binders for filing and indexing registration cards

(d) The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar

(e) Before ten o'clock ante meridian on the day following the last day for registration before an election or primary and at such other times as the commission may prescribe each registrar shall return to the commission at its office all

registration cards used or unused in his possession and shall account fully in writing for each missing card

(f) Unused registration cards may be reissued by the commission but the commission shall preserve all other papers records and memoranda as a part of its record

Section 18 MANNER OF REGISTRATION (a) Every person claiming the right to be registered as an elector must appear in person before the commission or a commissioner or a registrar at the office of the commission or at such other place as the commission shall have designated and answer the questions required to be asked in accordance with this act

(b) He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with the other information herein required shall be recorded in his presence by the registrar or commissioner in permanent writing or typewiting in duplicate in the proper spaces on the registration cards as follows

(c) (1) The surname of the applicant (2) his Christian name or names (3) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the rooms apartment flat or floor which he occupies (6) the date his residence in the district began (7) his residence address when he last registered and the year of such registration (8) the sex of the applicant (9) the color of the applicant (10) the state or territory of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of naturalization certificate (12) if not naturalized personally the name of father or husband through whom naturalized (13) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance at the ensuing election and if so his declaration of that fact and his statement of the exact nature of such disability (14) the designation of the political party of the elector for the purpose of voting at primaries (15) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar and dated by him If the elector is unable to sign his name there shall also be recorded on the registration card (16) his height in feet and inches (17) the color of his hair (18) the color of his eyes and (19) the date of his birth Each registration card shall also have a sufficient number of spaces thereon for the insertion of (20) the ward and election district in which the elector resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal (21) the date of each election and primary at which the elector votes and (22) the signature or initials of the election officer who enters the record of voting on the card

(d) The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed for the whole city the registration affidavits will be known as the General Registers when filed by election districts as the District Registers

(e) If the applicant shall allege inability to sign his name the registrar shall require him to present the affidavits subscribed in person before a registrar or commissioner or two electors who are personally acquainted with the applicant and who knows his qualifications as an elector Each of said two electors shall state in his affidavit the applicant's residence his own residence his knowledge of the statements made by the applicant under oath or affirmation in applying for registration and his belief that they are true Upon the filing thereof the applicant shall be permitted to subscribe to his oath or affirmation by making his mark except that if the applicant's inability to sign his name is not due to some apparent physical infirmity he shall first also be required to make and file with the registrar an affidavit of his inability to sign his name Every affidavit required because of an applicant's inability to sign his name shall be filed with the duplicate registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

(f) When the registration of an elector has been completed the registrar or commissioner shall deliver to the registered elector upon his request a written statement signed by such registrar or commissioner setting forth the name and address of the elector the fact of registration and the date thereof

Section 19 WHO MAY REGISTER WHO MAY VOTE ELECTORS NEED REGISTER ONLY ONCE EXCEPTION Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered as herein provided From and after the fifth day of May one thousand nine hundred and thirty-four no person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered except by order of a court of common pleas as hereinafter provided and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address unless his registration is cancelled by reason of his failure to vote during a period of four years as hereinafter povided

Section 20 APPLICANTS TO REGISTER MAY BE CHALLENGED PROCEDURE CHALLENGE AFFIDAVIT (a) Any person claiming the right to register may be challenged by a registrar or by any commissioner or by a qualified elector of the city Any person so challenged shall answer the questions of the challenge affidavit as herein specified and after his answers have been recorded he shall subscribe to them his signature or mark and swear to their truth

(b) The affidavits of all persons so registered shall be filed with the duplicate registration affidavits and shall be returned with them to the office of the registration commission

(c) The challenge affidavit shall be in form prescribed by the Secretary of the Commonwealth and shall contain spaces for the following information (1) serial numbers (2) place and date of execution (3) full name of challenged applicant (4) whether he is married or single (5) if married where his family resides (6) if single where his parents reside (7) where applicant actually resided immediately before he took up his present residence (8) his residence for the four months immediately preceding date of execution (9) the name of his present employer (10) the street and number of his place of business (11) the name of his last employer and the year in which he left his employ (12) the city street and number of said last employer's place of business (13) sex of the applicant (14) his color (15) the date of his birth and (16) such distinguishing marks peculiarities and further information for identification as the commission shall prescribe

(d) The challenged applicant shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his residence in the election district and shall produce such other evidence as may be required to satisfy the registrar or commissioner as to his qualifications as an elector If such challenged applicant shall establish his right to be registered as required by this act to the satisfaction of the registrar or commissioner he shall be permitted to be registered

(e) Any person making application to be enrolled as a member of a political party for the purpose of voting at primaries may be challenged by any qualified elector of the city Any person so challenged shall be enrolled as a member of such party if he shall make and subscribe an affidavit that at the last election at which he voted he voted for a majority of the candidates of such party all of the candidates of a party for presidential elector being counted as two candidates but if he is unable or unwilling to make such affidavit he shall be denied enrollment as a member of such party but he shall not be deemed to be guilty of any violation or attempted violation of any law by reason thereof

Section 21 NATURALIZED APPLICANTS APPLICANTS WHOSE FATHERS OR HUSBANDS WERE NATURALIZED All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certified copy thereof before they shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father during his minority may be registered either by the production of his father's original papers or a certified copy thereof or by making affidavit that his

father was naturalized at a time when he the applicant was less than twenty-one years of age and that he is unable to produce his father's papers or a certified copy thereof And provided further That any woman claiming citizenship by reason of her marriage prior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturalized prior to their marriage or (b) by the production of evidence that her husband was a native born citizen of the United States Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

Section 22 INCOMPLETE OR REJECTED APPLICATIONS TO BE RECORDED The registrar or commissioner shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filed in the registration card or cards shall be marked "Applicant Rejected" and the registrar or commissioner shall note thereon the reason for the rejection and shall sign his name thereto All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 23 APPEAL OF REJECTED APPLICATION Any person whose application to be registered has been denied by a registrar or by a commissioner may file a petition with the commission not later than the fifteenth day prior to an election or primary setting forth the ground of his complaint under oath and praying to be registered The commission shall fix a time for a public hearing thereof at its office not later than the tenth day prior to the election or primary At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar or commissioner who rejected the petitioner's application for registration The commission if satisfied that the petitioner is entitled to be registered shall direct a registrar or commissioner to register him in the usual manner and shall amend accordingly the records affected but any registrar or inspector of registration or qualfied elector of the county may appear and show cause why the petitioner should not be registered

Section 24 GENERAL REGISTER The duplicate registration affidavits shall be placed in exact alphabetical order and shall be indexed for the entire city and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded These affidavits shall constitute the General Register of such city and shall not be removed from the office of the commission except upon order of the court of common pleas of the county

Section 25 DISTRICT REGISTERS The original registration affidavits shall be filed by election districts and within each election district in exact alphabetical order and indexed The affidavits so filed for each election district shall constitute the District Register for such district The district register shall be kept at the office of the commission except as herein provided and shall be open at all times subject to reasonable safeguards rules and regulations to public inspection

Section 26 REMOVAL NOTICES The commission shall provide removal notices which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room apartment flat or floor if his residence is a portion only of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present address and (4) space wherein the elector shall sign his name The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring sixty days or more after the receipt of the notice at the office of the commission Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission with the elector's signature in the general and district register.

Section 27 TRANSFER OF REGISTRATION (a) Upon receipt of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration affidavit of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the general and district registers and if the removal shall have been from one election district to another in the same city shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence.

(b) When a request for transfer believed authentic by the commission is received at the office of the commission within the period of sixty days next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary In any case the commission shall advise the elector promptly in writing of its action

(c) If the commission shall doubt that the request for transfer is authentic it shall without transferring the registration of the elector notify the elector that it will be necessary for him to apply in person at the office of the commission for the transfer of his registration

(d) No elector who is unable to write his name shall be permitted to apply for transfer of registration by use of a written removal notice but each such elector must apply in person at the office of the commission establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar or a commissioner who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice

Section 28 CHANGE OF ENROLLMENT OF POLITICAL PARTY CANCELLATION OF PARTY ENROLLMENT PERSONS SUFFERING DISABILITY AFTER REGISTRATION TO HAVE FACT RECORDED CANCELLATION (a) At any time prior to the tenth day next preceding a primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar or commissioner and state in writing over his signature the political party in which he desires to be enrolled and the registrar or commissioner shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made

(b) At any time not later than the fifth day preceding any primary any quualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is no longer a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at least twenty-four hours prior to presentation of the same by delivering a copy of the petition to him personally or by leaving it with an adult member of the family with which he resides If at the hearing of any such petition the elector against whom the petition is filed appears and swears or affirms that at the last election at which he voted he voted for a majority of the candidates of the party with which he was then enrolled all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise the party enrollment of such elector shall be forthwith cancelled

(c) Any elector who has since the time of registration suffered a physical disability which renders him unable to see or mark the ballot or prepare the voting machine or to enter the voting compartment or voting machine booth without assistance shall at least ten days prior to the next succeeding primary or election personally make written applica-

tion under oath to the commission or a registrar to have such fact entered on his registration affidavit together with the exact nature of his physical disability which entry shall be made accordingly

(d) When the commission shall ascertain that any elector who has declared his need for assistance no longer suffers from the disability stated by him or has voted without assistance it shall forthwith cancel on his registration affidavit the entry relating to physical disability which authorized him to have assistance

Section 29 REPORTS OF DEATHS FROM REGISTRARS OF VITAL STATISTICS CANCELLING REGISTRATION CORRECTION IF PERSON IS FALSELY REPORTED DISEASED REPORTS OF REMOVALS FROM MUNICIPAL OFFICES DEPARTMENTS AND BUREAUS AND REAL ESTATE BROKERS AND RENTAL AGENTS NOTICE (a) The registrar of vital statistics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the deaths of residents of the city except residents less than twenty years of age The commission shall forthwith cancel the registration of each registered elector so reported

(b) Any person falsely reported deceased may appear in person before a registrar or commissioner at the office of the commission in such city and prove his identity and the commission thereupon shall correct its records accordingly

(c) All municipal officers departments or bureaus furnishing electricity gas water steam or other service to householders in any city shall report in writing from time to time to the registration commission upon the request of the commission all cases of discontinuance of their service to residences together with the names of the persons who contracted for such service and the addresses to which such persons have removed if known to them All real estate brokers and rental agents shall report in writing from time to time to the commission upon the request of the commission all cases of residence properly managed by them which have been vacated by the tenants thereof together with the names of such tenants and the addresses to which they have removed if known to them The commission shall forthwith send to each such person who is found to be registered as an elector from the address given in said report and to all the members of his family and household who are electors registered from the same address the notice provided for by section thirty of this act and shall proceed thereupon in accordance with the provisions of that section

Section 30 MAIL CHECK-UP OF REGISTERS (a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon At least once in each year the commission shall send such notices by mail to each registered elector in the city

(b) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-one of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector

Section 31 CANVASS OF REGISTERED VOTERS (a) The commission may at any time by individual commissioners or by inspectors of registration verify the registration in any election district of the county by visiting each building from which an elector is registered and such other buildings as the commission may deem necessary and shall make a record of the name and address of each person registered who shall not be found to reside at the address from which he is registered or who for any other reason shall appear to be not qualified to vote in the election district from which he is registered and shall leave at the addres of each such person a notice requiring him to appear personally at the office of the commission in such county on or before a date and hour which the notice shall appoint and which shall be not later than the fifth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector and the commission shall cause a confirmation of each such notice to be sent by mail promptly to such person at the address from which he is registered

(b) At the expiration of the time specified in the notice the commission shall cancel the registration of each such person who has not personally appeared and proved his qualifications as an elector

(c) For the purpose of facilitating any such canvass the commission may when necessary appoint special inspectors of registration in number not exceeding double the number of election districts which the commission shall determine to canvass Police officers may be so appointed with the consent of the head of the police department of the city

(d) Such special inspectors shall have and may exercise the powers conferred by this act upon inspectors of registration They shall be qualified electors of the city and shall be appointed without reference to residence in election districts or to their political affiliations or beliefs

(e) The commission shall instruct each special inspector in his duties

Section 32 COMPARISON AND CORRECTION OF REGISTERS PRELIMINARY STREETS LISTS (a) Thirty days prior to each election or primary the commission shall compare and correct the general and district registers

(b) Three months after each municipal election and seven months after each general election the commission shall prepare for each election district a preliminary street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers

(c) The commission shall cause to be made a sufficient number of exact copies of ecah such list and as soon as possible and not later than the first day of March in each even-numbered year and the first day of July in each odd-numbered year shall distribute the same among the inspectors and special inspectors of registration and the foficials concerned with the conduct of primaries and elections and among the parties bodies of electors candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the county committee of each political party or body of electors upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 33 CORRECTED STREET LISTS POSTING DISTRIBUTION. Not later than the thirtieth day prior to each primary and election the commission shall prepare for each election district a corrected street list of the names and addresses of all reistered electors as of that date resident in the district arranged by streets and house numbers The commission shall cause to be made a sufficient number of exact copies of each such list which may be made by correcting and supplementing exact copies of the preliminary street lists Two complete sets of such lists shall be kept on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 34 PETITIONS TO STRIKE OFF NAMES At any time not later than the fifth day preceding any election or primary any qualified elector of the city including any watcher and any registrar or inspector of registration may petition the commission to cancel the registration of any registered elector of such city setting forth under oath supported by the affi-

davits of at least two adult persons sufficient grounds for such cancellation and also setting forth that due notice of the time and place when said petition would be presented and heard had been given to the person so registered personally at least twenty-four hours prior to the presentation of the same or that he could not be found at the place given in the district register as his residence and that the person in charge thereof to be mentioned by name in said petition had declared that he or she was well acquainted with the names of all persons residing at the adress given as such residence and that the persons so registered had never been or was no longer one of them or that no person is residing at the address given whereupon the commission shall forthwith cancel the registration of such elector and amend accordingly the general and district registers and the other records affected unless the person so registered shall appear and show cause why the same should not be done.

Section 35 DELIVERY OF DISTRICT REGISTERS TO COUNTY COMMISSIONERS (a) Not later than noon of the second day preceding an election or primary the commission shall deliver to the county commissioners of the proper county the district register accurately corrected to date for each election district in order that the same may be delivered to the election officers with other election materials for use on election day in the manner in which the county commissioners now are or hereafter may be required to deliver the same Provided That the registration commission shall not deliver to the county commissioners the registration card for use at the polls on election day of any person who has removed from one election district to another within sixty days of any general municipal primary or special election The registration commission shall withdraw from the district registers the cards of all such persons before the registers are delivered to the county commissioners

(b) District registers when so delivered to the county commissioners shall be contained in suitable binders so constructed that the name address voting record and other data on each card may be visible and that entries may be made on each card but that the cards may not be removed by the election officers Said binders shall have printed or written thereon the words "District Register of Voters" and the name of the district

Section 36 PERSONS REGISTERED ARE ENTITLED TO VOTE AT GENERAL OR MUNICIPAL ELECTIONS IF IDENTIFIED BY SIGNATURE PROVISO EVIDENCE OF REGISTRATION DISCREPANCIES PERSONS REGISTERED AND ENROLLED MAY VOTE AT PRIMARIES IF IDENTIFIED BY SIGNATURE PROVISO PERSONS NOT REGISTERED ARE NOT ENTITLED TO VOTE CHALLENGING OF PERSONS REGISTERED VOTER'S CERTIFICATES LIST OF VOTERS ELECTIONS AND PRIMARIES COUNTING ET CETERA OF NAMES CHECKED AS HAVING VOTED SEALING OF REGISTERS AND LISTS OF VOTERS RETURN OF LISTS OF VOTERS AND REGISTERS (a) Any person whose name is in the district register of any election district and who upon applying to vote shall have signed his name to a voter's certificate in the form hereinafter provided for as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and view of the watchers with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers shall be entitled to vote in such district at any general municipal or special election unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from the district since registration or that he has violuated any law of this Commonwealth prohibiting betting or bribery at elections

(b) No elector shall be required to sign a voter's certificate as a means of identification if he shall have been unable to sign his name when registered or if having been able to sign his name when registered he subsequently shall have lost his sight or lost the hand with which he was accustomed to sign his name or shall have been otherwise rendered by disease or accident unable to sign his name when he applies to vote but each such elector shall establish his identity to the satisfaction of the election officers and in such case a voter's certificate shall be prepared for him by one of the election officers upon which the facts as to such disability shall be noted and attested by the signature of such election officer

(c) No person who applies to vote shall be permitted by any election officer or clerk or other person to see the signature recorded as his in the district register until after he shall have signed his name to the voter's certificate

(d) Any person who is registered and also enrolled as a member of a political party and who upon applying to vote shall have established his identity by signing his name or otherwise as herein required at elections and is otherwise qualified may vote as a member of said party at any primary succeeding such registration without being subject to any challenge regarding his party membership No elector registered and enrolled as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party at any primary election and any qualified elector registered although not enrolled as aforesaid shall be permitted to vote a nonpartisan ballot according to any law providing for same at any primary election

(e) No one except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by authority of this Commonwealth shall be entitled to vote at any election or primary without being personally registered as an elector in the election district in which he offers to vote except by order of the court of common pleas as herein provided regarding appealed cases Any person although personally registered may be challenged by any qualified elector watcher overseer or election officer at any election or primary as to his identity as to his continued residence in the election district or as to any alleged violation of the laws of this Commonwealth prohibiting betting or bribery at elections and if challenged as to identity or residence he shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his identity or continued residence in the election district and shall produce such other evidence as may be required to satisfy the election officers of his identity or continued residence in the election district

(f) The county commissioners shall cause to be printed for each election district a suitable number of Voters' Certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows

VOTER'S CERTIFICATE

(Primary) (Election) ..... 19....

I hereby certify that I am qualified to vote at this (primary) (election)

Signature .....

Address .....

.....Pennsylvania

Approved .....

Number of stub of ballot issued (or number of admission to voting machines) (and party at primary) .....

The voter's certificates shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the county commissioners After a voter's certificate has been presented by an elector and has been compared with his signature in the district register and approved or in the case of an elector who is unable to write the notations hereinabove required have been made thereon one of the election officers who made the comparison shall sign his name or initials thereon and if the elector's signature is not readily legible shall print such elector's name over his signature After the elector has been admitted to vote the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at primaries a letter or abbreviation designating the party in whose primary he votes shall be entered on his voter's certificate and the same shall theeupon be inserted in the file or binder One such file or binder shall be furnished for each election district for each primary and election and shall have printed or written thereon the words "List of Voters" and the name of the district and date of the primary or election The voter's certificates so bound shall constitute the numbered list of voters heretofore required by law to be kept in duplicate by the clerks of election All voters' certificates prepared by persons applying to vote whose applications to vote are refused by the election officers shall be carefully preserved and retuned to the commission with the lost of voters

(g) The district registers hereby provided for shall be used at each election and primary by the election officers in the

place of the two registers known as the ballot clerk check list and voting check list heretofore required by law As each voter is found to be qualified and votes the election officer in charge of the district register shall write or stamp the date of the election or primary and sign his name or initials in the proper space on the registration affidavit of such voter contained in the district register After the polls are closed the names of all electors on the district register marked or stamped as having voted shall be immediately countd and the result compared with the number of persons voting shown by the list of voters and announced and the cause of any difference ascertained if possible before the ballot box or voting machine is opened The list of voters and the district register shall be immediately sealed in envelopes and shall be returned to the custody of the registration commission by the judge of election before noon on the day following the election or primary

Section 37 ENTRY OF INFORMATION IN GENERAL REGISTERS FOLLOWING ELECTIONS AND PRIMARIES REPORT OF INDICATIONS OF FRAUD TO DISTRICT ATTORNEY (a) Immediately following each election or primary the commission shall cause each district register to be examined and shall enter the date of the election or primary in the proper space on the registration affidavits in the general register of each elector whom the district register indicates as having voted

(b) In the case of any elector whom the election officers shall have recorded as removed deceased or challenged and prevented from voting the commission shall ascertain the facts and shall correct the general and district registers in accordance therewith

(c) The commission specifically shall compare the signature of each elector on each voter's certificate with his signature in the district register and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of voter's certificates and registers hereby prescribed.

Section 38 CANCELLATION OF REGISTRATION UPON FAILURE TO VOTE WITHIN FOUR YEARS REQUEST FOR REINSTATEMENT Within three months after the general election held in the year one thousand nine hundred and thirty-eight and within three months after each general and municipal election thereafter the registration commission shall cause all of the district registers to be examined and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of four years immediately preceding the commission shall send to such elector by mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has not voted within a period of four years and that his resignation will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his resignation setting forth his place of residence and signed by him At the expiration of the time specified in the notice and after publication of the information contained in the notice mailed as aforesaid at least one time in at least one newspaper of general circulation published in the city the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote within a period of four years shall not affect the right of any such elector to subsequently re-register by personal application to the commission or a commissioner or a registrar in the manner provided by this act

Section 39 CANCELLATION REMOVAL AND PRESERVATION OF REGISTRATION AFFIDAVITS Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration affidavits of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such affidavit shall be kept for five years after which the commission may destroy it

Section 40 APPEALS TO COURT TIME OF FEE TIME OF HEARING NOTICE POSTPONEMENT HEARING DECISION OF COURT COSTS AND FEES (a) Any person whose claim for registration has been denied by the commission or whose name although previously registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of any county whose rights are impaired by any general order made by the commission not including registration of particular names by the commission on personal application made to it as aforesaid or refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper court of common pleas not later than the fourth day preceding any election or primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief Such appellant shall pay the prothonotary a fee of three dollars for filing such appeal Thereupon any judge of the court may fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the counsel for the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court Proof of notice or the waiver thereof must be filed therein

(b) Any judge of the court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary At th time so fixed the court or any judge thereof assigned fro the purpose shall hear all the witnesses and other evidence that may be offered unless the issue can be decided in some other manner by agreement of the parties concerned

(c) If after any such public hearing the court shall find that an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed

(d) The court may compel the appellant or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner

Section 41 PRODUCTION OF DOCUMENTS ET CETERA AT APPEALS At the written request of any person taking an appeal from any action or order of a commission as aforesaid the commission shall produce at the hearing thereof any petition register or other record in its custody relevant to the issue involved but the commission shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so

Section 42 SUBPOENAS AND WITNESS FEES (a) Any person filing any petition of any kind with a commission or opposing same shall have the privilege of having subpoenas issued by the commission to compel the attendance of witnesses upon condition that all witnesses so subpoenaed shall be paid two dollars and fifty cents each per day as witness fees in the manner herein provided

(b) The commission on its own motion may subpoena witnesses including registrars each of whom shall also be entitled to daily witness fees at the rate aforesaid to be paid out of any money to be provided for the purpose to the commission by the county commissioners in the same manner as other necessary expenses of such commission are to be provided for

(c) All subpoenas shall be in substantially the same form and shall have the same force and effect as subpoenas now issued by a court of common pleas The commission shall have the benefit of the process of said courts if necessary to enforce any subpoena issued by such commission.

(d) No subpoena shall be issued for the benefit of any person other than the commission until he shall have paid the commission a fee of twenty-five cents for issuing the same and deposited with said commission one day's witness fees for each witness to be summoned thereby whose names shall be given to the commission and entered by it in such subpoena and among the records of the commission No such subpoena shall be of any virtue to require the further attendance of any witness after the day mentioned therein unless the hearing be postponed or continued by the commission and unless before four o'clock post meridian of said day the person for whose benefit it is issued shall have deposited with the commission an additional day's witness fees for each witness whose further attendance is desired As soon as convenient after any hearing is concluded (or postponed or continued) on any day the commission shall disburse the fees deposited with it by any person among those witnesses who have appeared in re-

sponse to subpoenas issued and shall return to the person who deposited the same any fees deposited for others who did not attend and shall also pay like fees to any summoned by the commission taking their receipts therefor so long as there are sufficient funds available for such payments

(e) The commission shall pay over to the county treasurer all fees received for subpoenas The accounts of such commission respecting disbursements of witness fees out of appropriation made to such commission by the county commissioners shall be subject to audit from time to time by the county controller

Section 43 CRIMES AND PENALTIES (a) Any person who wilfully disobeys a lawful order of the commission or refuses to obey its subpoena duly issued and served under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars

(b) Any wilful false statement made under oath or in writing stating that it is so made although such oath may not have actually been made by any person regarding any material matter or thing relating to any subject being investigated heard or acted upon by any registrar commissioner judge watcher inspector of registration court or commission by virtue of this act shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(c) Any registrar or commissioner who knowingly registers or permits to be registered a person not lawfully entitled to be registered or who without reasonable cause refuses to register a person entitled to be registered or knowingly assists in preventing such person from being registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(d) Any person who applies for registration knowing or having reason to know that he is not entitled to be registered or who falsely personates another in an application for registration or who knowingly offers false naturalization papers to establish his claim to be registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(e) Any registrar commissioner or assistant or employe of a commission who inserts or intentionally permits to be inserted a name or other entries in any registration card without a proper application in person on the part of the person registered or without requiring the proper evidence of the right of the applicant to be registered or who materially alter any registration card after the entries have been made except upon an order of the court of common pleas or of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(f) Any election officer who knowingly refuses the vote of a duly registered and qualified elector or who knowingly accepts the vote of a person not registered in accordance with the provisions of this act (except that of a person in actual military or naval service or a person having an order of court) or who knowingly receives a vote from a person falsely claiming to be a registered voter shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(g) Any commissioner registrar inspector of registration or other officer assistant or employe upon whom a duty is laid by this act who shall wilfully neglect or refuse to perform such duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(h) Any person who inserts or intentionally permits to be inserted any name or material entry in any registration card street list affidavit petition subpoena certificate report or other record authorized or required by this act to be made or prepared for any purpose herein mentioned except in accordance herewith or who materially alters or destroys an entry which has been duly made therein except as herein provided or who takes and removes any such book paper card or other record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspected or copied as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(i) Any person who neglects or refuses to furnish to any commissioner or to any inspector of registration any information which he is herein authorized to obtain or to exhibit any records papers or documents herein authorized to be inspected by him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(j) Any constable policeman sheriff or other peace or police officer or deputy or subordinate thereof who shall fail upon demand of any commissioner or inspector of registration to render such aid and assistance to him as he shall demand in the maintenance of peace and in the making of arrests without warrant as herein provided or who shall wilfully hinder or delay or attempt to hinder or delay any commissioner or inspector of registration in the performance of any duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years.

(k) Any person who intentionally interferes with hinders or delays any other person in the performance of any act or duty authorized or imposed herein shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars

Section 14 EFFECTIVE DATE PARTIAL INVALIDITY LEGISLATIVE INTENT (a) Except as otherwise provided therein this act shall be in force and take effect from and after the first day of February one thousand nine hundred thirty-four

(b) It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 45 REPEAL OF PRIOR LAWS PROVISO (a) The following acts of Assembly and parts of acts and any amendments and supplements thereto are hereby repealed absolutely in so far as they affect the personal registration and enrollment of voters in cities of the second class

(1) Section fifty-nine of an act entitled "An act relating to the Elections of this Commonwealth" approved July second one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred nineteen)

(2) Sections one two three fifteen and nineteen of an act entitled "A further supplement to the act regulating elections in this Commonwealth" approved January thirtieth one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one)

(3) Section one of an act entitled "An act declaratory of and amending the act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four" approved February thirteenth one thousand eight hundred and seventy-four (Pamphlet Laws forty-four)

(4) An act entitled "An act to amend sections one two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four changing the time and manner of making the registry of voters and the duties of registry assessors" approved May twenty-ninth one thousand eight hundred and ninety-one (Pamphlet Laws one hundred thirty-four)

(5) An act entitled "An act to authorize the election of assistant assessor for the purpose of registration of voters in the townships and boroughs containing more than one elec-

tion district wherein but one assessor for valuation resides" approved June sixteenth one thousand eight hundred and ninety-one (Pamphlet Laws two hundred ninety-eight)

(6) An act entitled "An act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four as amended by the act of May twenty-ninth one thousand eight hundred and ninety-one fixing the place at which the assessors shall sit to perform the duties imposed upon them by the second section of the said supplement of May twenty-ninth one thousand eight hundred and ninety-one in all voting districts or precincts in this Commonwealth where temporary voting places are or may be established" approved June twelfth one thousand eight hundred and ninety-three (Pamphlet Laws four hundred fifty-five)

(7) An act entitled "An act to amend sections two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the twenty-ninth day of May one thousand eight hundred and ninety-one changing the time and manner of making the registry of voters and duties of registry assessors" approved May sixteenth one thousand eight hundred and ninety-five (Pamphlet Laws seventy-five)

(8) An act entitled "An act supplementary to an act entitled 'An act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violations of its provisions' approved the seventeenth day of February Anno Domini one thousand nine hundred and six providing for the continuance in office of the registration commissioners of consolidated cities" approved June third one thousand nine hundred and seven (Pamphlet Laws three hundred ninety-four

(9) An act entitled "An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" approved July twenty-fourth one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven)

(10) An act entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of assessors and registry assssors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers wilfully permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket" approved July twenty-fifth one thousand nine hundred and thirteen (Pamphlet Laws one thousand forty-three)

(11) An Act entitled "An act to amend section six of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July one thousand nine hundred and thirteen" approved May twenty-eight one thousand nine hundred and fifteen (Pamphlet Laws five hundred seventy-six)

(12) An act entitled "An act to amend sections fifteen and eighteen of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July one thousand nine hundred and thirteen by providing for attendance of witnesses fees for subpoenas witness fees and the manner of payment of same and providing a penalty for disobedience to the lawful order of the commissioners or refusal to obey their subpoenas and by repealing inconsistent legislation" approved June eighteenth one thousand nine hundred and fifteen (Pamphlet Laws one thousand twenty-seven)

(13) An act entitled "An act to amend the third section of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) by regulating the compensation of the registration commissioners" approved July nineteenth one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred eight)

(14) An act entitled "A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" approved July twenty-first one thousand nine hundred and nineteen (Pamphlet Laws one thousand sixty-five)

(15) An act entitled "An act amending section sixteen of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved July twenty-four one thousand nine hundred and thirteen providing for a change in salaries of the employes of the registration commissioners" approved April twenty-first one thousand nine hundred and twenty-one (Pamphlet Laws two hundred thirty-nine)

(16) An act entitled "An act to amend section one of an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand sixty-five) entitled 'A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as member of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith'" approved June seventh one thousand nine hundred and twenty-three (Pamphlet Laws six hundred eighty)

(17) An act entitled "An act to amend part of section seven of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of wit-

ness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith'" approved April twenty-third one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred seventy)

(b) All other acts or parts of acts of Assembly in conflict or inconsistent with this act or any part hereof are hereby repealed so far as they are inconsistent herewith

(c) The provisions of this act shall not affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such acts so repealed respecting any act done or omitted prior to such repeal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HARRIS. Mr. President, I move that Senate Bill No. 49, the bill just read, be recommitted to the Committee on Elections.

Mr. BENNETT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 52, as follows:

An Act To amend the title and sections one two and three of the act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" as amended by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of the act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" is hereby amended to read as follows

An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk [for human consumption] conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties

Section 2 That section one of said act as amended by the act approved the twenty-second day of May one thousand nine hundred thirty-three (Pamphlet Laws eight hundred thirty-two) is hereby further amended to read as follows

Section 1 Be is enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose and within the meaning of this act the following definitions shall obtain

"Milk" means milk skimmed milk cream sour milk sour cream buttermilk and all other fluid derivatives of milk [for human consumption] except condensed milk and evaporated milk

"Person" includes masculine and feminine and any firm copartnership institution association or corporation and any agent servant assistant employe or representative thereof

"To sell" "for sale" or "sold" and similar terms means the selling exchanging delivering or having in possession care control or custody with intent to sell exchange or deliver or to offer or to expose for sale

"Dairy farm" is a place or premise where one or more cows are kept and a part or all of the milk from which is sold or delivered to any person

"Milk plant" is any place or premise or establishment where milk is collected processed stored bottled pasteurized or prepared for distribution

"Approved inspector" is one who has proven to the satisfaction of the secretary to be a person of good character trained by school and experience to carry on dairy farm and milk plant inspection in a capable and efficiaent manner and has received a certificate of approval from the secretary Such certificate shall not constitute an approved inspector an official or employ of the Department of Health nor shall he represent himself so to be

"Secretary" means the Secretary of Health of this Commonwealth or his authorized representative

"Municipality" includes any city borough town or township in this Commonwealth

Section 3 That section two of said act as amended by the act approved the twenty-second day of May one thousand nine hundred thirty-three (Pamphlet Laws eight hundred thirty-two) is hereby further amended to read as follows

Section 2 Except as hereinafter provided no person shall sell milk [for human consumption] within this Commonwealth without first having obtained a permit from the secretary nor otherwise than in accordance with the requirements of this act Each person desiring a permit to sell milk shall annually make an application therefor on a form to be secured from the secretary Such application shall set forth

(a) The name and address of applicant

(b) The designation of the milk to be offered for sale

(c) The name of the municipality or municipalities in which the applicant desires to sell milk

(d) An accurate record of each milk plant owned or operated by the applicant for a permit which receives or handles milk [for human consumption]

(e) Such other information as may be required by the secretary

Every applicant for or holder of a permit to sell raw milk desiring to purchase milk for resale as raw milk shall receive permission from the secretary before accepting milk from any source other than that given in the application for a permit All sources of raw milk shall be inspected and approved by the secretary

Every applicant for or holder of a permit to sell pasteurized milk or milk for pasteurization shall keep an accurate record of the names and addresses of the owners or operators of all dairy farms from which milk is received This record shall be kept on file in the milk plant where the milk is received and shall be available at all times for the inspection of the secretary

An accurate report of a sanitary inspection on all dairy farms from which milk a received and of the milk as delivered to the milk plant shall be kept on file in the milk plant The sanitary inspection shall be made semi-annually by an approved inspector at the expense of the applicant for or holder of a permit Such inspections may be made by the secretary Within thirty days after demand by the secretary additional inspections shall be made of any or all farms and reports thereon filed in the milk plant Inspection reports shall be made upon forms satisfactory to the secretary

No applicant for or holder of a permit to sell pasteurized milk or milk for pasteurization shall receive milk from a dairy farm until the report of the sanitary inspection made by an approved inspector shall have been placed on file in the milk plant where the milk is received for the inspection and approval of the secretary nor shall he receive milk from any milk plant owned or operated by another person who is not in lawful possession of a permit

Permits shall be issued only to persons whose entire milk supply the farms where it is produced and the plants in which the milk is handled have been approved by the secretary Every permit shall expire annually

Permits may be refused suspended or revoked by the secretary if in his judgment the requirements of this act are not complied with by the person making an application for a permit or to whom a permit has already been issued

Before refusal to grant a permit or before a permit is suspended or revoked the secretary shall afford the applicant or holder of the permit an opportunity to be heard and shall give at least five (5) days' written notice of the hearing to the applicant or the holder of the permit by registered letter sent to the address given in the application

When an application for a renewal of a permit has been regularly made and no notification of a hearing as above described has been sent the applicant by the secretary the permit of the preceding year shall continue in full force until renewed or revoked in accordance with this section

The secretary may constitute as his agent for the purpose of issuing permits for the sale of milk a department of health board of health or health officer of any municipality and [shall] may accept permits issued by municipalities under the terms of municipal ordinances equally as stringent as the requirements of this act and enforced by such municipalities as the only permit required for the sale of milk in such municipalities

This section shall not apply to a person selling or delivering milk directly from a dairy farm to a milk plant

Unless the secretary shall require a permit this section shall not apply to a person selling milk from a store when such milk is purchased from a person already in lawful possession of a permit to sell milk

This section shall not apply to persons in charge of hotels restaurants soda fountains boarding houses or other places where milk is served when such milk is to be consumed on the premises thereof and is purchased from one already in lawful possession of a permit to sell milk

The secretary may in his discretion exempt a person selling milk from not more than one cow from such requirements of this act as he may deem in each instance to be unnecessary for the protection of the public health

Section 4 That section three of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws eight hundred four) is hereby further amended to read as follows

Section 3 Every person having made an application for a permit to sell milk or holding a permit for the sale of milk shall at any time allow the secretary to inspect the milk plants herds stables and daily farms from which milk is obtained or prepared for sale and to inspect the pasteurizing bottles and handling of milk in any manner whatsoever and to take such samples of milk as may be deemed necessary upon payment therefor at the usual market price when payment is demanded

The secretary shall have the right to exclude from sale any part of a milk supply which may be considered unsafe for [human] consumption or milk which is produced on dairy farms or handled in milk plants which fail to meet the requirements of this act

Non-compliance with the provisions of this section by a permit holder is hereby specifically declared to be a violation of this act and subject to the penal provisions hereof and shall be sufficient grounds for the revocation of the permit of such permit holder

No milk shall be sold for ice cream making purposes from sources which have not been inspected and approved by the secretary unless such milk shall be denatured by having sugar added thereto in the proportion of two and one-half pounds of sugar in each forty quarts of forty per centum cream

No milk shall be sold for butter making purposes from sources which have not been inspected and approved by the secretary unless such milk shall be denatured by having salt added thereto in the proportion of two and one-half pounds of salt in each forty quarts of forty per centum cream

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TRAINER. Mr. President, I move that Senate Bill No. 52, the bill just read, be recommitted to the Committee on Agriculture.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 53, as follows:

An Act Providing for the creation of public "Authorities" in counties of the second class authorizing such "Authorities" to enter into agreements with the Government of the United States particularly as they relate to the National Industrial Recovery Act and any amendment and supplements thereto the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others defining and providing for the organization and dissolution of such "Authorities" conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions upon which such "Authorities" may exercise their powers endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds authorizing such "Authorities" to make and receive appropriations repealing certain acts and parts of acts inconsistent herewith and for other purposes

ARTICLE I

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each county of the second class of this Commonwealth there is hereby created a body corporate and politic to be known as the "Authority" of said county (hereafter in this act called the "Authority") provided however that such "Authority" shall not become operative nor transact any business until and unless the board of county commissioners of the county in which it is created shall by proper resolution declare its creation and appoint and designate the members thereof as in this act herein prescribed Such "Authority" shall constitute a public body corporate and politic of said county for the public purposes herein set forth and shall exercise an essential governmental function in effectuating such purposes and to that end said "Authority" shall be endowed with and is hereby granted the following powers to-wit

(a) To construct maintain and operate bridges tunnels streets highways traffic distribution centers traffic circles airports hangars parkways recreation grounds and facilities public parks swimming pools lakes dams and parts of any of said projects and improvements thereof and additions thereto and to charge and collect fees tolls rentals and charges in connection with any or all of said structures projects additions or improvements and any or all parts thereof the proceeds therefrom to be used for the purpose of maintaining and operating the same and of repaying to the United States Government and to others any and all monies and interest thereon which may have been borrowed therefrom in connection with the purposes for which said "Authority" was created as same may be due and payable

(b) To enter into any contract or contracts with any street railway company telegraph company telephone company or other corporation or person or persons desiring to make use of any of the projects constructed or maintained pursuant to the purposes for which said "Authority" has been created and under the provisions of this act for the concurrent use of such portion of any of said projects as shall not substantially impair or restrict the public use and enjoyment thereof upon such rates terms and conditions as shall be agreed upon or to charge tolls or rentals for such special use provided however that such rates terms and conditions shall in no instance be less than the rates terms and conditions paid and met for like rights service and privileges within said county

(c) To construct and maintain or to lease the right to construct and maintain roads highways bridges tunnels gas mains water mains and other mechanical equipment and appliances appropriate proper and necessary in connection with the con-

struction operation and use of such projects by the public on over under along across or through any land and between any points which may be necessary for the construction and maintenance of such projects and the carrying out of the purposes for which said "Authority" is created

(d) To continue as a body corporate and politic for the time specified in this act

(e) To sue and be sued complain and defend in its own name

(f) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile thereof to be impressed or affixed or in any manner reproduced

(g) To purchase take receive lease as lessee take by gift devise or bequest or otherwise acquire and to own hold use and otherwise deal with any real or personal property or any interest therein situated in the county in which said "Authority" is created and set up which may be appropriate to enable it to accomplish fully and properly its purpose or purposes

(h) To sell and convey lease as lessor and otherwise dispose of all or any part of its property and assets

(i) To borrow money for any or all of the purposes for which it is organized to issue its promissory notes bonds or other forms of certificates of indebtedness with interest as evidence thereof and to secure any of its obligations by mortgage pledge or deed of trust of or on any of its property franchises and income

(j) To enter into any obligation necessary for the transaction of its ordinary affairs

(k) To purchase take by gift devise or bequest or otherwise acquire and to hold shares of stock or bonds securities or evidences of indebtedness issued or created by any other corporation or corporations of this or any other State and while the owner thereof to exercise all the rights powers and privileges of ownership including the right to vote thereon provided however that such ownership of such shares securities or evidences of indebtedness does not result in pecuniary profit or gain to the members of the "Authority"

(l) To have and exercise all of the powers and means necessary or essential to effect the purpose or purposes for which the "Authority" is organized

(m) To have and exercise the right and power of eminent domain for the acquisition of real property (the title thereto so acquired being title in fee simple) necessary for and in connection with the business of the "Authority" and for the purposes for which it was created but not to assess levy or collect any taxes of any kind or nature or for any purpose whatsoever specifically to borrow from the Government of the United States or other funds for the construction maintenance and operation of the projects for which said "Authority" shall have been created and to issue its negotiable bonds or other obligations secured by mortgage and trust deed given therefor and to provide for the rights of the holders thereof

(n) To elect a chairman vice-chairman secretary and treasurer and to adopt suitable by-laws for the management of its affairs The secretary and treasurer need not be member or members of the "Authority"

(o) To appoint and designate such officers agents and employes as it may require for the performance of its duties and fix and determine their qualifications duties and compensation

(p) To make rules and regulations for the management and regulations of its affairs

(q) To enter upon any lands waters and premises within the county in which said "Authority" is created and set up for the purpose of making surveys soundings and examinations

(r) To determine the exact location system and character of and all other matters in connection with any and all improvements or facilities which it may be authorized to own construct establish effectuate operate or control

(s) To exercise such other powers not inconsistent with the Constitution of this Commonwealth or of the United States which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers except the power to levy taxes or assessments and generally to exercise in connection with its property and affairs and in connection with property within its control any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs

(t) To dissolve and wind up the "Authority" and specifically when as and if all indebtedness to the United States and all other proper and lawful indebtedness of the "Authority" shall have been fully paid it shall be the duty of the "Authority" through appropriate action of its officers and members to convey and transfer in fee simple free and clear of all debts liens encumbrances and obligations whatsoever to the county in which said "Authority" shall have been created and set up all of the projects improvements structures and operations constructed erected acquired or maintained by said "Authority" during the period of its corporate existence and any and all monies contracts bills and notes receivable leases franchises and all other property whether real or personal of the "Authority" to render to said county by its proper officers full and complete account of all the transactions and business of the "Authority" and to dissolve and wind up its affairs and thereafter cease entirely to exist

ARTICLE II

Section 201 Whenever the county commissioners of any county of the second class shall desire to form an "Authority" under this act they shall adopt a resolution signifying their intention so to do Such resolution need not specify the particular project or projects for which the "Authority" is to be formed

Section 202 The county commissioners of such county shall cause a notice of the resolution to be published at least one time in the legal periodical of the county in which the "Authority" is to be formed and at least one time in one newspaper of general circulation published in the county The said notice shall contain a brief statement of the substance of the resolution making reference to this act and shall state that on a day certain not less than three days after publication of the said notice articles of incorporation of the proposed "Authority" will be filed with the Secretary of the Commonwealth

Section 203 On or before the day fixed for the notice above provided for the county shall file with the Secretary of the Commonwealth articles of incorporation together with proof of the advertisement required by the preceding section If the Secretary of the Commonwealth finds that the articles of incorporation conform to law he shall forthwith but not prior to the day specified in the notices required by the preceding section endorse his approval thereon and when all proper fees and charges have been paid shall file the articles and issue a certificate of incorporation to which shall be attached a copy of the approved articles The articles upon being approved and filed by the Secretary of the Commonwealth shall constitute the charter of the "Authority"

Section 204 The articles of incorporation shall be executed by each incorporating county by its county commissioners and under its county seal and shall be acknowledged on behalf of each county by its county commissioners

Section 205 The articles of incorporation shall set forth

(a) The name of the "Authority"

(b) A statement that an "Authority" is formed under this act

(c) The name of the incorporating county together with the names and addresses of its county commissioners and the chief clerk of the board of county commissioners

(d) The specific project for the construction and operation of which the "Authority" is formed in cases where the resolutions adopted by the county commissioners designated particular projects

Section 206 Upon the issuance of the certificate of incorporation by the Secretary of the Commonwealth the "Authority's" existence shall begin The certificate of incorporation shall be conclusive evidence of the fact that the "Authority" shall be incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate an "Authority" which should not have been formed under this act or which had been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation

ARTICLE III

Section 301 The "Authority" shall consist of three members all of whom shall be citizens of this Commonwealth and of the county in which said "Authority" is created and set up and who shall be designated and appointed by the county commissioners to serve for a period of six years All members shall continue to hold office after the expiration of the terms for which they are appointed unless or until their respective successors are appointed and qualified but no period during

which any member shall hold over shall be deemed to be an extension of his term of office for the purpose of computing the date on which his successor's term expires

Section 302 The members shall have entire charge of the "Authority's" property and affairs and shall for the purpose of doing business constitute a board but no action of the board shall be binding unless a majority of the members of the "Authority" shall vote in favor thereof

Section 303 The salary or compensation of the officers and members of the "Authority" shall be fixed and determined by the salary board of the county in which said "Authority" is created and set up but none of such salaries of compensation shall be increased or diminished during the term for which the officer or member receiving the same shall have been appointed

Section 304 Vacancies in the office of president vice-president secretary or treasurer caused other than by expiration of term shall be filled by election by the members of the "Authority" Vacancies in the membership of the "Authority" shall be filled by appointment by the county commissioners of the county in which said "Authority" is created and set up

ARTICLE IV

Section 401 If for any of its authorized purposes the "Authority" shall find it necessary or convenient to acquire any real property in the county in which said "Authority" is created and set up whether for immediate or future use the "Authority" may find and determine that such property whether a fee simple absolute or a lesser interest is required for public use and upon such determination the said property shall be deemed to be required for a public use until otherwise determined by the "Authority" and the said determination shall not be affected by the fact that such property has theretofore been taken for or is then devoted to a public use but the public use in the hands or under the control of the "Authority" shall be deemed superior to the public use in the hands or under the control of any other person association or corporation

If the "Authority" is unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property in the county in which said "Authority" is created and set up for any reason whatsoever then the "Authority" may acquire such real property in the manner provided for the acquisition of such property by counties of the second class in the exercise of the right of eminent domain

The power of the "Authority" to acquire real property by condemnation or the exercise of the power of eminent domain in the county in which said "Authority" is created and set up shall be a continuing power and no exercise thereof shall be deemed to exhaust it

The "Authority" and its duly authorized agents and employes may enter upon any land in the county in which said "Authority" is created and set up for the purpose of making such surveys maps or other examinations thereof as it may deem necessary or convenient for its authorized purposes

All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania not withstanding any contrary provision of law are hereby authorized and enpowered to lease lend grant or convey to the "Authority" upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships political subdivisions or other municipalities may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned and real property which may be necessary or convenient to the effectuation of the authorized purposes of the "Authority" including real property already devoted to public use

The term "real property" as used in this act includes lands structures franchises and interests in land including lands under water and riparian rights and any and all things and rights usually included within the said term and includes not only fees simple absolute but also any and all lesser interests such as easements rights of way uses leases licenses and all other incorporeal hereditaments and every estate interest or right legal or equitable including terms of years and liens thereon by way of judgments mortgages or otherwise and also claims for damage to real estate

ARTICLE V

Section 501 Notwithstanding any provisions of this act the "Authority" shall have no power to pledge the credit of the Commonwealth of Pennsylvania or the credit of any county city borough township or other municipality of said Commonwealth or to create any debt of said Commonwealth or of such municipality county city borough or township and the bonds and debts of said "Authority" shall be a lien upon and payable solely from the assets and revenues of said "Authority"

Section 502 The "Authority" within sixty days after the first day of January each year shall cause a complete audit of its affairs to be made by a firm of certified public accountants approved by the county commissioners of the county in which said "Authority" is created and set up and shall furnish a copy thereof to the said county commissioners the Federal Emergency Administration of Public Works and if desired to the trustee under any mortgage or deed of trust given to secure any bonds issued by the "Authority"

Section 503 Before entering upon the duties of office the treasurer of the "Authority" shall furnish a bond with at least one corporate surety or three individual sureties in an amount not less than one hundred per centum of the estimated amount of the largest sum which will probably be in the treasurer's hand at one time during the succeeding year Such bonds shall be conditioned for the safe-keeping of the moneys of the "Authority" and faithful performance of the treasurer's duties

In lieu of furnishing surety bond as above provided the treasurer may pledge with any bank trust company or bank and trust company in Pennsylvania which may be agreed upon securities to guarantee safe-keeping of the funds of the "Authority" and faithful performance of his or its duties The securities so pledged shall have a market value of not less than one hundred twenty per centum of the estimated amount of the largest sum which will probably be in the hands of the treasurer at one time during the succeeding year The "Authority" shall have the right to require the pledging of additional securities if and when the securities already pledged shall become depreciated below said value. All securities so pledged shall be accompanied by proper assignments or powers of attorney for their transfer

ARTICLE VI

Section 601 The "Authority" is hereby authorized to make and enforce such rules and regulations and to establish levy and collect (or to authorize by contract franchise lease or otherwise the establishment levying and collection of) such tolls rents rates fees and other charges in connection with any properties which it may construct erect acquire own operate or control as it may deem necessary proper desirable and reasonable which said tolls rents rates fees and other charges shall be at least sufficient to meet the expenses thereof including the cost of maintenance and operation thereof and interest and sinking fund or amortization charges and the "Authority" is hereby authorized and empowered to pledge such tolls rates rents fees and other revenues or any part thereof either presently received or to be received in the future or both as security for the repayment with interest and taxes if any of any monies borrowed by it or advanced to it for any of its authorized purposes and as security for the satisfaction of any other obligation assumed by it in connection with such loans or advances

ARTICLE VII

Section 701 The Commonwealth of Pennsylvania and all municipalities and political subdivisions thereof so long as any bonds or other securities or obligations of the "Authority" remain outstanding and unpaid and unless and until adequate provision is made by law for the protection of those advancing money upon obligations shall not diminish or impair the power of the "Authority" to own operate or control its properties and facilities or to establish levy and collect tolls rents rates fees and other charges in connection with such properties or facilities

ARTICLE VIII

Section 801 The bonds or other securities or obligations which may be issued by the "Authority" for any of its authorized purposes and as security for which there may be

pledged the property tolls rents rates fees and other revenues or any part thereof of any properties or facilities owned operated or controlled by the "Authority" are hereby made securities in which all State and municipal officers and bodies of the Commonwealth of Pennsylvania all banks bankers trust companies savings banks saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth of Pennsylvania may properly and legally invest any funds including capital belonging to them or within their control and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officer or agency of the Commonwealth of Pennsylvania for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized

ARTICLE IX

Section 901 The effectuation of its authorized purposes by the "Authority" is and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania for the increase of their commerce and prosperity and for the improvement of their health and living conditions and since the "Authority" will be performing essential governmental functions in effectuating said purposes the "Authority" shall not be required to pay any taxes or assessments upon any property acquired or used by it for such purposes and the bonds or other securities or obligations issued by the "Authority" their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation within the Commonwealth of Pennsylvania

ARTICLE X

Section 1001 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 1002 All acts or parts of acts inconsistent herewith are hereby repealed

Section 1003 This act shall become effective immediately upon the approval thereof by the Governor of this Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 53, the bill just read, be recommitted to the Committee on Municipal Affairs.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 54, as follows:

An Act abating interest penalties and costs on county city borough town township school and poor taxes on real property for the year one thousand nine hundred and thirty-two and years prior thereto in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That all persons co-partnerships associations and corporations owning real property on which the county city borough town township school or poor taxes for the year one thousand nine hundred and thirty-two or any years prior thereto have not been paid may pay the amount of the principal of such taxes in full without interest penalties and costs at any time within two years after the effective date of this act and such payment shall discharge such owners and the lands against which such taxes were levied of all further liability for such taxes interest penalty and costs

Section 2 All collectors of such taxes are hereby authorized to accept the principal amount of such taxes in full at any time within the period of such two years without interest penalty or costs and shall be given credit for the same and shall be exonerated for such interest penalty and costs upon the settlement of their tax accounts

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 56, as follows:

An Act authorizing counties boroughs towns townships and school districts having moneys borrowed for one purpose to use the same for other purposes which will aid recovery from existing economic depression and requiring in certain such cases the assent of the electors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the word "municipality" as used in this act means any county poor district borough incorporated town school district or township The word "municipal" herein is used with reference to such municipality

Section 2 For the purposes of this act "recovery objectives" shall mean objects and purposes intended to aid and promote recovery from the existing economic depression and the prevailing social emergency

Section 3 Whenever any municipality shall have increased its indebtedness in accordance with the provisions of an act approved the twentieth day of April one thousand eight hundred seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and the indebtedness so increased is in excess of the amount required for the purposes for which it was incurred or the purpose for which said increase was authorized has proved to be impracticable unfeasible or impossible in whole or in part the proper authorities of any such municipality may by their ordinance resolution or vote signify their desire and purpose to use the money so borrowed or the excess remaining unexpended for any other lawful municipal purpose that may be consistent with and in furtherance of recovery objectives.

Section 4 Where the moneys intended to be reallocated and used by virtue of the reasons and for the objectives stated in the preceding sections hereof shall have been derived by the act of the respective municipal authorities without vote of the electors their use for a different purpose than the original purpose or purposes for which they were designed may be effectuated by ordinance resolution or vote of the proper municipal authorities. In such event several municipalities respectively shall have the power to adopt such further ordinances or resolutions as may be appropriate to put into force the proposed reallocation and use of such moneys

Section 5 Where any such indebtedness shall have been increased with the assent of the electors of any such municipality in addition to the ordinance resolution or vote of the municipal authorities authorizing the reallocation and use of such moneys the assent of the electors thereto shall be obtained as hereinafter provided

Section 6 The corporate authorities of any such municipality shall give notice during at least thirty days by weekly advertisements in newspapers not exceeding three in the district and if no newspaper be published therein then by at least twenty printed handbills posted in public places in said municipality of an election to be held at the place or places of holding the municipal elections on a day to be by them fixed Such notice shall state (a) The date of such election (b) the amount of money theretofore borrowed (c) the purpose for which such money was originally authorized (d) the reason why said money may not be used for the purpose for which it was borrowed or the amount of the excess remaining unexpended from the indebtedness authorized (e) the new purpose for which the municipal authorities of such municipality desire to use said money

A certified copy of the ordinance or resolution hereinbefore required and all of the above notice shall be filed in the office of the clerk of the court of quarter sessions

Section 7 Such election shall be held at the place hours and under the same regulations as provided by law for the holding of municipal elections and the question to be submitted to the electors shall be in the following form

Shall the sum of ..... dollars heretofore borrowed by the ..... of ..... for the purpose of ..... and remaining unexpended be used by said ..... for the purpose of .....

Section 8 If at such election a majority of the electors shall vote in favor of using said borrowed money or the excess remaining unexpended for the purpose other than that for which it was originally authorized the said money shall thereafter be used for such new purpose in the same manner as if it had originally been authorized and borrowed for such purpose

Section 9 It is the intent of this act not to repeal any like or similar legislation that is not restricted to furthering recovery objectives

Section 10 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 62, as follows:

An Act reducing to five days the period during which municipal subdivisions of the Commonwealth are required to advertise notice of proposed awards of contracts for articles to be used on projects financed by the Federal Civil Works Administration

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That notwithstanding any law to the contrary it shall not be necessary for any city county borough incorporated town township shool district or poor district to advertise for a period longer than five days any proposal to award any contract for the lease or purchase of tools equipment materials or supplies which shall be necessary for and are to be used in carrying out any public works project which is being financed by funds granted by the Federal Civil Works Administration

Section 2 This act is enacted as an emergency measure to facilitate the acceptance by political subdivisions of the State of moneys made available for public works therein by the Federal Civil Works Administration and it shall not affect the manner of awarding contracts for any articles purchased for any purpose other than use on projects so financed

Section 3 This act shall become effective immediately upon its final enactment

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed to the extent of any such inconsistency

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 63, as follows:

An Act to amend section three of the act approved the third day of June one thousand nine hundred and thirty-three (Pamphlet Laws one thousand five hundred twenty) entitled "An act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the various political subdivisions of the Commonwealth for the maintenance of certain streets and roads during the calendar years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five and requiring political subdivisions to reduce their tax rates for road and street purposes for said years providing for certification of mileage of public roads and streets by municipal authorities to the Department of Highways and providing for the use and maintenance of road building machinery and equipment belonging to such political subdivisions by the Department of Highways in carrying out the purposes of this act" by relieving the Department of Highways of the repair and maintenance of certain roads in townships of the second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That section three of the act approved the third day of June one thousand nine hundred and thirty-three (Pamphlet Laws one thousand five hundred twenty) entitled "An act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the various political subdivisions of the Commonwealth for the maintenance of certain streets and roads during the calendar years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five and requiring political subdivisions to reduce their tax rates for road and street purposes for said years providing for certification of mileage of public roads and streets by municipal authorities to the Department of Highways and providing for the use and maintenance of road building machinery and equipment belonging to such political subdivisions by the Department of Highways in carrying out the purposes of this act" is hereby amended to read as follows

Section 3 Of the amount appropriated to the Department of Highways for use upon the streets and roads in cities of the third class boroughs incorporated towns and townships of the first class there shall be expended or allocated by the Department of Highways in or to each of such political subdivisions at the option of the proper authorities of each subdivision expressed in writing to the Department of Highways for the repair and maintenance of streets and roads therein not repaired and maintained by the Department of Highways under the provisions of any other law such proportion of the total amount hereinbefore provided for use in the political subdivisions of which it is a class as the miles of streets or roads under its jurisdiction within its municipal limits and not maintained by the Department of Highways under the provisions of any other law bears to the total number of miles of such streets or roads within the municipal limits of all the political subdivisions of which it is a class as above provided

[Of the] The amount appropriated to the Department of Highways for use upon streets and roads in townships of the second class [there] shall be [expended] allocated by the Department of Highways [in each of] among such townships of the second class and shall be expended by such township for the construction repair and maintenance of streets and roads therein not repaired and maintained by the Department of Highways under the provisions of any other law such proportion of the total amount hereinbefore

provided for use in townships of the second class as the miles of streets or roads under its jurisdiction within its municipal limits and not maintained by the Department of Highways under the provisions of any other law bears to the total number of miles of such streets or roads within the municipal limits of all townships of the second class

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communications from His Excellency, the Governor of the Commonwealth which were referred to the committee on Executive Nominations:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advise and consent of the Senate the appointment of Claude Dankel, of Summit Hill, Carbon County, as Justice of the Peace in the Borough of Summit Hill, Carbon County, vice James A. Cunningham, deceased, until the first Monday in January, 1936.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Ralph H. Ewers, Indianola.
John Maccarone, Pittsburgh, 1253 Columbus Avenue.

NORTHAMPTON COUNTY

Oliver F. Evans, Easton.

GIFFORD PINCHOT.

REPORTS FROM COMMITTEES

Mr. HOMSHER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER, from the Committee on Finance, reported as committed, Senate Bill No. 65 (House Bill No. 17), entitled:

An Act to amend the title and certain sections of the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permits through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by providing that the act shall be administered by the Pennsyvlania Liquor Control Board making the act inconsistent with the repeal of the Eighteenth Amendment changing definitions and exemptions bringing rectifiers and blenders within the act allowing appeals to the courts providing for the abatement of nuisances and increasing fees.

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to make report from the committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER, from the Committee on Finance, reported as committed, Senate Bill No. 64 (House Bill No. 8), entitled:

An Act imposing States taxes, payable by those herein defined as manufacturers and importers, on the privilege of manfacturing, selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors, providing for the collection of the taxes and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments, and upon manufacturers, importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties.

MOTION TO READ BILLS THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 8, entitled:

An Act for the acquisition of property by the Commonwealth east of the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg, and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 9, entitled:

An Act making an appropriation to the Department of Property and Supplies for the erection of an additional office building in Capitol Park, and for grading and terracing the ground surrounding the same.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 10, entitled:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon, and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 31, entitled:

An Act authorizing the Department of Property and Supplies to act as purchasing agency for certain Federal agencies and making an appropriation of moneys received to reimburse the department for the cost of so acting.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 34, entitled:

An Act authorizing the State Treasurer to act as custodian of moneys and securities contributed to or deposited with the Commonwealth or officers, departments, boards, or commissions of the Commonwealth, prescribing the manner in which such moneys or securities shall be held and disbursed or delivered up, and making an appropriation to the Treasury Department for the cost of administering such moneys and securities.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 55, entitled:

An Act making an appropriation of moneys in the Motor License fund to the Department of Public Instruction, and providing for the repayment of such moneys from the General Fund.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 64 (House Bill No. 8), entitled:

An Act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcoholic and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 65 (House Bill No. 17), entitled:

An Act to amend the title and certain sections of the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permits through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by providing that the act shall be administered by the Pennsylvania Liquor Control Board making the act inconsistent with the repeal of the Eighteenth Amendment changing definitions and exemptions bringing rectifiers and blenders within the act allowing appeals to the courts providing for the abatement of nuisances and increasing fees.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10.27 A. M., until 9 o'clock Monday evening, December 4, 1933.

HOUSE OF REPRESENTATIVES

WEDNESDAY, November 29, 1933

The House met at 12:15 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Rev. Frank W. Ruth, a member of the House, offered the following prayer:

Almighty God, our heavenly Father, we thank Thee for this opportunity to again serve Thee and our fellow man. Give us wisdom to understand that we are the representatives of the people and in carrying out that delicate task may we do Thy will. We ask it in the Master's name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. Jones, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. HARMUTH. HOUSE BILL No. 150.

An Act establishing a State Emergency Public Works Commission prescribing and defining its powers and duties including the power to prepare an emergency program of construction projects for the immediate creation of employment with the assistance of the various State agencies having charge of the construction of public works and the various duly constituted official planning agencies or citizen-constituted planning bodies which have developed general plan studies to devise and recommend for adoption by local and State governments draft of legislation establishing properly staffed and empowered official planning bodies to study and recommend in general terms such types of legislation as will encourage or effect such needed reforms of financial and taxing procedure as are particularly related to the execution of public works and which will also result in the establishment of long-term programs of public works construction and expenditure, providing for the terms, salaries and compensation of the members of the State Board, its officers and employees and making an appropriation for its work.

Referred to the Committee on State Government.

By Mr. SCHWARTZ. HOUSE BILL No. 151.

An Act to amend sections two, three, five, six, seven, eight, ten, eleven, twelve, section thirteen as amended, sections fourteen, nineteen, twenty, twenty-one, twenty-two, twenty-four, twenty-six, thirty-two, thirty-three, thirty-four, thirty-six, thirty-seven, section forty-three as amended, sections forty-seven, forty-nine of, and to add sections eight and one-tenth, twelve and one-tenth, twenty-three and one-tenth, twenty-three and two-tenths, twenty-five and one-tenth, forty-nine and one-tenth, forty-nine and two-tenths, forty-nine and three-tenths to the act approved the tenth day of July, one thousand nine hundred and nineteen, P. L. 857), entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections, and their enrollment as members of political parties as a further condition of their right to vote at primaries, in cities of the first class of this Commonwealth, by removing from office all existing registration commissioners and their appointees in said cities, and authorizing the Governor to appoint registration commissions therein; defining the jurisdiction of said commissions, and the powers and duties of the commissioners constituting same, and of their appointees, including registrars, inspectors of registration, clerks, and counsel; fixing their qualifications, terms of office, and compensation; granting them certain immunity from arrest on registration days; and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence, as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof, to copy or demand a list of the lodgers therein, and to supervise the conduct of registrars; regulating the registration of electors at polling places by registrars, and at the offices of commissions by commissioners, and the right of parties or bodies of electors to have watchers thereat, and the prepration and use of street lists and other records of those registered; allowing the names of persons not entitled to vote to be struck from the registers in certain cases; permitting all records regarding registration to be inspected and copies by any elector under certain conditions; directing how the registers shall be used at elections and primaries; compelling the attendance of witnesses and payment of witness fees; and providing penalties for refusal to obey subpoenas; directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor; authorizing such clerks to administer oaths, sign subpoenas and vouchers, and to collect and disburse witness fees; prescribing a method for challenging persons applying for registration, and the procedure for the correction of registers, and for appealing from actions of registrars to said commissions; and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas; imposing certain duties upon election officers and upon the councils, treasurers, controllers, receivers of taxes, police officers, and other officials of said cities and upon the courts, judges, prothonotaries, sheriffs, commissioners, peace officers, and other officials of the judicial districts and counties in which said cities are situated or with which they are co-extensive; legalizing certain acts required hereby if done on any Sunday or legal holiday; requiring said cities to provide for the maintenance of said commissions, and the compensation of their appointees, and the payment of all expenses necessary to carry out the provisions of this act, and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions; punishing and fixing penalties for violations hereof; and repealing all legislation inconsistent herewith"; providing a system of perman nt personal registration for such cities; changing the number of the members of the registration commission, removing the existing registration commissioners, and providing for the appointment of the new members thereof; and imposing additional duties and restrictions upon the registration commissioners, county commissioners, registrars, and inspectors of registration.

Referred to the Committee on Elections.

By Mr. SCHWARTZ. HOUSE BILL No. 152.

An Act to amend the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law, providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws;" by requiring certain insurance companies and employer's mutual liability associations to segregate funds for the payment of claims under the Workmen's Compensation act; defining the status of such funds; and providing for their administration by the State Workmen's Insurance Fund in certain cases.

Referred to the Committee on Insurance.

By Mr. CRAIG. HOUSE BILL No. 153.

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

Referred to the Committee on Constitutional Amendments.

By Mr. JOSEPH R. LYNCH. HOUSE BILL No. 154.

An Act to amend section twenty of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts;" making it unlawful for manufacturers of such beverages to sell the same to other than licensed distributors, except for export from this Commonwealth.

Referred to the Committee on Judiciary General.

By Messrs. STEVENS and THOMAS J. GALLAGHER. HOUSE BILL No. 155.

An Act imposing an additional excise license tax for school purposes on each store or mercantile establishment in excess of one, operated or maintained within this Commonwealth under the same general management, supervision or ownership; providing for the collection of such tax; imposing penalties; and making an appropriation of the moneys collected hereunder.

Referred to the Committee on Ways and Means.

By Mr. SOWERS. HOUSE BILL No. 156.

An Act making an appropriation out of the Motor License Fund of the Department of Welfare for old age assistance.

Referred to the Committee on Appropriations.

By Mr. HUTTON. HOUSE BILL No. 157.

An Act creating an independent administrative commission to be known as the Pennsylvania Milk Control Commission.

Referred to the Committee on State Government.

By Mr. HUTTON. HOUSE BILL No. 158.

An Act relating to milk control; defining the jurisdiction, powers and duties of the Pennsylvania Milk Control Commission, and imposing duties on milk dealers.

Referred to the Committee on State Government.

By Mr. HUTTON. HOUSE BILL No. 159.

An Act to amend sections one, two, three, four and seven, as amended, and sections eleven, twelve, thirteen and fourteen, of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entitles dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties" transferring the powers and duties of the Secretary of Health and the Advisory Health Board under said act, and its amendments, to the Pennsylvania Milk Control Commission; limiting the powers of municipalities in regards to milk control; limiting authorized milk designations and the requirement of milk contents to be resold for pasteurization.

Referred to the Committee on State Government.

By Mr. HUTTON. HOUSE BILL No. 160.

An Act to amend section one as amended, section three, sections four and five as amended, sections six, ten, eleven and fourteen, of the act, approved the sixth day of May, one thousand nine hundred and twenty-five (P. L. 541), entitled "An act providing for the protection of the public health and the prevention of fraud and deception by regulating the weighing, testing, buying, and selling of milk and cream; providing for the examination and appointment of certified testers and the issuing of licenses and making of tests; and proviving penalties;" transferring the powers and duties of the Secretary of Agriculture and the Department of Agriculture under said act to the Pennsylvania Milk Control Commission.

Referred to the Committee on State Government.

By Mr. O'KEEFE. HOUSE BILL No. 162.

An Act providing for the classification of real estate in counties of the second class so as to distinguish between buildings and land, and for the fixing of different rates of taxes thereon.

Referred to the Committee on Counties.

By Mr. HOWARD. HOUSE BILL No. 163.

An Act to amend section six as amended and section eight of the act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State Committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursements by the State, of the expenses of the same; authorizing the State Committee of a political party to make, and to alter, amend and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," prohibiting candidates for certain offices from being candidates for more than one party nomination, and requiring candidates' affidavits from candidates for additional offices.

Referred to the Committee on Elections.

By Mr. BOYD. HOUSE BILL No. 164.

A Joint Resolution proposing an amendment to section eighteen of article three of the Constitution to the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. JAMES E. LOVETT. HOUSE BILL No. 165.

An Act to amend section six hundred and seventeen of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts;" prohibiting the imposition of fines upon shareholders.

Referred to the Committee on Building and Loan Associations.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 17. (HOUSE BILL No. 161).

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties or city and county purposes imposing taxes upon certain classes of personal property providing for the assesment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation wihch provided for raising revenue for State purposes" as amended by excluding interest bearing accounts in any bank or banking institution savings institution or trust company from the provisions thereof.

Referred to the Committee on Ways and Means.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

LEAVES OF ABSENCE

Mr. LONG asked and obtained leave of absence for Mr. Gartner on account of illness.

Mr. WILLIAM L. BROWN asked and obtained leave of absence for Mr. William A. Walker.

REPORT FROM COMMITTEE

Mr. HOOPES, from the Committee on Elections, reported as amended, House Bill No. 80, entitled:

An Act to amend section two of the act approved the fifth day of March, one thousand nine hundred and six, (P. L. 63), entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions," as amended; providing that the county commissioners may appoint the registrars for each district without nomination petitions from the party representatives of the dsitrict.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 10.

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages confering powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation of such beverages into the State except as herein provided prohibiting certain sales of practices in connections with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of license fees and imposing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 10, by inserting after the word "Implication" the words "or bringing"; also in line 12, by striking out the word "of" and inserting in lieu thereof the word "or."

Amend Section 1, page 2, line 20, by inserting after the word "existence" the words "and operation"; also in line 22, by striking out the word "twenty" and inserting in lieu thereof the word "ten."

Amend Article II, page 6, line 5, by striking out the words "Alcohol Permit" and inserting in lieu thereof the words "Liquor Control."

Amend Section 202, page 8, line 16, by inserting after the word "act" the following: "and of liquor lawfully acquired by any person prior to January first one thousand nine hundred and thirty-four"; also in line 25, by inserting after the word "revenue" the following: "(j) Advertising the sale of liquors and malt liquors."

Amend Section 302, page 10, line 8, by striking out the following: "to operate Pennsylvania Liquor Stores"; also in line 10, by striking out the following: "to operate or assist in the operation of Pennsylvania Liquor Stores for other establishments maintained by the board"; also in line 12, by inserting after the word "board" the following: "after January first, one thousand nine hundred and thirty-four"; also in line 13, by inserting after the syllable "tion" the following: "Any officers or employees engaged prior to January first, one thousand nine hundred and thirty-four except employees heretofore in the service of the Pennsylvania Alcoholic Permit Board shall be deemed provisional employees and shall be retained thereafter only under the provisions of this section"; also in line 19, by adding after the word "States" the following: "and in the case of appointment to operate or assist in the operation of liquor stores shall be qualified electors of the county in which the store is located"; also in line 26, by striking out the word "his" and inserting in lieu thereof the word "him"; also on page 11, line 27, by inserting after the word "Commonwealth" the following: "All such examination papers shall be graded on a basis of one hundred per centum and less Such examination papers shall immediately thereafter be filed and the applicants listed Any person who shall have been a member of the armed forces of the United States during a war or expedition for which the Government of the United States issued a campaign badge whose separation from said service was honorable whether by discharge or otherwise shall receive in addition to his rating on his examination paper an additional rating of five per centum."

Amend Section 305, page 13, line 25, by inserting after the word "cash" the following: "except that the Board may by regulation authorize the acceptance of checks for liquor sold at wholesale."

Amend Article IV, page 15, line 10, by striking out the following "To sell liquor for consumption on the premises" and inserting in lieu thereof the words "and permits."

Amend Section 402, page 16, line 10, by inserting after the word "board" the following: "If the applicant is a natural person his application must show that he is a citizen of the United States and has been a resident of this Commonwealth for at least three years immediately preceding his application If the applicant is a corporation the applicant must show that the corporation was created under the laws of Pennsylvania or holds a certificate of authority to transact business in Pennsylvania and that the manager of the hotel restuarant or club is a citizen of the United States and has been a resident of this State for at least three years immediately preceding the date of the application."

Amend Section 403, page 16, line 24, by striking out the word "is" and inserting in lieu thereof the words "seeks a license for"; also in line 26, by inserting after the word "shall" the following: "in the case of a hotel or restaurant and in the case of a club may"; also on page 17, line 4, by inserting after the word "hotel" the word "or"; also in same line by striking out the word "or club"; also in line 7, by striking out the following: "Licenses shall be issued to applicants if natural persons only to such who are citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding the application for license or when corporations only to such as were organized or are duly authorized to transact business in this Commonwealth and all of whose officers and directors shall be citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding the application for license."

Amend Section 407, page 19, line 21, by inserting after the figures "($50.00)" the following: "except clubs which cater to groups of non-members either privately or for functions in which case the license fee shall be the same as for hotels and restaurants located in the same municipality and the board shall by its rules and regulations define what constitutes catering under this clause."

Amend Section 410, page 21, line 14, by striking out the words "by Court of Quarter Sessions"; also in line 27, by inserting after the word "final" the following: "The Board may also after notice and hearing revoke a club license for any reason which would justify revocation of such license by the court."

Amend Section 411, page 22, line 6, by inserting after the word "hotel" the word "or"; also in same line by striking out the word "or club"; also in line 16, by striking out the word "or"; also in same line by striking out the heavy faced brackets before the word "or" and after the word "club"; also in line 18, by striking out the following: "and it shall be unlawful for any licensee to keep display or mix drinks in any part of a public dining room or to employ or permit any female to serve liquor or malt liquor to guest patrons or members"; also in line 23, by striking out the words "other than clubs."

Amend Section 414, page 25, line 20, by inserting after the word "may" the words "purchase from manufacturers or bring or".

Amend Section 415, page 26, line 7, by inserting after the word "to" the words "bring or" Also in same line after the word "from" by inserting the words "other States"; also in same line by inserting after the word "countries" the following: "and insular possessions of the United States."

Amend Section 602, page 29, line 19, by inserting after the word "which" the following: "was not lawfully acquired prior to January first one thousand nine hundred and thirty four or."

Amend Section 605, page 31, line 18, by inserting after the word "in" the words "his own"; Also in line 19 by striking out the word "the" and inserting in lieu thereof the word "his"; also in same line by striking out the words "of such manufacturer"; also in line 19, by striking out the word "of such vehicle"; Also in line 21, by inserting after the word "height" the words "or in the vehicle of another person duly authorized to transport liquor within this Commonwealth".

Amend Section 610, page 35, line 21, by inserting after the word "sell" the word "in"; also in the same line by inserting after the word "shall" the words "bring or"; also in the same by inserting after the word "to" the words "bring or"; also in line 22, by striking out the word "in" and inserting in lieu thereof the word "into"; also in line 25, by striking out the words "less than five hundred dollars ($500.00) nor".

Amend Section 801, page 38, line 6, by inserting after the word "of" the following: "manufacturers' permits heretofore issued by the Pennsylvania Alcohol Permit Board may sell liquor not for consumption on the premises otherwise than to Pennsylvania liquor stores and holuers of"; also in line 12, by inserting after the word "revenue" the following:

'The provisions of Section four hundred seven clause (c) shall not be effective until January first one thousand nine hundred and thirty-four

For all licenses and permits issued during the year one thousand nine hundred and thirty-three the full annual license or permit fee shall be charged but such licenses and permits shall be valid until midnight of the thirty-first day of December one thousand nine hundred and thirty-four unless sooner revoked as provided in this act And all bonds filed with the Board in connection with the issuance of such licenses and permits shall cover the period ending December thirty-first one thousand nine hundred and thirty-four

Amend Section 802, page 38, line 22, by striking out the words "is hereby repealed" and inserting in lieu thereof the following: "and all other acts and parts of acts including special or local acts inconsistent herewith are hereby repealed."

On the question,

Will the House concur in the amendments made by the Senate?

The SPEAKER. For the information of the members of the House, on page 8 of this bill, line 27, "advertising the sale of liquors and malt liquors"; this line was inserted by the Senate and then stricken out.

On page 17, line 20, "and has been a resident of this State for at least three years immediately preceding the date of the application". This was inserted by the Senate and afterward stricken out.

Mr. McCLURE. Mr. Speaker, I move that the House concur in the amendments made by the Senate to this bill.

Mr. WITKIN. Mr. Speaker, I move to amend the motion made by the gentleman from Allegheny, Mr. McClure, that the House concur in the amendments made by the Senate, by moving that on page 18, line 10, there be stricken from the bill after the word "shall" the words "In the case of a hotel or restaurant and in the case of a club may."

Also on page 23, I move to amend the motion by striking out on page 23, line 16, after the word "final", the words, "the board may also after notice and hearing revoke a club license for any reason which would justify revocation of such license by the Court."

Mr. Speaker, may I say that I regret that my colleague from Philadelphia, Mr. Gartner, is not here, because I know that if he were here, he would make this motion to amend, and feeling the same as he does with respect to the clubs, I make this motion, and ask the sponsor of the motion if he agrees that this amendment may be made to his motion.

Mr. McCLURE. Mr. Speaker, I accept the amendment of the gentleman from Philadelphia, Mr. Witkin.

The SPEAKER. The gentleman from Philadelphia, Mr. Witkin, offered an amendment to the motion which is a strike-out on page 18, beginning with line 10, "in the case of a hotel or restaurant, and in the case of a club may," and also on page 23 beginning with line 16 "the board may also after notice and hearing revoke a club license for any reason which would justify revocation of such license by the court."

On the question,

Will the House agree to the amendment to the motion?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SOWERS. Mr. Speaker, I rise to a question of parliamentary inquiry?

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. SOWERS. Mr. Speaker, on page 24, line 15, the bracket before and after the words "other than clubs", are an amendment to the motion and accepted by the gentlemen from Philadelphia.

The SPEAKER. The gentleman from Philadelphia is informed that "other than clubs" is now stricken out of the bill.

Mr. SOWERS. Mr. Speaker, does the motion to amend the motion of the gentleman from Allegheny include the removal of the brackets?

The SPEAKER. It does not according to my understanding of the motion of Mr. Witkin.

Mr. SOWERS. Mr. Speaker, then I desire also to amend the motion of the gentleman from Allegheny, Mr. McClure, by striking out the brackets on page 24, line 15, in front of the word "other" and after the word "clubs."

The SPEAKER. Which would include the three words "other than clubs."

Mr. SOWERS. Mr. Speaker, and that would restore to the bill the words "other than clubs"? I desire to add to my motion to amend that the bracket in front of the double bracket and the bracket after the double bracket——

The SPEAKER. Will the gentleman from Philadelphia inform the Chair and the members to which line he is referring to?

Mr. SOWERS. Page 24, line 8.

The SPEAKER. The gentleman will proceed.

Mr. SOWERS. Mr. Speaker, I move that the bracket in front of the double bracket, in front of the word "or," and the bracket back of the double bracket back of the word "club" be stricken from the bill.

The SPEAKER. So that the language would read as follows:—Will the gentleman proceed?

Mr. SOWERS. So that the language will then be "a hotel restaurant or club licensee."

The SPEAKER. I understand that the gentleman does not want to strike out the double brackets?

Mr. SOWERS. Mr. Speaker, the latter part of my motion I omit.

The SPEAKER. Will the gentleman kindly restate his motion?

Mr. SOWERS. Mr. Speaker, I move that the motion of the gentleman from Allegheny, Mr. McClure, be amended by——

The SPEAKER. The chair desires to state to the gentleman from Philadelphia that he is now amending an amendment.

Mr. SOWERS. All right, Mr. Speaker, I am amending an amendment.

Mr. Speaker, I move to amend the amendment of the gentleman from Philadelphia, Mr. Witkin, on page 24, line 15, by striking out the bracket in front of the word "other," and striking out the bracket after the word "clubs," so that line 15 will read "liquor may be sold by licensees other than clubs only."

The SPEAKER. The gentleman from Philadelphia, Mr. Sowers, offers an amendment to the amendment offered by the gentleman from Philadelphia, Mr. Witkin, on page 24, line 15 by striking out the bracket in front of the word "other," and after the word "clubs," which would make the line then read as follows: "Liquor may be sold by licensees other than the clubs only."

Mr. McCLURE. Mr. Speaker, as maker of the motion, I will not accept the amendment of the gentleman from Philadelphia, Mr. Sowers.

On the question of the amendment to the amendment by Mr. Sowers, will the House agree to the amendment?

Mr. SOWERS. Mr. Speaker and members of the House, I understand the gentleman from Philadelphia, Mr. Witkin, will accept the amendment to his amendment, and then I take it then that it is necessary to go to a vote on that.

The SPEAKER. The question is a matter for the body to decide rather than an individual. Therefore the question

before the House will be the accepting of the amendment to the amendment.

Mr. SOWERS. Mr. Speaker and members of the House, I will try to state to you briefly, just what this amendment to an amendment means. The House inserted on page 24, line 15, the words, "other than clubs," thereby meaning that clubs of this Commonwealth may dispense among their members on week-ends intoxicating liquors. The bill went to the Senate and the Senate by amendment struck out the words that the House had inserted, and thereby prohibited clubs on Sundays and week-ends from dispensing liquor. Now, gentleman, clubs are not of recent origin, Clubs have existed for many years. King Charles II endeavored to suppress clubs, and with all the power he possessed he only succeeded in keeping his proclamation in effect for three or four days, and then found it necessary to recall that proclamation. This amendment as inserted by the Senate is in effect the same kind of a proclamation or edict that King Charles in the days of tyranny issued to England. If you take from clubs the money that keeps them functioning, you destroy them. Clubs in the United States are very numerous. In the City of Philadelphia they are very numerous. I am informed that in the country districts clubs are more numerous than they are in the cities. Let me call your attention to just a list of clubs, that come to my mind, in a hurried way: Moose, Elks, Eagles, German Alliance, German-American, Owls, Polish-American Clubs, Italian-American Clubs, Turners', social clubs of all kinds, country clubs, women's clubs, tennis clubs, athletic clubs, farm clubs, the American Legion and Veterans of Foreign Wars. The membership of these clubs is numerous—and my friend back here mentioned the Indian club, and I know where it is. Now, I hope that the Indian Club won't scare any of you, and you will still have the courage that the original Americans had when they settled America and met the Indians in twelve successful battles.

Gentlemen, clubs are an institution. To destroy clubs means to destroy an institution, and whenever you destroy an institution or a custom of a people, you immediately create something else.

From the rostrum I heard the Governor of this Commonwealth, in years gone by, when he was younger and inexperienced, say that he had chased out, or destroyed the saloon in Pennsylvania, and I then guessed, and I know now that in its place he put the speakeasy, the bootlegger, the racketeer and the gangster. I prophesy to you that if you concur in this amendment of the Senate you will in place of a club substitute the racketeer, the bootlegger and the gangster. You will continue the speakeasy and the blind tiger. Pinchot destroyed the saloon, but he successfully created a worse evil. Gentleman, clubs have many voters; May is near, and they don't hesitate to remember who are their enemies and who are their friends. They are organizations already in existence; they will take militant action, and I submit that their wishes should be heeded, and be given attention. I ask the members of this House that you fear not the Indian Club, and that you vote "aye" to put in this amendment to the amendment of the gentleman from Philadelphia, Mr. Witkin.

QUESTION OF INFORMATION

Mr. WITKIN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. WITKIN. On page 24, line 8, do the numerous brackets that appear before the word "or" and after the word "clubs" mean that the words "or" and "clubs" are now in the bill or out of the bill? In other words, can a club, if the bill is passed as is maintain a bar, or can it not?

The SPEAKER. The chair will not go as far as the gentleman requests in the giving of information. The bill reads, "a hotel, restaurant, or club licensee."

Mr. WITKIN. Then, Mr. Speaker, I labored under the delusion that the words, "or" and "club" are out of the bill, and I take it that the gentleman from Philadelphia, Mr. Sowers, labored under a similar delusion when he withdrew his amendment. I now ask whether it is proper to further amend the amendments that I have offered, or whether I should reserve that right until after a vote on the amendment as made by the gentleman from Philadelphia, Mr. Sowers, has been taken?

The SPEAKER. The Chair would suggest to the gentleman from Philadelphia that he withhold this particular amendment until the House acts on the amendment of the gentleman from Philadelphia, Mr. Sowers.

Mr. WITKIN. I shall so do.

The SPEAKER. Therefore, the question now before the House is on the motion of the gentleman from Philadelphia, Mr. Sowers, on page 24, line 15, that the brackets be expunged, so that the line my read, "liquor may be sold by licensees other than by clubs only."

Mr. SOWERS. Mr. Speaker, I ask for a roll call?

Mr. LONG. Mr. Speaker, I second the call for a roll.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WILSON. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question.

Mr. WILSON. I would like to have somebody inform me, and I imagine the Speaker, because I don't know who else to ask, whether these words, "other than clubs" in the bill, whether the effect of taking out those words, or rather making this amendment, will allow clubs to sell on Sunday. I am not asking in opposition, I only want to know?

The SPEAKER. Does the gentleman from Philadelphia, Mr. Sowers, care to reply?

Mr. SOWERS. Mr. Speaker, I did not get the inquiry.

Mr. WILSON. I am asking whether or not under this strikeout if this motion prevails, clubs will be allowed then to sell on Sunday; whether that is the effect? I am asking for information.

Mr. SOWERS. Mr. Speaker, as a lawyer I answer that clubs will not be permitted to sell liquor on Sunday. They will be permitted to distribute liquor among their members. Clubs never sold under the laws of Pennsylvania. All clubs did was to dispense liquor. When a club has liquor in its treasury, or in its possession, all of that liquor belongs to the entire membership, and a man cannot buy that of which he is a part owner, and there is a Supreme Court Case to that effect. I imagine my friend from McKean has often quoted that to the judge and argued it to a jury.

Mr. WILSON. May I interrogate the gentleman from Philadelphia, Mr. Sowers?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sowers, permit himself to be interrogated?

Mr. SOWERS. I will, Mr. Speaker.

Mr. WILSON. For my own information solely, with no effort to influence the House, if this strikeout prevails, will the bill then provide that clubs may dispense liquor, if you prefer that word, on Sunday?

Mr. SOWERS. The bill, if the amendment prevails, will restore the condition to the same condition as existed under the Brooks High License Law. Do I make myself clear?

Mr. WILSON. May I interrogate the gentleman from Allegheny, Mr. McClure?

The SPEAKER. Will the gentleman from Allegheny, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Certainly, Mr. Speaker.

Mr. WILSON. Mr. McClure, if this amendment of Mr. Sowers' prevails, would clubs then be able to dispense liquor on Sunday?

Mr. McCLURE. In my judgment they would be.

Mr. WILSON. They would?

Mr. McCLURE. Yes.

Mr. WILSON. I am asking solely for my own information.

On the question recurring,

Will the House agree to the amendment to the amendment?

The yeas and nays were required by Mr. Sowers and Mr. Long and were as follows:

YEAS—142

Andrews,	Flanagan,	Marcks,	Sarig,
Baker,	Flynn, J. W.,	Mason,	Sautter,
Baldi,	Gallagher, T. J.,	McBride,	Schrope,
Barnhardt,	Gallagher, W. J.,	McCreary,	Schwab,
Bechtel,	Gorman,	McGinnis,	Schwartz,
Beech,	Green,	McGrail,	Scorza,
Bennett,	Greenstein,	McGregor,	Shortz,
Bernhard,	Haines,	Melchiorre,	Shreiner,
Blumberg,	Hamilton,	Meredith,	Shugarts,
Boyd,	Harris,	Moore,	Simon,
Brancato,	Hart,	Munley,	Sinwell,
Brennan,	Heffernan,	Murphy,	Sowers,
Brown, J. E.,	Hefferon,	Myers,	Spann,
Brown, W. L.,	Hermansen,	Nothnagle,	Stank,
Brownfield,	Hester,	O'Connor,	Steedle,
Cannon,	Hoffman,	O'Keefe,	Sterling, P.,
Caputo,	Holmes, J. B.,	O'Neill,	Sterling, R. B.,
Carey,	Holmes, J. L.,	O'Rourke,	Stevens,
Carson,	Hoopes,	Pennock,	Stiteler,
Chervenak,	Horst,	Perry, J. J.,	Stott,
Cohen,	Hough,	Peters,	Tahl,
Conner,	Howard,	Powell,	Tuner,
Cooke,	Jaffe,	Powers,	Wagner,
Cordier,	Kane, J. J.,	Price,	Walker, G. E.,
Craig,	Kane, L. P.,	Quinn,	Weidemann,
Cramer,	Kinney,	Raub,	Welsh,
Dane,	Lane,	Rectenwald,	Westrick,
Davies,	Laubach,	Reed,	White,
Denning,	Lewis,	Reilly,	Wilson, L. M.,
Downey, G. E.,	Long,	Rice,	Witkin,
Downey, J. J.,	Lovett, J. E.,	Root,	Yeakel,
Dunmire,	Lovett, W. S.,	Roth,	Yourishin,
Ederer,	Lynch, J. R.,	Royle,	Zimmerman,
Emhardt,	Male,	Ruby,	Talbot,
Eroe,	Malina,	Ruth,	Speaker.
Fitzgerald,	Maloney,		

NAYS—36

DeFrehn,	Himes, L. R.,	Mumford,	Trout,
Evans,	Hutton,	Peelor,	Wade,
Fleisher,	Jones,	Perry, D. R.,	Wall,
Gillette,	Lose,	Rhodes,	Way,
Griffith,	Lynch, M.,	Schrock,	Williams, G. W.,
Habbyshaw,	McClure,	Sheffer,	Wilson, T. B.,
Hartman,	McElwee,	Shellenberger,	Wood,
Heffner,	McKay,	Snyder,	Woodside,
Hewitt,	Merrell,	Surface,	Wright,
Himes, H. E.,			

So the question was determined in the affirmative and the amendment to the amendment was agreed to.

On the question recurring,

Will the House agree to the amendment to the motion?

Mr. WITKIN. Mr. Speaker, I move to amend the motion that I made by striking out on page 24, line 8, the bracket appearing before the bracket before the word "or," and by striking out the bracket appearing after the bracket after the word "club." My intention being that the words "or" and "club" shall be stricken from line 8, and I make that motion as a result of the information given me by the Speaker, that such an amendment would strike out the words "or" and "club," and therefore leave the bill to read on page 24, line 8, "a hotel restaurant or club."

I also move to strike out before the word "or," line 8, the bracket appearing before the word "or," and after the word "or," and line 8 the bracket appearing after the word "or." My intention being that line 8 shall read, "a hotel, restaurant or club licensee shall not maintain."

The SPEAKER. Now, will the gentleman read the line as he desires it, for the information of the House?

Mr. WITKIN. I desire line 8, page 24, to read, "a hotel or restaurant or club licensee shall not maintain."

The SPEAKER. Is that clear to the members?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SOWERS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. SOWERS. Will the Speaker be kind enough to read the line as it would be corrected by the motion of Mr. Witkin?

The SPEAKER. Line 8 would read on the motion to amend the amendment, "a hotel, restaurant or club licensee."

Mr. SOWERS. "Shall not maintain?"

The SPEAKER. Of course, that has not been changed at all.

Mr. SOWERS. Thank you.

On the question,

Will the House agree to the amendment to the amendments?

They were agreed to.

The SPEAKER. The question now recurs on the amendment of the gentleman from Philadelphia, Mr. Witkin, to the motion made by the gentleman from Allegheny, Mr. McClure.

The Chair requests the Clerk to read the strikeouts in the amendment of the gentleman from Philadelphia.

The Clerk again read the amendments.

Mr. SOWERS. Mr. Speaker, I was under the impression that you were going to order a roll call. I wanted to ask for a roll call.

Mr. LONG. Mr. Speaker, I second the call for a roll call.

The SPEAKER. A vote "aye" is to strike out on page 18 and page 23, and a vote "no" is to retain.

Mr. PEELOR. Mr. Speaker, I have marked on page 17, lines 20 and 21—I understand that was included in Mr. Witkin's amendment.

The SPEAKER. The Chair desires to inform the gentleman from Indiana that the Chair a few minutes ago stated that those words were inserted by the Senate and afterwards stricken out by the Senate, and that therefore, the House would not have an oppturnity to consider that section.

On the question recurring,

Will the House agree to the amendment to the amendments?

The yeas and nays were required by Mr. Sowers and Mr. Long and were as follows:

YEAS—142

Andrews,	Gallagher, W. J.,	Mason,	Ruth,
Baker,	Gorman,	McBride,	Sarig,
Baldi,	Green,	McClure,	Sautter,
Bechtel,	Greenstein,	McCreary,	Schrope,
Beech,	Griffith,	McElwee,	Schwab,
Bennett,	Hamilton,	McGinnis,	Schwartz,
Bernhard,	Harris,	McGrail,	Scorza,
Blumberg,	Hart,	McGregor,	Sheffer,
Boyd,	Hefferon,	McKinney,	Shortz,
Brancato,	Heffner,	Moore,	Shreiner,
Brennan,	Hermansen,	Munley,	Shugarts,
Brown, J. E.,	Hester,	Myers,	Simon,
Brown, W. L.,	Himes, L. R.,	Nothnagle,	Sinwell,
Brownfield,	Hoffman,	O'Connor,	Sowers,
Cannon,	Holmes, J. B.,	O'Keefe,	Spann,
Caputo,	Holmes, J. L.,	O'Neill,	Stank,
Carey,	Hoopes,	O'Rourke,	Steedle,
Carson,	Hough,	Patterson,	Sterling, P.,
Cohen,	Howard,	Peelor,	Sterling, R. B.,
Conner,	Hutton,	Pennock,	Stevens,
Cooke,	Jaffe,	Perry, D. R.,	Stiteler,
Cordier,	Jones,	Perry, J. J.,	Stone,
Craig,	Kane, J. J.,	Peters,	Tahl,
Cramer,	Kane, L. P.,	Powell,	Turner,
Dane,	Kinney,	Powers,	Way,
Davies,	Lane,	Price,	Weidemann,
Denning,	Laubach,	Quinn,	Welsh,
Downey, G. E.,	Lewis,	Rectenwald,	Westrick,
Downey, J. J.,	Long,	Reed,	Wilson, L. M.,
Ederer,	Lose,	Rhodes,	Wilson, T. B.,
Eroe,	Lovett, J. E.,	Rice,	Witkin,
Evans,	Lovett, W. S.,	Roan,	Yourishin,
Fitzgerald,	Lynch, J. R.,	Root,	Zimmerman,
Flanagan,	Lynch, M.,	Roth,	Talbot,
Flynn, J. W.,	Male,	Royle,	Speaker.
Gallagher, T. J.,	Marcks,	Ruby,	

NAYS—9

Dunmire,	Murphy,	Trout,	Williams, G. W.,
Meredith,	Snyder,	White,	Wood,
Mumford,			

So the question was determined in the affirmative and the amendment to the amendment was agreed to.

On the question,

Will the House agree to the motion to concur in the amendments made by the Senate with the amendments made by the House?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SOWERS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question.

Mr. SOWERS. Will the Speaker be kind enough to read the words of the bill as it would now be?

The SPEAKER. Page 18, line 10, "in the case of a hotel or restaurant and in the case of a club may" will be stricken out.

Page 23, starting on line 16, "the board may also after notice and hearing revoke a club license for any reason which would justify revocation of such license by the Court," will be stricken out.

Page 24, line 8, will read as follows: "a hotel or restaurant licensee shall not maintain."

Line 15, that line will read, "liquor may be sold by licensees other than clubs only."

Is that clear?

Mr. SOWERS. Thank you.

On the question recurring,

Will the House agree to the motion to concur in the amendments made by the Senate with the amendments made by the House?

The Clerk proceeded to call the roll.

The SPEAKER. The Clerk will tarry with the calling of the roll, and the Chair recognizes the gentleman from Philadelphia, Mr. Sowers.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SOWERS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question.

Mr. SOWERS. Does a vote "aye" mean that we concur in the amendments; and does a vote "no" mean that we do not?

The SPEAKER. A vote "aye" is to concur in the amendments made by the Senate with the amendments made by the House. A vote "no" is to non-concur in all of the amendments made by the Senate with the amendments made by the House.

Mr. SOWERS. Will you state that again?

The SPEAKER. If the members did not understand and voted under a misapprehension, the Chair will be glad to rescind the roll call as far it has been taken, and call for a new roll.

Mr. SOWERS. May we have a new roll?

The SPEAKER. The roll as called is declared null and void.

The Chair recognizes the gentleman from Philadelphia, Mr. Blumberg, but desires to inform the gentleman that there is nothing before the House now unless it is a point of parliamentary inquiry.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. BLUMBERG. It is a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. BLUMBERG. Do I understand correctly that by the previous two votes of this House this House has inserted certain amendments to the bill, that is definitely out of the way, and what we are now voting on is a motion to concur in the amendment made by the Senate only.

The SPEAKER. That is not correct.

Mr. BLUMBERG. Did I not understand that to be the case?

The SPEAKER. Because the amendments made by the various gentlemen were to a motion made by the gentleman from Allegheny, Mr. McClure, so that the two things must be voted upon now at one time. The House has concurred in the amendments made to the motion and therefore the question before the House is, will the House concur in the amendments made by the Senate with the amendments made by the House. A vote "aye" is to concur, and a vote "no" is to non-concur.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WITKIN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. WITKIN. Do I understand then, Mr. Speaker, that if the motion of the gentleman from Allegheny, Mr. McClure is defeated that that nullifies the action which this House

has just taken with respect to the various amendments that have been made.

The SPEAKER. That is correct.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SOWERS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia, Mr. Sowers, will state his question of parliamentary inquiry.

Mr. SOWERS. Mr. Speaker, is it possible to divide the question so that the House can vote to concur in all of the amendments and then vote again on sustaining the amendments that were put in?

The SPEAKER. The Chair regrets to say that there is now nothing before this body, but the calling of the roll on the question as stated by the Chair.

Mr. SOWERS. Then, Mr. Speaker, would a vote "no" mean that this bill goes to a conference committee?

The SPEAKER. The Chair would rather not answer that question, because that is a matter for the Senate itself to decide. There is now nothing before this body if the members understand the motion, but the calling of the roll, and the clerk will proceed to call the roll.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. JOHN E. BROWN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Washington, Mr. Brown, will state his question of parliamentary inquiry.

Mr. JOHN E. BROWN. Mr. Speaker, under the provisions of rule 77, a member can only change his vote when he declares that he has voted under a mistake. Now, there are a lot of the members of this House who are changing their vote that did not vote under a misapprehension.

The SPEAKER. The Chair desires to inform the gentleman from Washington, that the only alternative the Chair has is to believe the members.

Mr. JOHN E. BROWN. Mr. Speaker, my only purpose is that the members should not be permitted, according to our House Rules, to change their vote.

The SPEAKER. The Chair again informs the gentleman from Washington that he has no alternative but to accept each member's word for his vote.

Mr. JOHN E. BROWN. Thank you, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, under the rules that the gentleman from Washington has just read, I would like to interrogate the gentleman from Philadelphia, Mr. Blumberg.

The SPEAKER. The Chair is of the opinion that at the present time there is nothing before the House but the roll.

Mr. ANDREWS. I would take it, Mr. Speaker, that the gentleman would be required to state the nature of his misapprehension.

The SPEAKER. That question, if the gentleman were to interrogate the gentleman from Philadelphia, would be out of order.

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. MELCHIORRE. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—122

Andrews,	Haines,	McKinney,	Shreiner,
Beech,	Hamilton,	Meredith,	Simon,
Bernhard,	Hefferon,	Merrell,	Snyder,
Boyd,	Heffner,	Mumford,	Spann,
Brennan,	Hermansen,	Murphy,	Stank,
Brown, J. E.,	Hewitt,	Nothnagle,	Sterling, P.,
Brown, W. L.,	Himes, H. E.,	O'Keefe,	Stevens,
Brownfield,	Himes, L. R.,	O'Rourke,	Stiteler,
Caputo,	Hoffman,	Patterson,	Stott,
Carson,	Holmes, J. L.,	Peelor,	Surface,
Cohen,	Hoopes,	Perry, D. R.,	Terry,
Cordier,	Horst,	Perry, J. J.,	Trout,
Craig,	Hough,	Peters,	Turner,
Cramer,	Hutton,	Powell,	Wade,
Dane,	Jones,	Powers,	Wagner,
Davies,	Kane, L. P.,	Price,	Wall,
DeFrehn,	King,	Quinn,	Way,
Downey, G. E.,	Kinney,	Rectenwald,	White,
Dunmire,	Lose,	Reed,	Wike,
Ederer,	Lovett, W. S.,	Reilly,	Williams, G. W.,
Emhardt,	Lynch, J. R.,	Rhodes,	Wilson, L. M.,
Eroe,	Lynch, M.,	Rice,	Wilson, T. B.,
Evans,	Maloney,	Rican,	Witkin,
Fitzgerald,	Mason,	Royle,	Wood,
Flinchbaugh,	McClure,	Ruby,	Woodside,
Flynn, J. M.,	McCreary,	Sautter,	Wright,
Gallagher, T. J.,	McElwee,	Schrock,	Yeakel,
Gallagher, W. J.,	McGinnis,	Sheffer,	Yourishin,
Gillette,	McGrail,	Shellenberger,	Zimmerman,
Griffith,	McHenry,	Shortz,	Talbot,
Habbyshaw,			Speaker.

NAYS—59

Baker,	Flynn, J. W.,	Lovett, J. E.,	Ruth,
Baldi,	Gorman,	Male,	Sarig,
Barnhardt,	Green,	Malina,	Schrope,
Bechtel,	Greenstein,	Marcks,	Schwartz,
Bennett,	Harris,	McGregor,	Scorza,
Blumberg,	Hart,	Melchiorre,	Shugarts,
Brancato,	Heffernan,	Moore,	Sinwell,
Cannon,	Hester,	Munley,	Sowers,
Carey,	Holmes, J. B.,	Myers,	Steedle,
Chervenak,	Howard,	O'Connor,	Sterling, R. B.,
Conner,	Jaffe,	O'Neill,	Tahl,
Cooke,	Lane,	Pennock,	Walker, G. E.,
Denning,	Laubach,	Raub,	Weidemann,
Downey, J. J.,	Lewis,	Root,	Welsh,
Flanagan,	Long,	Roth,	Westrick,
Fleisher,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments made by the Senate were concurred in, with the amendments made by the House.

Ordered, that the Clerk inform the Senate accordingly.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 141 (Senate Bill No. 33), entitled:

An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the privisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—114

Andrews,	Griffith,	McKay,	Simon,
Baker,	Haines,	McKinney,	Snyder,
Baldi,	Hamilton,	Meredith,	Spann,
Barnhardt,	Hartman,	Merrell,	Sterling, P.,
Bechtel,	Hefferon,	Mumford,	Sterling, R. B.,
Beech,	Heffner,	Negley,	Stevens,
Bernhard,	Hermansen,	Nothnagle,	Stiteler,
Boyd,	Hewitt,	O'Rourke,	Surface,
Brancato,	Himes, H. E.,	Patterson,	Trout,

Brown, W. L.,	Hoffman,	Peelor,	Turner,
Brownfield,	Holmes, J. L.,	Perry, D. R.,	Wade,
Caputo,	Hoopes,	Perry, J. J.,	Wall,
Cohen,	Horst,	Peters,	Wasserman,
Cordier,	Hough,	Powell,	Way,
Cramer,	Hutton,	Powers,	Weidemann,
Dane,	Jaffe,	Rectenwald,	White,
DeFrehn,	Jones,	Reed,	Wike,
Downey, G. E.,	Kane, L. P.,	Rhodes,	Williams, G. W.
Ederer,	King,	Rice,	Wilson, L. M.,
Emhardt,	Kinney,	Roan,	Wilson, T. B.,
Eroe,	Lane,	Royle,	Wood,
Evans,	Lose,	Ruby,	Woodside,
Fitzgerald,	Lovett, W.S.,	Shrock,	Wright,
Flanagan,	Ma.oney,	Schrope,	Yeakel,
Flynn, J. M.,	Mason,	Schwartz,	Zimmerman,
Forrest,	McClure,	Sheffer,	Yourishin,
Gallagher, T. J.,	McCreary,	Shellenberger,	Talbot,
Gallagher, W. J.,	McElwee,	Shortz	Speaker.
Gillette,	McGregor,	Shreiner,	

NAYS—47

Bennett,	Greenstein,	Melchiorre,	Sautter,
Blumberg,	Harris,	Moore,	Scorza,
Cannon,	Hart,	Myers,	Shugarts
Conner,	Heffernan,	O'Connor,	Sinwell,
Cooke,	Holmes, J. B.,	O'Neill,	Sowers,
Downey, J. J.,	Howard,	Pennock,	Steedle,
Dunmire,	Laubach,	Price,	Tahl,
Fleisher,	Long,	Raub,	Terry,
Flynn, J. W.,	Lovett, J. E.,	Reilly,	Wagner,
Furman,	Malina,	Root,	Walker, G. E.,
Gorman,	Marcks,	Ruth,	Welsh,
Green,	McGrail,	Sarig,	Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House had passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 17 as follows:

An Act to amend the title and certain sections of the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permits through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage for bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by providing that the act shall be administered by the Pennsylvania Liquor Control Board making the act consistent with the repeal of the Eighteenth Amendment changing definitions and exemptions bringing rectifiers and blenders within the act allowing appeals to the courts providing for the abatement of nuisances and increasing fees

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" is hereby amended to read as follows

[A SUPPLEMENT

To the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating]

AN ACT

Regulating under permit through [a] the Pennsylvania Liquor Control Board [created in the Department of Welfare] the manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire [sale at wholesale] and transportation for hire of any alcohol [or] alcoholic liquid or alcoholic beverage by certain persons requiring the registration of federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act

Section 2 Stores 2 3 4 5 7 8 9 10 12 13 15 16 17 18 19 and 21 said act are hereby amended to read as follows

Section 2 (Definitions) For the purpose of this act the folowing terms shall have the following meanings respectively designated for each

[(a) The phrase "intoxicating liquor" as used in this act shall mean anything found and determined from time to time to be intoxicating by act of Congress passed pursuant to and in the enforcement of the Constitution of the United States of America]

[(b)] (a) The word "person" shall mean and include natural persons associations partnerships and corporations for whatever purpose organized

[(c)] (b) The phrase "alcohol and alcoholic liquid" whenever used in this act shall mean and include alcohol and all distilled redistilled denatured recovered liquids or substances and any compound or admixture thereof beer ale wines porter spirits whiskey and all liquors from whatever source or by whatever processes produced which contain any alcohol by volume capable of being used for beverage purposes [or as intoxicating liquor] during or after manufacture production distillation redistillation denaturization rectification blending or recovery

[(d)] (c) The term "application" shall mean a formal verified written request under oath or supported by a verified

statement of facts for a permit for the privilege authorized by law

[(e)] (d) The term "permit" shall mean a formal written authorization by the board setting forth specifically therein the things that are authorized

[(f)] (e) The term "board" shall mean the Pennsylvania Liquor Control Board [authorized and created by this supplemental act]

[(g)] (f) The term "regulations" shall mean any regulation prescribed by the board for carrying out the provisions of this act

[(h)] (g) The term "container" shall mean and include any receptacle vessel or form of package tank vat cask barrel drum keg can bottle or conduit used or capable of use for holding storing transferring or shipment of alcohol or alcoholic liquid

[(i)] (h) The term "federal permit" as used in this act shall be construed to mean what is commonly known as the [basic] permit issued by authority of the United States of America in conformity with the [National Prohibition Act] Acts of Congress and the regulations issued pursuant thereto and shall not include a subsidiary or installment permit [for a particular transaction issued to the holder of a basic permit]

[(j)] The phrase "National Prohibition Act" shall be construed to mean the act of Congress approved October twenty-eighth one thousand nine hundred and nineteen known as the National Prohibition Act as supplemented and amended]

[(k)] (i) The term ["industrial alcohol plant"] "distillery" shall mean and include any premises or plant [or distillery] wherein alcohol or alcoholic liquid is manufactured made and distilled from raw material blended or rectified or any place wherein alcohol or alcoholic liquid is produced by any method suitable for the production of alcohol

[(l)] (j) The term "denaturing plant" shall mean and include the premises of a distillery used exclusively for the denaturization of alcohol either specially or completely by the admixture of such denaturing materials as shall render the alcohol or any compound in which it is authorized to be used unfit for use as [an intoxicating] a beverage

[(m)] (k) The phrase ["dealcoholizing plant"] "brewery" shall mean and include [all] any premises and plants where [alcohol or] alcoholic liquids or beverages are produced by the process of which beer ale or porter [or wine is] are produced [or wine] [by wasting the alcohol or by arrested fermentation and all premises and plants where alcohol alcoholic liquids or beverages are treated so that the percentage of alcohol is diminished]

(l) The phrase "winery" shall mean and include any premises and plants where alcoholic liquids or beverages are are produced by the process by which wine is produced or premises and plants wherein liquid such as wine is produced

[(n)] (m) The term "bonded warehouse" shall mean and include all places and warehouses legally established under the provisions of the [National Prohibition Act] Acts of Congress and the administrative provisions of the internal revenue laws of the government of the United States of America for the storage concentration distribution and holding in bond of alcohol or alcoholic liquid

[(o)] (n) The term "manufacture" shall mean and include all means methods and processes used employed and made use of to produce and make alcohol or alcoholic liquid from raw materials and shall mean and include rectification and blending of alcohol and alcoholic liquid the production recovery or reuse of alcohol in the making developing using in the process of manufacture denaturing redistilling or recovering of any alcohol or alcoholic liquid in distilleries denaturing plants breweries and wineries

[(p)] (o) The term "denatured alcohol" shall mean and include all alcohol or alcoholic liquid or any compound thereof which by the admixture of such denaturing material or materials is rendered unfit for use as [an intoxicating] a beverage

Section 3 It shall be unlawful for any person without a permit from the Commonwealth obtained as hereinafter provided except as exempted by section five hereof to manufacture produce distill develop or use in the process of manufacture denature redistill recover rectify blend reuse hold in bond hold in storage as bailee for hire [sell at wholesale] or transport for hire within this Commonwealth any alcohol or alcoholic liquid except that a person may without a permit manufacture wine out of grapes grown by him and sell the same to a permit-holding winery.

Section 4 Every person except as exempted by section five thereof holding a federal permit under the [National Prohibition Act] Acts of Congress to manufacture produce distill develop or use in the process of manufacture denature redistill recover reuse hold in bond hold in storage as bailee for hire [sell at wholesale] or transport for hire within this Commonwealth any alcohol or alcoholic liquid shall within thirty (30) days after this act takes effect file a true and exact copy of the same with the board and every person thereafter obtaining such a federal permit shall file forthwith a true and exact copy of the same with said board Said board shall keep a record of said federal permits and register therein the name and address of each person to whom said federal permit is issued the date of the federal permit the date of its expiration and a brief description of the provisions of the federal permit and shall file said copy in its office Provided however That no federal permit shall be registered for any applicant who is not a citizen of the United States or who has within two (2) years prior to the making of such application been convicted of a violation of the laws of this Commonwealth or of the United States relating to alcohol or alcoholic liquors

Conviction of a violation of any of the statutes of this Commonwealth or the laws of the United States relative to alcohol or alcoholic liquors by the holder of any federal permit shall operate as a revocation of the registration of such federal permit

Section 5 It is hereby declared that registration of a federal permit or securing a permit hereunder shall not be required from any registered pharmacist or a physician licensed by the State Board of Medical Education and Licensure or a person or persons who make and sell vinegar [non-intoxicating] cider and fruit juices or a person or persons who [make] manufacture store sell or transport methanol [distilled from wood] propanol butanol and amanol or a person or persons who conduct a wholesale drug business or a person or persons who conduct a mercantile business chiefly devoted to the sale of food stuffs and having an established place located within the Commonwealth or a person or persons who manufacture alcoholic preparations not fit for use as a beverage other than denatured alcohol or for [intoxicating] beverage purposes a person or persons engaged in the manufacture possession or sale of patent patented or proprietary medicines toilet medicinal or antiseptic preparations unfit for beverage purposes or solutions or flavoring extracts or syrups or a person or persons who manufacture or sell paints varnishes enamels lacquers stains or paint or varnish removing or reducing compounds or wood fillers or a person or persons who manufacture any substance where the alcohol or alcoholic liquid is changed into other chemical substances and does not appear in the finished product as alcohol or alcoholic liquid or such common carriers by railroad as are subject to regulation by the Public Service Commission of the Commonwealth of Pennsylvania or a person or persons who sell store or transport alcohol and alcoholic liquids completely denatured as specified by the board

Section 7 Every applicant for a permit under this act shall file with the board a petition in writing duly verified in such form as the board shall from time to time prescribe setting forth

1 The legal names of the applicant and of the owner of the place where business under the permit will be carried on with their residence addresses by street and number if a partnership of each separate partner and if a corporation of each individual officer thereof

2 The exact location of said place of business and of every place to be occupied or used in connection with such business the productive capacity of each plant where any alcohol or alcohol liquid is to be manufactured produced distilled rectified blended developed or used in the process of manufacture denatured redistilled recovered reused the capacity of every warehouse or other place where such alcohol or alcoholic liquid is to be held in bond or stored for hire [the storage capacity of every place where a wholesale business in any alcohol or alcoholic liquid is to be conducted] or the equipment to be used where a transportation business is to be carried on under the permit

3 The period of time the applicant has been carrying on the business for which the permit is desired

4 If the permit is for the manufacture production distillation development rectification blending denaturization holding in bond or holding in storage of any alcohol or alcoholic liquid the maximum quantity per month to be manufactured developed or stored and if the permit is for the use redistillation recovery rectification blending denaturization or reuse of any alcohol or alcoholic liquid the purpose or purposes for which the same is to be used or the sale of any alcohol or alcoholic liquid for use in the manufacture or compounding of preparations unfit for beverage purposes

5 That no one of the applicants has been convicted of a violation of this act or of any law or regulation of the United States of America or of the Commonwealth of Pennsylvania for the control of the manufacture possession and traffic in [any intoxicating liquor] alcohol or alcoholic liquids

6 That each and every one of the applicants is a citizen of the United States of America

7 Such other relevant information as the board shall from time to time require by rule or regulation

This petition must be verified by affidavit of the applicant made before any officer legally qualified to administer oaths and if any false statement is wilfully made in any part of said petition the applicant or applicants shall be deemed guilty of the crime of perjury and upon indictment and conviction shall be subject to its penalties

Section 8 Upon the filing of the application in the form herein provided and upon execution of a bond to the Commonwealth and a warrant of attorney to confess judgment in the penal sum of ten thousand dollars ($10,000) with surety to be approved by the board which bond shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to [intoxicating liquors] alcohol or alcoholic liquid and the conditions of the permit the board may grant to such applicant a permit to engage in the manufacturing producing distilling developing or using in the process of manufacturing denaturing redistilling recovering rectifying reusing holding in bond holding in storage as bailee for hire [selling at wholesale] and transporting for hire of alcohol or alcoholic liquid

Section 9 All persons except as exempted by section five hereof manufacturing producing distilling developing or using in the process of manufacture denaturing redistilling recovering rectifying blending reusing holding in bond holding in storage as bailee for hire [selling at wholesale] or transporting for hire of alcohol or alcoholic liquid under the provisions of this Act of Assembly shall securely and permanently attach to every container ready for shipment thereof as the same is manufactured produced distilled developed denatured redistilled recovered rectified blended reused a label stating name of manufacturer kind and quantity of alcohol or alcoholic liquid contained therein and the date of its manufacture together with the number of the permit authorizing the manufacture thereof and all persons possessing such alcohol or alcoholic liquid in wholesale quantities shall securely keep and maintain such label thereon [and all persons selling at wholesale shall attach to every package of alcohol or alcoholic liquid when sold a label setting forth the kind and quantity of alcohol or alcoholic liquid contained therein by whom manufactured the date of sale and the person to whom sold which label shall likewise be kept and maintained thereon until the alcohol or alcoholic liquid is used for the purpose for which such sale was authorized]

Section 10 Every permit issued under the provisions of this act for the manufacture production distillation development denaturization redistillation recovery rectification blending reuse holding in bond holding in storage of any alcohol or alcoholic liquid shall specify the maximum quantity of such alcohol or alcoholic liquid per month which may lawfully be manufactured produced distilled rectified blended developed denaturalized redistilled reused held in bond or stored under such permit Any permit issued for the use of any alcohol or alcoholic liquid in the process of manufacture shall specify the purpose or purposes for which such alcohol or alcoholic liquid is to be used and the maximum quantity per month which may lawfully be used under such permit Every permit shall specify by definite location every place to be occupied or used in connection with the business to be conducted thereunder It shall be unlawful for the holder of any permit to manufacture produce distill develop denaturize redistill recover rectify blend reuse hold in bond hold in storage or use a greater quantity of any alcohol or alcoholic liquid in any month than that specified in his permit or to use any alcohol or alcoholic liquid for any purpose other than that specified in his permit or to occupy or use any place in connection with any business authorized under a permit other than the place or places designated therein

Section 12 Every place operated under permit secured hereunder where any alcohol or alcoholic liquid is manufactured produced distilled developed or used in the process of manufacture denatured redistilled rectified blended recovered reused held in bond stored for hire or in connection with a permittee's business [sold at wholesale] shall be subject to inspection by members of the board or by persons duly authorized and designated by the board at any and all times of the day or night as they may deem necessary (a) for the detection of violations of this act or of the rules and regulations of the board promulgated under the authority of this act or of the act to which this is a supplement or (b) for the purpose of ascertaining the correctness of the records required by this act to be kept by permittees and the books and records of permittees and the books and records of their customers insofar as they relate to purchases from said permittees shall at all times be open to inspection by the members of the board or by persons duly authorized and designated by the board for the purpose of making inspections as authorized by this section Members of the board and the persons duly authrized and designated by the board shall have the right without fee or hindrance to enter any place which is subject to inspection hereunder or any place where records subject to inspection hereunder are kept for the purpose of making such inspections

Section 13 Upon learning of any violation of this act or of any rule or regulation promulgated by the board under the authority of this act or of any provision of the act to which this is a supplement by the holder of a permit issued under the provisions of this act the board shall cite such permittee to appear before it not less than ten (10) nor more than fifteen (15) days from the date of sending such permittee by registered mail a notice to show cause why the permit should not be revoked And upon such hearing if satisfied that any such violation has occurred the board shall immediately revoke such permit notifying the permittee thereof by registered letter

Any permittee aggrieved by any decision of the board may file within thirty days thereafter in the court of common pleas of the county in which the permittee is resident and any applicant aggrieved by the refusal of the board to grant a permit may file within thirty days thereafter in the court of common pleas of Dauphin County a petition against the members of the board as [defendant] defendants alleging therein the action and decision complained of and praying for a reversal thereof Upon personal service of a summons on any member of the board returnable within three days of the date thereof the board shall within one week from such return date file an answer in which it shall allege by way of defense the grounds as shall in the meantime accrue or be discovered All allegations of the answer shall be deemed to stand denied without further pleading and upon application of either party the cause shall be advanced and heard without delay Mere technical irregularities in the procedure of the board shall be disregarded A judgment sustaining the revocation of or refusal to grant a permit by the board shall not bar after one year a new application by the plaintiff for a permit nor shall a judgment in favor of the plaintiff prevent the board from thereafter revoking or refusing a permit for any proper cause which may thereafter accrue or be discovered the court shall have full power to dispose of all costs From the judgments of the court of common pleas appeals may be taken as in other actions at law but during the pendency of any such appeal in which a former permittee is appellant such former permittee shall not carry on any business of the kinds regulated by this act

Section 15 [All persons now carrying on any business requiring a permit under the provisions of this act must apply for the same within sixty (60) days after its passage and any such business may continue if a permit has been so applied for until it is granted or refused] The fee for every brewery permit issued under the provisions of this act shall be one thousand dollars ($1,000.00) per annum The fee for every permit issued to a winery shall be two hundred and fifty dollars ($250.00) The annual fee for every permit

issued to a distillery shall be twenty-five hundred dollars ($2,500) per annum if the authorized annual production is less than five hundred thousand (500,000) proof gallons five thousand dollars ($5,000) per annum if the authorized annual production is five hundred thousand (500,000) proof gallons and more but less than two million (2,000,000) proof gallons ten thousand dollars ($10,000) per annum if the authorized annual production is two million (2,000,000) proof gallons and more but less than five million (5,000,000) proof gallons fifteen thousand dollars ($15,000) per annum if the authorized annual production is five million (5,000,000) proof gallons and more but less than ten million (10,000,000) proof gallons twenty thousand dollars ($20,000) per annum if the authorized annual production is ten million (10,000,000) proof gallons and more but less than fifteen million (15,000,000) proof gallons and twenty-five thousand dollars ($25,000) per annum if the authorized annual production is twenty million (20,000,000) proof gallons or more but for the purpose of determining the amount of the fee payable by a distillery the authorized annual production of alcohol for the purpose of denaturization shall be excluded except that no fee for a distillery shall be less than twenty-five hundred dollars ($2,500) per annum The fee for all other permits shall be one hundred dollars ($100.00) The fees for all permits when applied for and issued on or after April first but prior to July first shall be three-fourths of the annual fee July first but prior to October first shall be one-half of the annual fee October first but prior to January first one-fourth of the annual fee All fees shall be paid to the board which shall deposit the same in the State Treasury through the Department of Revenue [where they shall be kept apart from all other funds in the State Treasury in a separate fund to be known as the ["Permit Fund" The moneys from time to time in the said fund are hereby specifically appropriated to the board for the payment of any and all expenses of every kind and description which may be necessary for the proper administration and enforcement of this act Moneys shall be paid out of the said fund by warrant of the Auditor General upon the State Treasurer after requisition by the Secretary of Welfare]

For the purpose of this section the term "proof gallon" shall mean a gallon of liquid which contains one-half its volume of alcohol of a specific gravity of seven thousand nine hundred thirty-nine ten thousandths (.7939) at sixty degrees Fahrenheit

Section 16 Persons shall be issued by the board under [the] its official seal [of the Department of Welfare] Every permit so issued must at all times be posted in a conspicuous place where the business is carried on under it and said place of business must be kept open during general business hours of every day in the year except Sundays and legal holidays No permit shall be issued hereunder to any person unless (a) in case of individuals he or she is a citizen of the United States of America (b) in case of companies or unincorporated associations of individuals each and every one is a citizen of the United States of America (c) in case of corporations each and every stockholder is a citizen of the United States of America or to any person who has been convicted of a violation of this act or of any law or regulation of the United States of America or of the Commonwealth of Pennsylvania for the control of traffic in any alcohol or alcoholic liquor

Section 17 The board shall have the power to make and promulgate appropriate rules and regulations for carrying into effect the provisions of this act [Provided That as far as practicable the rules and regulations of the board shall conform to the rules and regulations promulgated by the appropriate agency of the government of the United States for carrying into effect the provisions of any act or acts of Congress regulating the manufacture development storage sale or transportation of any alcohol or alcoholic liquor or intoxicating liquor]

Section 18 (a) Any place within this Commonwelth in which any alcohol or alcoholic liquor is manufactured produced distilled developed or used in the process of manufacture denatured redistilled recovered rectified blended reused stored in bond or stored for hire [or sold at wholesale] by a person without a permit as required by the provisions of this act and any place in which a person holding a permit issued under the provisions of this act shall violate any provision of this act or any rule or regulation of the board or any provisions of the act to which this is a supplement is hereby declared to be a common nuisance and upon such violation the permit if any held by such persons shall be automatically suspended [Any nuisance as in this section defined may be abated under the provisions of the act of the twenty-seventh day of March one thousand nine hundred and twenty-three Pamphlet Laws thirty-four to which this is a supplement]

(b) An action to enjoin any nuisance defined in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General of the State or by the district attorney of the respective county Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases within the county in which the offense occurs If it is made to appear by affidavit or otherwise to the satisfaction of the court that such nuisance exists a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the proceedings If a temporary injunction is prayed for the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the liquor or other things used in connection with the violation of this act constituting such nuisance No bond shall be required in instituting such proceedings It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing but on finding that the material allegations of the petition are true the court shall order that no alcohol or alcoholic liquor be manufactured produced distilled developed rectified or used in the process of manufacture denatured redistilled recovered reused rectified stored in bond stored for hire or sold at wholesale by a person without a permit as required by the provisions of this act Upon the decree of the court ordering such nuisance to be abated the court may upon proper cause shown order that the room house building structure boat vehicle or place shall not be occupied or used for one year thereafter but the court may in its discretion permit it to be occupied or used if the owner leessee tenant or occupant thereof shall give bond with sufficient surety to be approved by the Court making the order in the penal and liquidated sum of not less than five hundred dollars ($500.00) payable to the Commonwealth of Pennsylvania for use of the county in which said proceedings are instituted and conditioned that no alcohol or alcoholic liquid or alcoholic beverage be manufactured produced distilled developed rectified or used in the process of manufacture denatured redistilled recovered reused rectified stored in bond stored for hire or sold at wholesale by a person without a permit as required by the provisions of this act

Section 19 Whenever any person or persons withdraw or remove any alcohol or alcoholic liquid which has not been denatured from any distillery [industrial alcohol plant] denaturing plant [dealcoholizing plant] brewery winery or bonded warehouse for the purpose of denaturing the same it shall be unlawful for any such person or persons to use sell or conceal or attempt to use sell or conceal or be concerned in the sale use or concealment of any such alcohol or alcoholic liquid unless before such sale or use the said alcohol or alcoholic liquid shall be denatured by adding thereto denaturing material or materials or admixtures thereof which render it unfit for beverage purposes

It shall be unlawful for any person or persons to recover and reuse or attempt to recover and reuse by redistillation or by any other process or means whatsoever any alcohol or alcoholic liquid from denatured alcohol or to knowingly use sell conceal or otherwise dispose of alcohol or alcoholic liquid so recovered or redistilled

Section 21 No property rights shall exist in any alcohol or alcoholic liquid manufactured possessed produced distilled developed or used in the process of manufacture denatured redistilled recovered rectified reused held in bond held in storage as bailee for hire [sold at wholesale] or transported for hire in violation of any of the provisions of this act and the same shall be deemed contraband and forthwith destroyed No alcohol or alcoholic liquid in the custody of any officer of the law shall be seized or taken from him on any writ of replevin injunction or other like process

Section 3 This act shall become effective immediately upon its approval by the Governor except that the increased fees provided by this act shall first become effective for permits issued for the year one thousand nine hundred and thirty-four

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SOWERS. Mr. Speaker and members of the House, this bill continues the provisions that were contained in the Snyder-Armstrong law.

Mr. WILSON. Mr. Speaker, I do not want to take the time of the House at this late hour, but I do want to say to the members of the House, that this bill has been very carefully considered by the Ways and Means Committee of this House, and that the fees fixed in it for licenses have been reduced very materially at the request of the parties interested. I understand that the fees are satisfactory, and the bill is now in my judgment a very good bill, and I ask the members of the House to support the Ways and Means Committee after their work and vote "aye" on this boll.

On the question recurring

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays taken and were as follows, viz:

YEAS—122

Andrews,	Griffith,	McKay,	Simon,
Baker,	Habbyshaw,	McKinney,	Snyder,
Barnhardt,	Haines,	Meredith,	Spann,
Bechtel,	Hefferon,	Mumford,	Sterling, P.,
Beech,	Heffner,	Munley,	Sterling, R. B.,
Bernhard,	Hermanson,	Nothnagle,	Stevens,
Boyd,	Hewitt,	O'Keefe,	Stiteler,
Brennan,	Himes, H. E.,	O'Neill,	Stott,
Brown, J. E.,	Himes, L. R.,	O'Rourke,	Surface,
Brown, W. L.,	Hoffman,	Patterson,	Trout,
Caputo,	Holmes, J. L.,	Peelor,	Turner,
Chervenak,	Hoopes,	Perry, D. R.,	Wade,
Cohen,	Horst,	Perry, J. J.,	Wagner,
Cordier,	Hutton,	Peters,	Wall,
Craig,	Jones,	Powell,	Way,
Cramer,	Kane, J. J.,	Powers,	White,
Dane,	Kane, L. P.,	Quinn,	Wike,
Davies,	King,	Raub,	Williams, G. W.,
DeFrehn,	Kinney,	Rectenwald,	Williams, J. J.,
Downey, G. E.,	Lane,	Reed,	Wilson, L. M.,
Dunmire,	Lewis,	Rhodes,	Wilson, T. B.,
Ederer,	Lord,	Rice,	Witkin,
Emhardt,	Lose,	Roan,	Wood,
Eroe,	Lovett, W. S.,	Royle,	Woodside,
Evans,	Male,	Ruby,	Wright,
Fitzgerald,	Marcks,	Sarig,	Yeakel,
Flinchbaugh,	Mason,	Schrock,	Yourishin,
Flynn, J. M.,	McClure,	Sheffer,	Zimmerman,
Gallager, T. J.,	McElwee,	Shellenberger,	Talbot,
Gallagher, W. J.,	McGinnis,	Shortz,	Speaker.
Gillette,	McGregor,	Shreiner,	

NAYS—41

Baldi,	Gorman,	Malina,	Sautter,
Bennett,	Green,	Melchiorre	Schrope,
Blumberg,	Greenstein,	Moore,	Shugarts,
Brancato,	Hamilton,	Myers,	Sinwell,
Carey,	Harris,	O'Connor,	Sowers,
Conner,	Hart,	Pennock,	Steedle,
Cooke,	Heffernan,	Price,	Tahl,
Denning,	Holmes, J. B.,	Reilly,	Weidemann,
Flanagan,	Howard,	Root,	Welsh,
Fleisher,	Laubach,	Roth,	Westrick,
Furman,	Lovett, J. E.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 33.

An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 8, as follows:

An Act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors and providing penalties

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Spirituous and Vinous Liquor Tax Law"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Container" Any receptacle vessel or cask barrel drum keg can or bottle or other form of package used for the transferring or shipment of distilled spirits rectified spirits or wines

"Corporation" A corporation or joint stock association organized under the laws of this Commonwealth the United States or any other State territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Distilled Spirits" Any alcohol other than denatured alcohol unfit for beverage purposes and liquid usable for beverage purposes which contains more than one-half of one per cent of alcohol by volume obtained by distillation or any process of evaporation mixed with water and other substances in solution including brandy rum whisky gin and any other alcoholic beverage obtained as aforesaid by whatever name such beverage may be called All wines containing more than twenty-four (24) per cent absolute alcohol by volume shall be classed as "distilled spirits" for the purpose of this act

"Gallon" A liquid measure containing two hundred thirty-one (231) cubic inches

"Importer" Any person who or which

1 Imports or causes to be imported from any other state or territory of the United States or from any foreign country distilled spirits rectifed spirits or wines for his own use in the Commonwealth of Pennsylvania or for sale and delivery in and after reaching the Commonwealth other than in the original package receptacle or container

2 Imports or causes to be imported from any other state or territory of the United States or from any foreign country distilled spirits rectified spirits or wines for his own use in the Commonwealth of Pennsylvania or for sale or delivery therein after the same have come to rest or storage therein whether or not in the original package receptacle or container

3 Purchases or receives distilled spirits rectified spirits or wines in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use or for sale and delivery therein from any person who has imported the same from a foreign country

4 Purchases or receives distilled spirits rectified spirits or wines in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use therein

or for sale and delivery therein from any person who has imported the same from any other state or territory of the United States in case such distilled spirits rectified spirits or wines have not prior to such purchase or receipt come to rest or storage in the Commonwealth of Pennsylvania

5 Receives and in any manner uses or distributes distilled spirits rectified spirits or wines in the Commonwealth of Pennsylvania where the tax provided in this act has not been previously paid

"In bond" Distilled spirits rectified spirits and wines shall be construed to be "in bond" when they are lodged or stored in any place or warehouse designated or defined from time to time by or pursuant to any Act of Congress as a bonded winery distillery warehouse general bonded warehouse or special bonded warehouse under bond of the owner thereof conditioned upon the payment of taxes due thereon to the United States

"Manufacturer" Any person association or corporation engaged in the producing manufacturing distilling rectifying or compounding of distilled spirits rectified spirits or wines in this Commonwealth

"Person" Every natural person association or corporation Whenever used in a clause prescribing or imposing a fine or imprisonment or both the term "person" as applied to "association" shall mean the partners or members thereof and as applied to "corporation" shall mean the officers thereof

"Proof Gallon" A gallon of liquid which contains one-half (½) of its volume of alcohol of a specific gravity of seven thousand nine hundred thirty-nine ten thousandths (.7939) at sixty degrees (60°) fahrenheit

"Rectified Spirits" Any beverage containing more than one-half of one per cent of alcohol by volume obtained by rectification redistillation refining or purifying of distilled spirits or wines by any process other than by original and continuous distillation from mash wort or wash through continuous closed vessels and pipes until the manufacture thereof is completed or by mixing distilled spirits wines or other liquor with any materials or with any other distilled spirits wines or other liquor thereby producing any spurious imitation blended or compound alcoholic liquor

"Secretary" The Secretary of Revenue of this Commonwealth or his duly authorized deputy or representative

"Spirituous and Vinous Liquors" Distilled spirits rectified spirts and wines as defined in this section

"Wines" Any beverage containing more than one-half of one per cent and not more than twenty-four (24) per cent absolute alcohol by volume obtained by the fermentation of the natural sugar contents of fruits or other agricultural products containing sugar including all natural wines and fortified wines within the above limits but not including any beverage known as beer lager beer ale porter or similar fermented malt liquor obtained by alcoholic fermentation of an infusion or decoction of barley malt and hops in water

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax

(a) Every manufacturer shall be subject to pay to the Commonwealth of Pennsylvania the taxes imposed in this section for the privilege of producing manufacturing distilling rectifying or compounding distilled spirits rectified spirits or wines in this Commonwealth when such distilled spirits rectified spirits or wines are withdrawn from bond or if not required by Act of Congress to be stored or placed in bond when prepared for market or for use in the manufacture or production of any beverage intended for sale

Such taxes shall be measured by the amount of such distilled spirits rectified spirits and wines so produced manufactured distilled rectified or compounded by the manufacturer on or after the effective date of this act and shall be computed thereon at the following rates

On distilled spirits one dollar ($1) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On rectified spirits thirty cents ($.30) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon in addition to the tax imposed herein on the privilege of producing using or selling within this Commonwealth the distilled spirits or wines from which said rectified spirits are produced manufactured or compounded

On wines one-half cent ($.005) per unit of proof per wine gallon and a proportionate tax at a like rate on all fractional parts of such wine gallon

(b) Every importer shall be subject to pay to the Commonwealth of Pennsylvania the taxes imposed in this section for the privilege of selling or using in this Commonwealth distilled spirits rectified spirits or wines produced manufactured distilled rectified or compounded without this Commonwealth Such taxes shall be measured by the amount of such distilled spirits rectified spirits and wines so sold or used by the importer in this Commonwealth on or after the effective date of this act except as hereinafter provided and shall be computed thereon at the following rates

On distilled spirits one dollar ($1.) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On rectified spirits one dollar and thirty cents ($1.30) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On wines one-half cent ($.005) per unit of proof per wine gallon and a proportionate tax at a like rate on all fractional parts of such wine gallon

Provided however that until the first day of January one thousand nine hundred thirty-four the rate of tax for the privilege of selling or using in this Commonwealth distilled spirits rectified spirits or wines produced manufactured distilled rectified or compounded without this Commonwealth shall be two dollars on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

Section 4 Monthly Reports and Payments of Taxes By Manufacturer Penalty For the purpose of ascertaining the amount of taxes payable under this act by manufacturers it shall be the duty of each manufacturer on or before the fifteenth day of each month to transmit to the department upon a form prepared and furnished by the department a report under oath or affirmation of the distilled spirits rectified spirits and wines withdrawn from bond or if not required by Act of Congress to be stored or placed in bond prepared for market or for use in the manufacture or production of any beverage intended for sale by him within this Commonwealth during the preceding month Such reports shall show the number of proof gallons or wine gallons of alcoholic beverages withdrawn from bond or if not required by Act of Congress to be stored or placed in bond prepared for market or for use in the manufacture or production of any beverage intended for sale during the period for which it is made and such further information as the department shall prescribe

Every manufacturer at the time of making each report required by this section shall compute and pay to the department the tax due by him to the Commonwealth under the provisions of this act The amount of all taxes imposed under the provisions of this act for every month shall be due and payable on the fifteenth day of the next succeeding month and shall bear interest at the rate of one (1) per cent per month or factional part of the month from the day they were due and payable until paid

If any manufacturer shall neglect or refuse to make any report or payment as herein required an additional ten per centum of the amount of taxes shall be added by the department and collected as hereinafter provided and in addition thereto the Pennsylvania Liquor Control Board at the request of the department may suspend any permit issued by it to such manufacturer

Section 5 Determination and Redetermination of Taxes Penalty and Interest due by Manufacturers

(a) If the department is not satisfied with the report and payment of taxes made by any manufacturer under the provisions of this act it is hereby authorized and empowered to make a determination of the taxes due by such manufacturer based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such manufacturer Within thirty (30) days after the date of any such determination such manufacturer may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons which the petitioner believes entitle him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein

set forth are true It shall be the duty of the department within ninety (90) days after the date of any determination to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within thirty (30) days after notice by the department of the action taken on any petition for redetermination filed with it the manufacturer against whom such determination was made may by petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reasons upon which the petitioner relies and shall be in such form as the Board of Finance and Revenue shall prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received and in the event of the failure of said board to dispose of any such petition within ninety (90) days the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the taxes due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within ninety (90) days may within sixty (60) days appeal to the court of common pleas of Dauphin county from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(e) If any manufacturer shall neglect or refuse to make any report and payment of taxes required by this act the department shall estimate the tax due by such manufacturer and determine the amount due by him for taxes penalties and interest thereon as prescribed herein from which determination there shall be no right of review or appeal

Section 6 Labels to be Affixed to Containers by Manufacturers Every manufacturer shall affix to each container in which distilled spirits rectified spirits or wines are placed for sale a label setting forth the name of the manufacturer the place where and the date upon which the contents of such containers were produced manufactured distilled rectified or compounded and the words "Pennsylvania Spirituous and Vinous Liquor Tax Paid" Such Label shall be affixed in such manner that its removal shall require the continued application of steam or water

Section 7 Spirituous and Vinous Liquor Tax Stamps Penalties The payment of taxes herein provided to be paid by importers under the provisions of this act shall be evidenced by the affixing of "spirituous and vinous liquor tax stamps" to the containers in which all such beverages are intended for sale or use Such stamps shall be affixed by importers to each individual container in which such beverages are intended for sale or use before such beverages are sold or used within this Commonwealth

Any importer who shall fail to affix to the containers of such beverages the stamp as required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than two hundred dollars ($200) or more than one thousand dollars ($1,000) and costs of prosecution or to undego imprisonment for a term of not less than six (6) months or more than three (3) years or both in the discretion of the court

Any importer who shall be convicted of a misdemeanor under this section shall in addition to the punishment heretofore described be adjudged to pay to the Commonwealth the taxes due together with interest at the rate of one (1) per cent per month or fraction of a month from the date when said taxes were due and payable Such adjudication shall be certified to the prothonotary and shall be indexed as and have the effect of a judgment for the amount of such tax and interest

Section 8 Sale of Stamps and Reports by Importers The department shall prescribe prepare and furnish such stamps as it deems necessary for the payment of the taxes to be paid by importers under the provisions of this act The department shall make provisions for the sale of such stamps in such places and at such times as it may deem necessary

The department may appoint persons within or without the Commonwealth as agents for the sale of stamps to be used in paying the taxes herein imposed and whenever the department shall sell consign or deliver to any such agent any such stamps for sale or use the agent shall be entitled to receive as compensation for his services and expenses as such agent and to retain out of the moneys to be paid by him for such stamps a commission of one half of one per cent of the face value thereof The department is hereby authorized and required to allow such commission or compensation in the settlements of the accounts of such agent upon payment by him into the State Treasury through the department of any moneys which may be or become due to the Commonwealth by reason of the sale delivery or consignment to such agent of such stamps

For the purpose of verifying the stamp requirements of this act it shall be the duty of every importer on or before the tenth day of each month to transmit to the department on forms prepared and supplied by the department a report under oath or affirmation of all spirituous and vinous liquors imported and sold or used by the importer in this Commonwealth and such other information as the department shall prescribe

Section 9 Manner of Affixing Stamps Stamps shall be affixed in such manner that their removal shall require continued application of steam or water

Section 10 Purchase and Use of Stamps by Foreign Vendors Producers or other vendors of distilled spirits rectified spirits and wines from without this Commonwealth may purchase stamps from the department and affix them in the manner prescribed by the department to original containers in which such beverages are to be sold in this Commonwealth in which case the recipient of such beverages within this Commonwealth shall not be required to purchase and affix stamps thereon or pay the taxes herein imposed upon the privilege of selling or using such beverages within this Commonwealth

Section 11 Counterfeiting of Stamps Penalty Any person who falsely or fraudulently makes forges or alters or counterfeits any stamp prescribed by the department under the provisions of this act or causes or procures to be falsely or fraudulently made forged altered or counterfeited any such stamp or knowingly and wilfully utters publishes passes or tenders as true any such false altered forged or counterfeited stamp or uses more than once any stamp provided for and required by this act for the purpose of evading the tax hereby imposed and assessed shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment for a term of not less than two (2) years or more than five (5) years

Section 12 Examination of Records Equipment and Stock The Department or any agent appointed by it is hereby authorized at any time to examine the books papers invoices other records and manufacturing equipment pertaining to and stock of distilled spirits rectified spirits and wines in and upon any premises where the same are placed stored or sold either by manufacturers or importers or any other person to verify the accuracy of any report required to be made by this act or payment of or liability for the taxes imposed by this act Any person in possession of such beverages is hereby directed and required to give the Secretary of Revenue or his duly authorized representative the means facilities and opportunity for such examinations

The department is hereby authorized to furnish any information obtained by it in the exercise of its duties under the provisions of this act concerning distilled spirits rectified spirits and wines manufactured in or imported into this Commonwealth to the proper authorities of this or of any other State territory or the United States and to obtain similar information from the proper authorities of any other State territory or the United States

Section 13 Acceptance of Beverage not Bearing the Labels or Stamps Required by this Act It shall be unlawful for any retail dealer consumer or any person other than an importer to accept delivery of distilled spirits rectified spirits or wines in containers upon which the labels required to be affixed by manufacturers or the stamps required to be affixed by importers under the provisions of this act do not appear and upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace he shall be fined twenty-five dollars ($25) and in default of payment thereof shall undergo imprisonment for not more than ten (10) days

Section 14 Uncollectible Checks Whenever any check issued in payment of tax penalty or interest imposed by this act shall be returned to the department as uncollectible the department shall charge a fee of five dollars ($5) per one hundred dollars ($100) or fractional part thereof plus all protest fees to the person presenting such check to the department

Section 15 Retention of Records by Manufacturers and Importers Each manufacturer and importer shall maintain and keep for such period as may be required by the department such record or records of distilled spirits rectified spirits and wines produced manufactured distilled rectified or compounded in or imported into this Commonwealth by him together with invoices bills of lading and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of one thousand dollars ($1,000) and costs of prosecution or to undergo imprisonment for not more than one year or both in the discretion of the court

Section 16 Violations

(a) Any person who shall fail neglect or refuse to make the report and pay the taxes penalties and interest imposed by this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books records invoices other papers and manufacturing equipment pertaining to and stock of distilled spirits rectified spirits and wines within this Commonwealth or who shall make any incomplete false or fraudulent report or who shall attempt to do anything whatsoever to avoid a full disclosure of the amount of distilled spirits rectified spirits and wines by which the taxes under this act are measured or to avoid the payment of the whole or any part of the taxes penalties and interest due shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and costs of prosecution and to undergo imprisonment for not less than six (6) months or more than three (3) years Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

(b) Any person who shall falsely label any container in which distilled spirits rectified spirits or wines are placed for sale or use a false or fictitious name or give a false or fictitious address in any application or form required under the provisions of this act or otherwise commit a fraud in any application record or report shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars ($500) or more than one thousand dollars ($1,000) and costs of prosecution or undergo imprisonment for not less than six (6) months or more than three (3) years or both in the discretion of the court Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

(c) Upon the conviction of any person of any of the misdemeanors described in this section the Alcohol Permit Board at the request of the department may revoke any permit issued by it to such person

Section 17 Enforcement The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

Section 18 Disposition of Tax Fees Fines and Interest All taxes fines penalties and interest received collected or accruing under the provisions of this act shall be paid into the General Fund of the State Treasury by and through the department

Section 19 Exemption from Tax From and after the date upon which the Commonwealth of Pennsylvania begins to operate Pennsylvania Liquor Stores no taxes shall be imposed or collected under the provisions of this act upon the privilege of producing selling or using such distilled spirits rectified spirits and wines as are sold to or sold or used by the Commonwealth or are sold to the United States or any governmental agency thereof or for the use of any scientific university or college of learning any laboratory for use exclusively in scientific research or for use of any hospital or sanatorium eleemosonary dispensary

Section 20 Other Exemptions No tax shall be imposed under the provisions of this act upon the privilege of selling any wine for to or by the holder of a sacramental wine permit or upon the privilege of manufacturing or selling any distilled spirits rectified spirits or wines for or to pharmacists duly licensed and registered under the laws of this Commonwealth or manufacturing pharmacists or chemists or other persons for use in the manufacture or compounding of preparations unfit for beverage purposes or upon the privilege of manufacturing importing storing or using alcohol in the manufacture or production of denatured alcohol in accordance with the laws of the Congress of the United States and regulations issued pursuant thereto

Section 21 Refunds and Exemptions Appropriation (a) Upon application to the Board of Finance and Revenue the Board shall refund to any manufacturer who has paid the tax imposed by this act on the privilege of manufacturing alcohol or liquor shipped to a dealer in another state the difference between the tax paid and the tax which would have been payable at the lowest rate of tax upon the privilege of manufacturing imposed by any other state which the Board finds to be in substantial competition with this state in the manufacture of alcohol or liquor of the kind for the privilege of manufacturing which the applicant paid the tax and if any such state imposes no tax upon the manufacture of such alcohol or liquor when shipped out of the state then the Board shall refund to the applicant the entire tax paid

(b) After the Board has found that any state is in competition as hereinbefore set forth and the facts which would warrant a refund under the preceding clause it may certify such facts to the Department and thereafter the department shall permit exemptions equal in amount to the refunds which would be payable under the preceding clause until such time as new information indicates that a change has occurred in the facts presented to the Board of Finance and Revenue As new facts are from time to time certified to the Department by the Board of Finance and Revenue the department shall modify or cancel the exemptions theretofore allowed

(c) As much of the revenue accruing from this act as is necessary is hereby appropriated to the Board of Finance and Revenue for the payment of the refunds authorized by clause (a) hereof

Section 22 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 23 Effective Date This act shall become effective the day after the day the Twenty-first Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ROOT. Mr. Speaker and members of the House, I fully realize that this is the wrong time to start an argument on House Bill No. 8. I fully realize that whatever I may say on this bill will not in any way effect one single vote.

However, Mr. Speaker and members of the House, last Monday at a public hearing on House Bill No. 8 before the Ways and Means Committee, one man appeared for the bill; about ten or fifteen men spoke against it. Over three hours were consumed in taking testimony and evidence. In this report of one hundred and fifty-three pages, the preponderance of evidence against this bill leads me to decide to vote against it, and I submit to the members of this House that it should be defeated for the following reasons:

The tax of one dollar a gallon as provided for in this act is a manufacturers' tax; it is not a consumers' or a sales tax. It is a producers' tax. It represents a wide and serious departure in the taxation policy of this state.

For a number of years this state has encouraged and asked industries to come into the Commonwealth. The purpose was specific. We needed the employment for our people. The legislatures have even given favorable tax legislation to

manufacturing industries. This bill for the first time in the history of this State, if we enact it, will absolutely destroy what used to be prior to prohibition one of our most important industries.

The Philadelphia Chamber of Commerce reports that two distilleries which were considering opening in Philadelphia, have since cancelled their plans. At the meeting of the Ways and Means Committee representatives of the Chamber of Commerce of this city stated that a distillery was about to open in the City of Harrisburg and that with the introduction of House Bill No. 9, and House Bill No. 8, they have discontinued their plan to open in this city.

The plants that are now existing and have been operating have completely shut down throwing out of employment hundreds of thousands of people and adding them to our long list of unemployed in this State.

In the second place, this tax is discriminatory against the manufacturers in Pennsylvania. No manufacturer can exist in this State and meet the competition of manufacturers of other States when he is obliged to pay one dollar to the Commonwealth of Pennsylvania for a gallon of liquor produced in Pennsylvania to be consumed outside of this State.

Now, the sponsors of this bill fully realized that this was a most serious defect in the measure, and you may remember that the bill was recommitted to the Ways and Means Committee and they came back tonight with section 21, to which I desire to call your attention. Section 21 on page 19 of this act provides for a refund if the board finds there be any substantial competition with this State in the manufacture of alcohol or liquor of any kind for the privilege of manufacturing on which the applicant pays the tax.

I submit to you, gentlemen, that this section is merely a subterfuge for the purpose of eliminating the opposition that has arisen against this bill.

The Board of Finance and Revenue will very easily under this section say that Pennsylvania rye is the best rye in the United States and, therefore, no State is in competition with the State of Pennsylvania, and the Pennsylvania manufacturers will not be able to get their refunds.

This section, members of the House, will only lead to litigation, manufacturers will have to tie up their money and their working capital in taxes because the dollar has to be paid as soon as the liquor is produced, not when it is sold, and finally, Mr. Speaker and members of the House, I submit that the tax rate of one dollar, as provided for in this act, plus the proposed Federal tax of about three dollars is entirely too high.

Because we desire revenue is no just reason for the employment of the tax raising powers as a means minimizing the drink urge. The desire for revenue should not place taxes of any kind on alcoholic beverages at a point where it becomes profitable for moonshining, diversion and smuggling. We cannot force and tax temperance into our people by legislation. Labor is against this bill. I have here a telegram addressed to John A. Phillips, President of the State Federation:

Philadelphia, Penna. 29 1229A

John A. Phillips, President-
State Federation of Labor DLR tonite care
Federation office or Capitol Harrisburg Penna-

It is vitally important in interests of labor that mention be made on floor of House tonight of ambiguous and misleading clauses in proposed amendments to House Bill number eight stop this bill also fails to cover phases which are governing in functioning and development of distilling industry within the Commonwealth stop first the bill makes no mention of United States territories and possessions which are heavy producers of spirits and mollasses Portorico Hawaii Virgin Islands and Phillippines which will offer most serious competition to distillers within this State as result of this omission stop second immediate financial burden imposes on distillers in meeting tax on shipment to other states by this levy is unsurmountable even to largest enterprises and would be so even in normal times for they would have to lay out millions of dollars while awaiting refunds that are made discretionary on the basis of hearings and the taking of testimony regarding competition in other states that necessarily will be delayed and furthermore no time of fund is specified and working capital of companies will in all probability be exhausted before such refunds are granted and paid stop third the new amendments specify that determination of competition shall be made quote of a kind unquote referring to liquor and this is subject to controversy and decision by a body which necessarily is not expert on liquor therefore this clause is liable to lead to all kinds of difficulties stop obviously in order to bring about for the benefit of labor the continuance and expansion of the Great Pennsylvania distilling Industry and allied trades it becomes necessary that the wording of House Bill eight shall be definitely to the point declaring in just so many words that all shipments made outside the Commonwealth shall be exempt from the payment of this tax stop this tax is the one dollar per proof gallon on liquor manufactured in Pennsylvania for shipment to any other state stop the proposed amendment makes this discretionary with a State Board which is delegated to return taxes if it is found that manufacturers in other states have an advantage stop this new clause leaves the manufacturers and laboring interests of Pennsylvania at the mercy of individual interpretation and shifting political situations stop it is necessary that these apparently unknown aspects of the case be forcefully presented to the Legislature tonight from the floor and duly emphasized to the end that all ambiguity be eliminated particularly as a concession to save the distilling industry for the State has been made already in the suggestion of a more reasonable policy as this amendment indicates stop this requires action and it is a case which merits your most aggressive service which will be of lasting benefit to labor in saving thousands of jobs—

SHERMAN ROGERS

Suffice it to say that labor has expressed through John A. Phillips its opposition to this bill because it will mean the destruction of the distilling industry in this State.

Excessive taxation will encourage not only the illicit distillery, but it will put back into power the bootlegger, the speakeasy and the racketeer. This law, together with the other laws that have been passed on this liquor question, means that there will be flagrant violations throughout the Commonwealth, and that the liberal electorate of this State will know that in defiance of the mandate of the people, the Governor by his prohibition tactics has defrauded them of their repeal victory.

Mr. Speaker and members of the House, because this is a tax on manufacturing, because this bill is a discrimination against the manufacturer of Pennsylvania and because the tax as provided therein is entirely too high, I propose to vote against it and I ask the members of the House to vote against it.

Mr. WITKIN. Mr. Speaker and members of the House. I know that the hour is late, but the question that is before you is an important one.

The gentleman from Philadelphia just told you that this bill provides for excessive taxation and will encourage the bootlegger.

May I call his attention to the fact that this bill does not place one cent tax upon the consumer of liquor in the State of Pennsylvania? The working man, the poor man is not taxed at all, is not taxed a half a dollar or a half a cent. This bill exempts the consumer of liquor from the payment of the tax.

There is no tax upon the State of Pennsylvania who will buy the liquor and sell it to the consumer, so that the argument that this bill will lead to bootlegging in the State of Pennsylvania is a fallacious argument.

My friend has also said that it is discriminatory against the manufacturers of other states. He is again mistaken, because under the amendment introduced in this there is no discrimination.

I have sufficient confidence in the elective officers of the State of Pennsylvania, I have sufficient confidence in the Board of Finance and Revenue, and if they are mistaken, I have sufficient confidence in the courts of Pennsylvania, that they will not permit a capricious decision by the Board of Finance and Revenue.

Under the terms of this bill the Pennsylvania manufacturers are compelled to pay a tax of one dollar for all liquor that goes out of the State, but if the Board of Finance and Revenue find that any other State in the whole Union is in competition with the State of Pennsylvania, then the lowest tax rate of any other competitive State is the tax that the Pennsylvania manufacturer will have to pay, so that if the lowest State tax in the Union, of a competitor of the Pennsylvania manufacturer, charges twenty cents, there will only be a tax upon the Pennsylvania manufacturer of twenty cents, and if the lowest competitive State has a State tax of nothing, the tax on the Pennsylvania manufacturer will be nothing.

I say to the members of the House that this is not stifling, it is not discriminating, it is not a burden upon the Pennsylvania manufacturer, and may I stop here to say that merely because it is the Governor's bill, whom I have opposed and whom I will continue to oppose, if I think he is wrong, is no reason why we should vote against this bill that will bring revenue to help social legislation in the State of Pennsylvania.

There is a right of appeal to our courts, and if the gentleman from Philadelphia has no confidence in the Auditor General, no confidence in the State Treasurer, no confidence in the Attorney General, or the Secretary of Revenue, I have, and I have further confidence that if they make mistake, the courts of our state will decide whether or not there is another state that is in substantial competition with this state.

I say to the members of the House that there would be much more to say if the hour were not so late. You do not tax the consumer, you do not discriminate against the manufacturer. The state of Pennsylvania needs the revenue. We stand for social legislation, we stand to help the people and the only source or revenue that we could use for the purpose is the revenue that will justly and properly innure to the Commonwealth by the passage of this bill, and I urge upon you that you pass this bill, in order that liquor legislation may become a thing of the past, and in order that we may proceed in this great Commonwealth of Pennsylvania.

Mr. SOWERS. Mr. Speaker and members of the House, this bill is not of minor importance. The best information I can obtain is that seventy per cent. of the distilling industry of the United States is in Pennsylvania. A great deal of it is in the southern part of Philadelphia. I have received, I guess two dozen letters from people that work in the distilling industry, telling me that they have been put out of work by the threatened passage of this bill.

We were called here in extraordinary session to look for jobs for people. We were called here recently in another extraordinary session for unemployment relief. We have repealed the 18th amendment for the purpose of relieving unemployment and helping the general welfare.

This bill, if it becomes a law, will drive out of Pennsylvania that industry. Do we want to part with it?

My friend argues and he argues in a circle. He says it taxes and it don't tax. It taxes and it don't hurt. Well, if it is a bill like that, what good is it? It either taxes or it don't tax. He says it taxes no consumer in Pennsylvania, then what good it is if it doesn't bring any money in. He said that if the distillery competitor outside of the state pays a lower tax than our distiller here, that our distiller will pay a less tax. Well if his argument is right, that if the distillery in Missouri is charged ten cents a gallon our distiller here will be charged ten cents a gallon, and when it goes into Missouri, he will have to pay the Missouri tax also. So we start handicapped in competition with the rest of the United States.

Our friend says that we must find revenue. Let us find revenue that will not drive out an industry and drive people out of jobs.

I ask the members of the House to vote against this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—125

Andrews,	Griffith,	McKinney,	Simon,
Baker,	Habbyshaw,	Meredith,	Snyder,
Barnhardt,	Haines,	Merrell,	Spann,
Bechtel,	Hamilton,	Mohn,	Sterling, P.,
Beech,	Hartman,	Mumford,	Sterling, R. B.,
Bernhard,	Hefferon,	Munley,	Stevens,
Boyd,	Hefner,	Nothnagle,	Stiteler,
Brennan,	Hermansen,	O'Neill,	Stott,
Brown, J. E.,	Hewitt,	O'Rourke,	Surface,
Brown, W. L.,	Himes, L. R.,	Patterson,	Trout,
Brownfield,	Hoffman,	Peelor,	Turner,
Caputo,	Holmes, J. L.,	Perry, D. R.,	Wade,
Chervenak,	Hoopes,	Perry, J. J.,	Wagner,
Cohen,	Horst,	Peters,	Wall,
Cordier,	Hough,	Powell,	Way,
Craig,	Hutton,	Powers,	Welsh,
Cramer,	Jones,	Quinn,	Westrick,
Dane,	King,	Raub,	White,
Davies,	Kinney,	Rectenwald,	Wike,
DeFrehn,	Lewis,	Reed,	Williams, G. W.,
Downey, G. E.,	Lord,	Reilly,	Wilson, L. M.,
Dunmire,	Lose,	Rhodes,	Wilson, T. B.,
Ederer,	Lovett, W. S.,	Rice,	Witkin,
Emhardt,	Maloney,	Roan,	Wood,
Eroe,	Mason,	Royle,	Woodside,
Evans,	McBride,	Ruby,	Wright,
Fitzgerald,	McClure,	Sarig,	Yeakel,
Flinchbaugh,	McCreary,	Schrock,	Yourishin,
Flynn, J. M.,	McElwee,	Sheffer,	Zimmerman,
Furman,	McGinnis,	Shellenberger,	Talbot,
Gallagher, T. J.,	McGregor,	Shortz,	Speaker.
Gallagher, W. J.,	McKay,	Shreiner,	

NAYS—49

Baldi,	Gillette,	Male,	Roth,
Bennett,	Gorman,	Malina,	Ruth,
Blumberg,	Green,	Marcks,	Sautter,
Brancato,	Greenstein,	McHenry,	Schrope,
Cannon,	Harris,	Melichorre,	Schwartz,
Carey,	Hart,	Moore,	Shugarts,
Conner,	Heffernan,	Murphy,	Sinwell,
Cooke,	Hester,	Myers,	Sowers,
Denning,	Holmes, J. B.,	O'Connor,	Stank,
Downey, J.,	Howard,	Pennock,	Steedle,
Flanagan,	Jaffe,	Price,	Tahl,
Fleisher,	Laubach,	Root,	Weidemann,
Flynn, J. W.,	Long,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

COMMUNICATION

RECOMMENDING CERTAIN LEGISLATION.

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

Chaleroi Lodge No. 103, Loyal Order of Moose.
Charleroi, Pa., November 27, 1933.

Hon. William Lane, House of Representatives, Harrisburg, Pa.:
Dear Sir:

At regular meeting of Charleroi Lodge No. 103 Loyal Order of Moose House Committee, the following resolutions were adopted and Secretary instructed to send copy to each of our Representatives and Senator and kindly request them to use their influence and vote in behalf of laws to this effect:

1. Recommending, that a law be passed to prevent the formation and licensing for the sale of liquor, of "one-man" clubs, and illegitimate eating houses organized in fact to sell liquor, thus interfering with the business of legitimate clubs.
2. Recommending, that legitimate clubs and social quarters of charatered fraternal, beneficial and social organizations, be licensed to sell liquor.
3. Recommending, that such legitimate clubs be licensed to dispense such liquors from 6:00 A. M. to 2:00 A. M. on week days, and from 1:00 P. M. to 10:00 P. M. Sundays.
4. Recommending, that the license fee for such legitimate clubs to dispense liquors, be $25.00.
5. Recommending, that such legitimate clubs be permitted to dispense liquors in any container, in quantities of from 1 glass up to 1 quart, including ½ pint or pint quantities; and that such legitimate sales may if desired be carried away from the premises after sale, by the buyer.

REPORT FROM COMMITTEE

Mr. LEWIS, from the Committee on Elections, reported as amended, House Bill No. 114 (Senate Bill No. 19), entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. A number of bill remain uncompleted in the Legislative Reference Bureau. This is due to two causes—the last minute rush for bills, and the inadequate stenographic force resulting from the cut in the Bureau's appropriation.

The Bureau, therefore, suggests that the same procedure be followed as at the regular Session of 1933, and that permission be granted to complete all bills requested, after which the Bureau will file the same in the office of the Speaker for signature by the Members and for numbering, so that they may be referred to appropriate committees at the next session.

SENATE MESSAGE

AMENDED HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 10

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruation other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connections with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of license fees and imposing penalties.

With the information that the Senate has concurred in the amendments made by the House.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 10.

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Insruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not to consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation or bringing of such beverages into the state except as herein provided prohibiting certain sales or practices in connections with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of license fees and imposing penalties.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PRINTING ADDITIONAL COPIES OF HOUSE BILL No. 10

Mr. McCLURE. Mr. Speaker, I move that one thousand additional copies of House Bill No. 10, be printed for the use of the members.

The motion was agreed to.

ADJOURNMENT

Mr. WEIDEMANN. Mr. Speaker, I move that this House do now adjourn until Monday evening, December 4, 1933, at 9:00 o'clock.

The motion was agreed to, and (at 3:13 o'clock A. M.) the House adjourned until Monday, December 4, 1933, at 9.00 o'clock P.M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., MONDAY, DECEMBER 4, 1933. No. 12.

SENATE

MONDAY, December 4, 1933.

Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Our Father, God, from out whose hands fall the years like grains of sand, help us tonight to give Thee thanks on this two hundred and fifty-first anniversary of the first meeting of the assembly of this state at Chester. Help us to remember the conflicts and to remember the troubles and the trials of other days as we have the troubles in our own. Let us give Thee thanks that Thou hast spared this Commonwealth. Wilt Thou preserve it and bless those who are seeking to bring it out of this period of hardship into one of prosperity. Bless all the members of this Senate and all the officers tonight. Help them to remember always this two hundred and fifty-first anniversary of the grand and glorious holy experiment which was really started two hundred and fifty-one years ago this very day by the members of the assembly who preceded them. We ask it in Thy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HARVEY, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

The Chair asked and obtained an extension for one week of the leave of absence granted to the Senator from Philadelphia, Mr. Woodward.

The Chair also asked and obtained an extension for one week of the leave of absence granted to the Senator from Delaware, Mr. McClure.

COMMUNICATION FROM THE SECRETARY OF EDUCATION

The Chair cleared his table and laid before the Senate the following communication from the Secretary of Public Instruction:

Commonwealth of Pennsylvania,
Department of Public Instruction,
Harrisburg, December 4, 1933.

Honorable Edward C. Shannon,
Lieutenant-Governor,
President of the Senate,
Commonwealth of Pennsylvania.

Dear Mr. President:

The Senate is today observing the two hundred fifty-first anniversary of the opening of Pennsylvania's first legislative body at Chester on December 4, 1682. By an interesting coincidence yesterday, December 3, was also the one hundredth anniversary of the opening of that historic session of the General Assembly which later passed the Free School Act, approved April 1, 1834, abolishing the pauper schools and initiating Pennsylvania's system of free public education for all the children within its borders.

Pennsylvania's General Assembly has many progressive measures to its credit that have helped to make this great Commonwealth preeminent in industry and commerce, agriculture and the fine arts.

Pennsylvania has become the home of liberty and opportunity to millions of loyal citizens who have given our beloved Commonwealth first rank in many fields. A procession of Pennsylvania's great men and women, epitomizing Pennsylvania's progress during the years that lie behind, is a promise of the greater progress that lies ahead, if we preserve and strengthen the basic institutions and ideals that have brought us happily to this anniversary day. And what a procession it is: William Penn, founder of the Commonwealth; Benjamin Franklin, statesman, author, and inventor; Andrew Carnegie, whose ingenuity and foresight brought steel into general use in America; E. L. Drake, who drilled the first oil well in America at Titusville; John Wanamaker, who established the department store system, one price sales, and advertising in local papers; Benjamin West, founder of American art; Joseph Pennell, one of the world's greatest etchers; Edwin Austin Abbey and Violet Oakley, artists; John W. Alexander, mural painter; Francis Hopkinson, Stephen Collins Foster, and Ethelbert Nevin, musical composers; Oliver Evans, America's first mechanical engineer; Robert Fulton and John Fitch, inventors; George Westinghouse, inventor; Joseph Priestly, who discovered oxygen; Doctor John Morgan, founder of American medicine; Doctor Philip S. Physick, father of American surgery; and many others, too numerous to mention in this brief statement.

In appraising Pennsylvania's contribution to the nation, it should be remembered that the Declaration of Independence, the political Bible of our land, was written, adopted, and signed here; that the United States Constitution was written on Pennsylvania soil; that Lincoln delivered his immortal address at Gettysburg, one of the world's decisive battle fields; that Sir Walter Scott found his Rebecca in Pennsylvania; that Longfellow selected a Philadelphia Churchyard for the resting place for his Evangeline; that the first American text-book was written by Francis Daniel Pastorius; that America's first medical school, first college of physicians, first law school, first academy of fine arts, and first women's art school were organized in Philadelphia; that the first college of pharmacy and the first women medical college in the world were founded here; and that the flag of our country was designed, made, and adopted in Philadelphia.

Pennsylvania's contribution to National welfare and progress has been truly great—one to fill every Pennsylvanian with pride in her glorious past and with a feeling of deep responsibility for the future.

A vital factor in this advance of Pennsylvania to ever richer and higher levels of achievement has been our system of public schools wherein all the children of the Commonwealth may enjoy, presumably without discrimination, an efficient and thorough education as mandated in the Constitution.

Free public schools are maintained for but one purpose, and that is to prepare competent, loyal citizens for the Commonwealth during the difficult days that lie ahead. To this high task the teachers and officials of the public schools of the Commonwealth dedicate themselves without reservation.

Sincerely yours,

JAMES N. RULE.

BILLS INTRODUCED

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No. 66, entitled:

An Act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, county commissioners, registrars, inspectors of registration and other appointees of county commissioners, election officers, municipal officers, departments, and bureaus, police officers, courts, judges, prothonotaries, sheriffs, peace officers, county treasurerers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of schools directors; and imposing penalties.

Which was committed to the Committee on Elections.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 67, entitled:

An Act authoirzing banks banking institutions savings institutions trust companies building and loan associations guardians trustees and other fiduciaries to invest moneys and funds on bonds issued by the Federal Loan Banks established under the authority of the Act of Congress approved the 22nd day of July 1932 its supplements and amendments and exempting such bonds from taxation for certain purposes.

Which was committed to the Committee on Banks and Building and Loan Associations.

Also read in his place and presented to the Chair Senate Bill No. 68, entitled:

An Act to amend sections three hundred one three hundred eight three hundred fifteen five hundred one and to further amend sections three hundred five three hundred six four hundred seven four hundred nine four hundred thirteen four hundred twenty four hundred twenty-three four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by enlarging the class of accidents to which the said act shall apply increasing the powers of the Bureau to revoke its order granting exemption from insurance requiring each employer to post conspicuously the name of his payer of compensation providing that payments for partial disabilities shall be in addition to those for total disabilities increasing the time for which surgical medical and hospital services medicines and supplies shall be furnished removing the limit on the cost of such services and supplies requiring the employer to pay the cost of transportation to and from the place where such services are rendered requiring compensation to be paid directly to the employe requiring the employer to furnish to the Bureau evidence of payment of compensation extending the period within which claims can be made making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the Board to the employe repealing the provision limiting the time within which agreements or awards may be reviewed modified or reinstated providing when a petition to terminate or modify an agreement or award shall operate as a supersedeas and that such a petition must be accompanied by the affidavit of a physician providing in certain disputed cases for impartial medical services at the cost of the employer extending the time for appeals from the referees to the Board and from the Board to the courts of common pleas extending the time for filing exceptions to the actions of the Board providing that payments may be awarded to claimants of remuneration for surgical medical and hospital services and supplies and that such payments may be enforced as payments of compensation are enforced

Which was committed to the Committee on Judiciary General.

QUESTION OF PERSONAL PRIVILEGE

Mr. HARRIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his question of personal privilege.

Mr. HARRIS. Mr. President, in the newspapers of the State of Pennsylvania yesterday the Chairman of the Democratic State Committee issued a challenge to the Republican party. In that challenge he admits that the Republican party is the majority party. He called upon the Republican party to assume the responsibility of the passage of a humane and progressive programme. He laid the responsibility directly on the shoulders of the Republicans. In addition to that he expressed the thought that now that the control bills have been passed and the tax bills are about to be passed that the interest in this session would wane, that the Republicans would immediately attempt to adjourn without the passage of this humane legislation, the social legislation, the progressive legislation that has been outlined in the Governor's programme. We deny that charge. We believe that the Republicans are as much interested in the passing of this splendid programme of legislation as the Democrats. Let us lay aside all personal differences, all factional differences, all party differences; lay aside our personal business, if necessary, and all join and unite in harmony in the Republican ranks, so that when this session ends there will be a legislative programme adopted that will bring the approbation of the people of the Commonwealth to the Republican party. We are as progressive, even more progressive, than the Democratic party. I feel proud to belong to a party that our opponent concede is still the majority party. Now, there is one thing of which we must convince the people of Pennsylvania, and that is that we are still interested in the passage of this programme, and we are willing to stay here just as long as anybody else to carry out this programme.

Mr. President and members of the Senate, for the purpose of convincing the Democratic party and the people of Pennsylvania that we still stand for the passage of this humane and progressive programme, I offer the following resolution:

RESOLUTION URGING THE PASSAGE OF LEGISLATION COMPREHENDED IN THE GOVERNOR'S CALL

Mr. HARRIS offered the following Resolution which was twice read:

IN THE SENATE, December 4th, 1933

Whereas, The Governor's proclamation for this Extraordinary Session contains references to many subjects of legis-

lation of the utmost importance to the Commonwealth and to welfare of the people of this State; and

Whereas, Various bills which have been introduced and which are clearly comprehended within the Governor's call remain unconsidered at this date by the committee of the two Houses to which the same have been referred; therefore be it

Resolved, That the Members of the Senate lay aside all personal business and forgetting all factional and party differences, pledge themselves to remain in session until all legislation comprehended within the Governor's call and pending before Senate committees has been given proper consideration to the end that this Extraordinary Session may fully accomplish the purposes for which it was convened.

Mr. HARRIS. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be referred to an appropriate committee, be suspended, and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there any objection?

Mr. BUCKMAN. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

Mr. HARRIS. Mr. President, I would like to interrogate the Senator from Bucks, Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks, Mr. Buckman, permit himself to be interrogated?

Mr. BUCKMAN. Mr. President, I should be glad to be interrogated by the next Governor of Pennsylvania.

Mr. HARRIS. Mr. President, I would like to ask the Senator from Bucks, Mr. Buckman, his reason for objecting to the immediate consideration of this resolution.

Mr. BUCKMAN. Mr. President, my objection to the immediate consideration of the resolution is that all resolutions should be considered by a committee. I do not know whether I misunderstood the wording of the resolution, but I understood something about socialistic legislation. I think we should be vary careful before we agree to pass any socialistic legislation at this session of the Legislature.

Mr. HARRIS. Mr. President, because of my high regard for the Senator from Bucks, Mr. Buckman, I will ask for a third reading of the resolution for the benefit of the Senator from Bucks, Mr. Buckman, so he will understand there is nothing said about socialistic legislation.

The Resolution was again read by the Clerk.

Mr. HARRIS. Mr. President, I again desire to interrogate the Senator from Bucks, Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks, Mr. Buckman, permit himself to be interrogated?

Mr. BUCKMAN. Mr. President, with much pleasure.

Mr. HARRIS. Mr. President, I will ask the Senator now if he will withdraw his statement that there was anything socialistic about this resolution or words of a socialistic nature used in this resolution?

Mr. BUCKMAN. Mr. President, I will withdraw that statement because on second reading I have heard the word "social" instead of "socialistic."

Mr. HARRIS. Mr. President, I accept the apology of the Senator from Bucks, Mr. Buckman, and I ask him whether he will not, because of our long-standing friendship and the many times I have seconded his motions on the floor.

Mr. BUCKMAN. Mr. President, I am not unmindful of the many courtesies received by me from the Senator from Allegheny, Mr. Harris, but it is not a question of courtesy, but the proper consideration of legislation; but for us to pledge ourselves to stay at this Extraordinary Session seems entirely out of order. I have not any objection to staying here a reasonable time, but if we pass this resolution we might be called to stay rather indefinitely and if we accomplish things in the nature of emergency legislation it seems to me we will be doing the Commonwealth a benefit as well as ourselves to close up shop and go home.

RESOLUTION RELATIVE TO MEETING OF THE CONVENTION TO REPEAL THE EIGHTEENTH AMENDMENT

Mr. HOMSHER offered the following resolution, which was twice read:

In the Senate, December 4th, 1933.

Whereas, The Act of Assembly approved May 3rd, 1933, No. 81, provides that the Convention called on behalf of the Commonwealth of Pennsylvania to ratify or reject the proposed amendment to the Constitution of the United States to repeal the eighteenth amendment, shall meet in the Hall of the Senate on December 5th, 1933, at twelve o'clock noon, and shall be presided over by the Lieutenant Governor, and that the Secretary of the Senate shall be the Secretary of said Convention; therefore be it

Resolved, That the Senate of Pennsylvania cordially welcomes the delegates of the Convention to the Hall of the Senate, and directs the officers and employes of the Senate to afford every convenience and facility possible to the Convention in order that the business of the Convention may be duly carried out;

Resolved, In order that the Convention may meet promptly at the time appointed by law, the Senate shall recess not later than 11:30 A. M. this date;

Resolved, That a copy of this Resolution be transmitted to the Convention by the Chief Clerk.

Mr. HOMSHER. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be referred to an appropriate committee, be suspended, and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there any objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

The PRESIDENT. The Chief Clerk is directed to transmit a copy of the resolution to the Convention tomorrow.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Dauphin, Mr. Reed, will state his question of personal privilege.

Mr. REED. Mr. President and members of the Senate, I believe that before we go twenty-four hours further into this session we should know where we are going financially. We are asked to appropriate millions of dollars for various purposes. We have listened to estimates of huge receipts. But the State's fiscal officers for weeks have been warning us that we should go slow. Auditor General Frank E. Baldwin and State Treasurer Charles A. Waters tell us that we are headed for financial shoals—indeed that we are now paddling in shallow water.

I cannot bring myself to believe that the prediction of greatly increased revenue for the balance of the biennium is well-founded. I see no reason for the expectation or the belief that liquor-drinkers are going to put in the greater portion of their days and nights consuming whiskey so that the State can take care of its unemployed, relieve the serious threat to the schools and aid other worthy causes.

I have no doubt that were it not for the unexpected windfal resulting from the Dorrance estate, coupled with revenue which accrud from the sales tax levied some months ago, and the Philadelphia bridge bonds, Pennsylvania today would be deep in the red. But how long will it be before we are in the red? How long will it be until out-go exceeds all possible in-

come? I think we should find out. The General Fund balance on May 31, 1928, was over $35,000,000. On November 30th last, it was $9,284,182.37. Out-go continues, and income falls.

The State tomorrow will open bids for the sale of bonds for $25,000,000. Before long we shall issue $50,000,000 in bonds to pay veterans' compensation, and $10,000,000 in bonds for purchase of toll bridges. In the long run these bonds will cost upwards of $61,000,000. We must look ahead to the time when unemployment relief money is exhausted again. The fiscal officers of the State tell us that time is not far distant, although we have not touched the $20,000,000 approved by the voters in the recent election. At the present rate of expenditure for relief, approximately $6,000,000 per month, the State Emergency Relief Board will very probably need money before May 1st. At least, I am informed that to be the opinion of Auditor General Baldwin and State Treasurer Waters.

Mr. President, I am firmly convinced that we should secure the facts from those who have the facts. We should find out exactly what our financial prospects are, and for that reason I offer the following resolution:

RESOLUTION REQUESTING INFORMATION FROM THE AUDITOR GENERAL AND STATE TREASURER

Mr. REED offered the following Resolution which was twice read:

In the Senate, December 4th, 1933.

Resolved (if the House of Representatives concur), That the Auditor General and State Treasurer be requested to furnish to the General Assembly as early as possible, a joint statement of the existing and probable future financial condition of the State Treasury during the present fiscal biennium, which statement shall be in such form and contain such information as said officers deem necessary to enable the Members of the General Assembly to ascertain what moneys will be available for appropriation at the present Extraordinary Session, taking into consideration the revenues to be derived from taxes on liquor and profits and revenues to be derived from State liquor stores, permits, and license application fees.

Mr. REED. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be referred to an appropriate committee, be suspended, and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there any objection? The chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORT FROM COMMITTEE

Mr. CLARK. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CLARK, from the Committee on Agriculture, re-reported as amended, Senate Bill No. 52 entitled:

An Act to amend the title and sections one, two, and three of the act approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand two hundred twenty-nine), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," as amended, by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

APPROVAL OF SENATE BILL No. 3

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, December 4, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 3, Printer's No. 2, entitled, "An Act to amend sections one four and five of the act approved the sixteenth day of March one thousand nine hundred thirty-three (Act number ten) entitled "An act authorizing the Department of Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges authorizing the construction and maintenance of such bridges approaches and connecting roads to State highways by the Department of Highways providing for the condemnation of property necessary for the construction thereof and the assessment and payment of damages therefor providing for the collection of tolls upon certain terms and conditions and the deposit thereof in the State Treasury in a special fund providing for the payment of toll collection costs maintenance charges and repayments to the Reconstruction Finance Corporation from said fund providing for the cessation of tolls and payment of subsequent maintenance costs from the Motor License Fund and appropriating certain money in the Motor License Fund to carry out the provisions of said act" by authorizing similar arrangements to be made with other agencies of the Federal Government

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

MEMBER OF STATE ATHLETIC COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate and appointment of Dr. William D. McClelland, of Pittsburgh, Allegheny County, as a member of the State Athletic Commission, vice Havey J. Boyle, whose term expired, for the term of two years.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 4, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation.

LACKAWANNA COUNTY

Miss Maude S. Dawkins, Scranton

LEHIGH COUNTY

Richard H. Clauss, Allentown

LEHIGH COUNTY

Nevin P. Fegely, Cementon
Mrs. Estella K. Knappenberger, Allentown

LYCOMING COUNTY

Jay H. Campbell, Williamsport

MONTGOMERY COUNTY

Mrs. Eleanor S. Cadmus, Pottstown

PHILADELPHIA COUNTY

Albert J. Lashner, Philadelphia, 1602 Pine Street

GIFFORD PINCHOT.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 12 (House Bill No. 13), entitled:

An Act to amend certain sections of the act, approved the fifth day of May, one thousand nine hundred thirty-three (Act number one hundred four), entitled: "An act imposing a State Tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties," by restricting the provisions of the act to malt liquors, as defined therein and clarifying certain provisions of the act.

And said bill having been read at length the third time, and agreed to, and the amendments made therto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamsen,
Coyne,	Krause,	Rice,	Ziesenhein,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in whcih the concurrence of the House is requested.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 42, entitled:

A Joint Resolution creating a Liquor Control Investigation Commission, defining the powers and duties of said Commission; and making an appropriation.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to amend Section 1, page 2, line 25, by adding thereafter the following section:

Section 4. This joint resolution shall become effective immediately upon final enactment.

The amendment was agreed to.

On the question.

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 43, entitled:

An Act making an appropriation to the Department of Military Affairs

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 44, entitled:

An Act making an appropriation to the Department of Military Affairs for the purchase of supplies materials and equipment to improve the Military Reservation at Indiantown Gap

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,

Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 54, entitled:

An Act abating interest penalties and costs on county city borough town township school and poor taxes on real property for the year one thousand nine hundred and thirty-two and years prior thereto in certain cases

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED

Mr. COYNE. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 56, entitled:

An Act authorizing counties, boroughs, towns, townships and school districts having moneys borrowed for one purpose to use the same for other purposes which will aid recovery from existing economic depression; and requiring in certain such cases the assent of the electors.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SCOTT. Mr. President, I ask unanimous consent to amend title, page 1, line 1, by inserting after the word "counties" the following: poor districts, also section 4, page 2, line 25, by inserting after the word "event" the following:

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 62, entitled:

An Act reducing to five days the period during which municipal subdivisions of the Commonwealth are required to advertise notice of proposed awards of contracts for articles to be used on projects financed by the Federal Civil Works Administration.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. GELDER. Mr. President, I move that Senate Bill No. 63 on third reading, entitled:

An Act to amend section three of the act, approved the third day of June, one thousand nine hundred and thirty-three (P. L. 1520), entitled "An act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the various political subdivisions of the Commonwealth for the maintenance of certain streets and roads during the calendar years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five, and requiring political subdivisions to reduce their tax rates for road and street purposes for said years; providing for certification of mileage of public roads and streets by municipal authorities to the Department of Highways; and providing for the use and maintenance of road building machinery and equipment belonging to such political subdivisions by the Department of Highways in carrying out the purposes of this act," by relieving the Department of Highways of the repair and maintenance of certain roads in townships of the second class.

be recommended to the Committee on Public Roads and Highways.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 8, as follows:

An Act for the acquisition of property by the Commonwealth east of the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg and making an appropriation.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to provide work for unemployed persons the Department of Property and Supplies is hereby directed to acquire in the name of the Commonwealth with the approval of the Governor by purchase or the exercise of the right of eminent domain in the manner prescribed by the Administrative Code of one thousand nine hundred and twenty-nine all lands and buildings within the following

described boundaries to provide an open area for a dignified approach to the eastern end of the Soldiers' and Sailors' Memorial Bridge said property to be as follows

Property fronting on both sides of State Street in the City of Harrisburg to the depth of one hundred feet north and south of the State Street line and between Thirteenth and Fourteenth Streets Provided however That no property shall actually be taken by the Department until the City of Harrisburg shall by proper municipal action release to the Commonwealth any claim which it might have by reason of any action taken under the authority of this act and shall file the said release with a certified copy of the proceedings under which it was given with the Department of Property and Supplies Provided further That before any such property shall actually be taken the Department of Property and Supplies with the approval of the Governor shall agree with the City of Harrisburg as to the widening and improvement of the streets in and bordering on said area to be acquired

Section 2 The Department of Property and Supplies shall proceed as rapidly as possible to demolish the buildings acquired within the above described area and proceed to grade and terrace the lands within said area

Section 3 When any liens exist upon any estate or interest so acquired the same shall be paid and satisfied out of the purchase money or damages In case said purchase money or damages shall be insufficient to pay said liens or any dispute shall arise as to the validity of any such liens or the amount due thereon the Department of Property and Supplies shall present a petition to the Court of Common Pleas of Dauphin County for permission to pay the amount due on such acquisition into court and after proper order of court shall pay the amount of such purchase money or damages into said court to be distributed among the parties entitled thereto in the same manner as moneys paid into court upon sheriffs' sales are distributed Upon such payment into court of such purchase money or damages said liens shall be extinguished and the court shall direct satisfaction of said liens to be entered of record

Section 4 The Department of Property and Supplies shall cause to be kept a full fair and accurate record of all its proceedings properly indexed and open to the inspection of the public Copies of all records documents and papers when duly certified by the Department shall be received in evidence in the courts of this Commonwealth in all cases where the original rcords documents and papers would be admitted in evidence Provided however That in any judicial controversy before any court either party may have the original records documents or papers produced on the service of proper process for that purpose

Section 5 The sum of three hundred thousand dollars ($300,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for carrying on the work of the Department authorized under this act and for the payment of lands and buildings acquired Provided That any moneys granted to the Commonwealth by the Federal Government or any agency thereof to assist in the construction of public works for the purpose of aiding national economic recovery may be used for any of the purposes provided for in this act to the extent allowed by Federal law and for such purposes are hereby appropriated to the Department of Property and Supplies

Section 6 This act shall take effect immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 8, the bill just read, be recommitted to the Committee on Appropriations.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 9, as follows:

An Act making an appropriation to the Department of Property and Supplies for the erection of an additional office building in Capitol Park and for grading and terracing the ground surrounding the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to provide work for unemployed persons the sum of four million five hundred thousand dollars ($4,500,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies to be used by it for purchasing plans and causing specifications to be prepared for and for erecting and constructing an additional office building in Capitol Park to be located east of the North Office Building and for grading and terracing the ground surrounding such building when constructed Provided That any moneys granted to the Commonwealth by the federal government or any agency thereof to assist in the construction of public works for the purpose of aiding national economic recovery may be used for any of the purposes provided for in this act to the extent allowed by federal law and for such purposes are hereby appropriated to the Department of Property and Supplies

Section 2 The Department of Property and Supplies is hereby authorized to purchase from the architects who prepared the same the plans for the aforesaid office building now in the possession of the Department of Property and Supplies if the same have not already been purchased and to cause said architects to prepare specifications and such further detailed plans and drawings as may be necessary to enable contracts to be awarded and the building constructed The plans for the said building shall be approved by the Governor

Section 3 The Department of Property and Supplies shall pay for all plans specifications supervision and architectural and engineering fees required for carrying out the purposes of this act out of the appropriation made by this act

Section 4 If the appropriation made by this act shall be insufficient for the completion of the office building authorized hereunder it shall be lawful for the Department of Property and Supplies to award a contract or contracts for the construction of as much of the building as can be paid for out of the appropriation made by this act

Section 5 This act shall take effect immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 9, the bill just read, be recommitted to the Committee on Appropriations.

Mr. ARON. Mr. President. I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 10, as follows:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General

Assembly met and it is hereby enacted by the authority of the same That in order to provide work for unemployed persons the Department of Property and Supplies is hereby directed to acquire in the name of the Commonwealth with the approval of the Governor by purchase or the exercise of the right of eminent domain in the manner prescribed by the Administrative Code of one thousand nine hundred and twenty-nine all lands buildings streets and alleys situate within the following described boundaries to provide for the extension of Capitol Park in the City of Harrisburg said area being bounded as follows On the west by the eastern line of Third Street on the north by the southern line of Briggs Street on the east by the western line of property of the Pennsylvania Railroad Company and on the south by the northern line of the present Capitol Park Provided however That no property shall actually be taken by the Department until the City of Harrisburg shall by proper municipal action release to the Commonwealth any claim which it might hav by reason of any action taken under the authority of this act and shall file the said release with a certified copy of the proceedings under which it was given with the Department of Property and Supplies And provided further That before any such property shall actually be taken the Department of Property and Supplies with the approval of the Governor shall agree with the City of Harrisburg as to the vacation of existing streets and alleys in said area and the widening and improvement of streets and avenues in and bordering on the lands to be acquired

Section 2 The Department of Property and Supplies shall proceed as rapidly as possible to demolish the buildings acquired within the above described area and proceed to grade and terrace the lands within said area as a part of the Capitol Park area

Section 3 When any liens exist upon any estate or interest so acquired the same shall be paid and satisfied out of the purchase money or damages In case said purchase money or damages shall be insufficient to pay said liens or any dispute shall arise as to the validity of any such liens or the amount due thereon the Department of Property and Supplies shall present a petition to the court of common pleas of Dauphin County for permission to pay the amount due for such asquisition into court and after proper order of court shall pay the amount of such purchase money or damages into said court to be distributed among the parties entitled thereto in the same manner as moneys paid into court upon sheriffs' sales are distributed Upon such payment into court of such purchase money or damages said liens shall be extinguished and the court shall direct satisfaction of said liens to be entered of record

Section 4 The Department of Property and Supplies shall cause to be kept a full fair and accurate record of all its proceedings properly indexed and open to the inspection of the public Copies of all records documents and papers when duly certified by the Department shall be received in evidence in th courts of this Commonwealth in all cases where the original records documents and papers would be admitted in evidence Provided however That in any judicial controversy before any court either party may have the original records documents or papers produced on the service of proper process for that purpose

Section 5 The sum of two million dollars ($2,000,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for carrying on the work of the Department authorized under this act and for the payment of the lands and buildings acquired as aforesaid Provided That any moneys granted to the Commonwealth by the federal government or any agency thereof to assist in the construction of public works for the purpose of aiding national economic recovery may be used for any of the purposes provided for in this act to the extent allowed by federal law and for such purposes are hereby appropriated to the Department of Property and Supplies

Section 6 This act shall take effect immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 10, the bill just read, be recommitted to the Committee on Appropriations

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 31, as follows:

An Act authorizing the Department of Property and Supplies to act as purchasing agency for certain Federal agencies and making an appropriation of moneys received to reimburse the department for the cost of so acting

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Property and Supplies shall have authority to act as purchasing agency for the purchasing of any and all kinds of materials supplies and personal property for the Federal Civil Works Administration or any other Federal agency which shall be engaged in the expenditure of Federal moneys in Pennsylvania upon request of such agency through its duly authorized agent or representative

Section 2 Such purchases shall be made by the Department of Property and Supplies upon written order of the authorized Federal officer officers or agent in such manner and under such procedure as may be agreed upon between such Federal agency and the Department of Property and Supplies and unless so required by such agreement the Department of Property and Supplies shall not be bound to adhere to any procedure prescribed for the purchase of materials and supplies for State purposes

Section 3 All materials supplies and property so purchased by the Department of Property and Supplies as agent shall be paid for by the Federal agency authorizing the purchase and neither the Commonwealth of Pennsylvania nor any department officer or agency of the Commonwealth shall be in any way liable for the cost of such purchases The Department of Property and Supplies may at the risk of such Federal agency provide storage space for any materials supplies or other property so purchased in such manner as may be agreed upon if such space shall be available

Section 4 The Department of Property and Supplies may enter into an agreement with such Federal agency providing for the reimbursement of the Department of Property and Supplies for any costs incurred and services rendered by it in acting as purchasing agent as herein provided including compensation of employes of the Department of Property and Supplies who shall be engaged in the activities of the department as purchasing agent All moneys paid to the Department of Property and Supplies as such reimbursement shall be paid into the General Fund of the State Treasury and are hereby expressly appropriated to the Department of Property and Supplies for the ordinary expenses of the administration of that department

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

Section 6 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 34, as follows:

An Act authorizing the State Treasurer to act as custodian of moneys and securities contributed to or deposited with the Commonwealth or officers departments boards or com-

missions of the Commonwealth prescribing the manner in which such moneys or securities shall be held and disbursed or delivered up and making an appropriation to the Treasury Department for the cost of administering such moneys and securities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Treasurer may if requested to do so receive and act as custodian for any moneys or securities which may be contributed to or deposited with the Commonwealth or any officer department board or commission of the Commonwealth by the United States or any agency thereof or by any other person persons organization or corporation for any designated special purpose

Section 2 If any such moneys or securities shall be contributed to or deposited with the Commonwealth directly they shall be administered and paid out or used by the State Treasurer in accordance with the conditions prescribed by the donor or depositor If such moneys or securities shall be contributed to or deposited with any officer department board or commission of the Commonwealth the moneys shall be paid out and the securities delivered up by the State Treasurer as custodian on requisition of such officer department board or commission for the purposes for which any such contribution was made or upon certification that the purposes of the deposit have been fulfilled

Section 3 Unless otherwise directed by the donor or depositor moneys received by the State Treasurer as custodian under this act shall not become a part of the General Fund or of other funds of the Commonwealth and no appropriation shall be necessary to permit their disbursement

Section 4 The sum of one hundred fifty thousand dollars ($150,000) is hereby appropriated to the Treasury Department for the payment of the salaries and compensation of employes of the department and the cost of materials and supplies necessary for the administration of moneys and securities so received by the State Treasurer as custodian It shall not be necessary for the Treasury Department to segregate the cost of administering such moneys and securities from the cost of other activities of the department but the amount hereinabove appropriated shall be available for the payment of salaries and compensation by the department upon certification of the State Treasurer that expenditure of such amounts became necessary as the result of extra work required by this act.

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 55, entitled:

An Act making an appropriation of moneys in the Motor License fund to the Department of Public Instruction, and providing for the repayment of such moneys from the General Fund.

The first section of the bill was read as follows and agreed to

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Genral Assmbly met and it is hereby enacted by the authority of the same That the sum of five million dollars ($5,000,000) is hereby specifically appropriated out of the Motor License Fund to the Department of Public Instruction of the Commonwealth of Pennsylvania for the two fiscal years commencing June first one thousand nine hundred and thirty-three for aiding financially handicapped and distressed local public school districts The Superintendent of Public Instruction shall apportion the sum hereby appropriated to such local public school districts and in such amounts as he shall deem expedient The sum hereby appropriated shall be in addition to any appropriation made to the said Department of Public Instruction by the general appropriation bill for said biennium

The second section of the bill was read as follows:

Section 2 The General Assembly hereby declares that a moral obligation rests on the General Assembly to return such money to the Motor License Fund in the future whenever the financial condition of the General Fund permits an appropriation from the General Fund for such purposes without incurring an over appropriation liability

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend Section 2, page 2, line 8, by inserting after the word "liability" the following section: "Section 3. This act shall become effective immediately upon final enactment."

Mr. ARON. Mr. President, I second the motion.

On the question.

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

The title of the bill was read as follows and agreed to.

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction and providing for the repayment of such moneys from the General Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 64 (House Bill No. 8), entitled:

An Act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 64, the bill just read, be recommitted to the Committee on Finance.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 65 (House Bill No. 17), entitled:

An Act to amend the title and certain sections of the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws sixteen) entitled "A sup-

plement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permits through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by providing that the act shall be administered by the Pennsylvania Liquor Control Board making the act inconsistent with the repeal of the Eighteenth Amendment changing definitions and exemptions bringing rectifiers and blenders within the act allowing appeals to the courts providing for the abatement of nuisances and increasing fees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 65, (House Bill No. 17), the bill just read, be recommitted to the Committee on Finance.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for twenty minutes.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGES

HOUSE CONCURS IN RESOLUTION REQUESTING INFORMATION FROM AUDITOR GENERAL AND STATE TREASURER

The Clerk of the House of Representatives, being introduced, informed the Senate that the House has concurred in resolution from the Senate, as follows:

In The Senate, December 4, 1933.

Resolved (if the House of Representatives concur), That the Auditor General and State Treasurer be requested to furnish to the General Assembly as early as possible, a joint statement of the existing and probable future financial condition of the State Treasury during the present fiscal biennium, which statement shall be in such form and contain such information as said officers deem necessary to enable the Members of the General Assembly to ascertain what moneys will be available for appropriation at the present Extraordinary Session, taking into consideration the revenues to be derived from taxes on liquor and profits and revenues to be derived from State liquor stores, permits, and license application fees.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 13.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 13, entitled:

An Act to amend certain sections of the act, approved the fifth day of May, one thousand nine hundred thirty-three (Act number one hundred four), entitled: "An act imposing a State Tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties," by restricting the provisions of the act to malt liquors, as defined therein.

RESOLUTION RELATIVE TO PRINTING 5,000 COPIES OF BOROUFH ACT AND AMENDMENTS.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Public Printing:

In the House of Representatives, December 4, 1933.

Resolved (if the Senate concur), That the Legislative Reference Bureau is hereby directed to have printed, as a Legislative Document, five thousand copies of the General Borough Act of May 4, 1927, P. L. 519, with all amendments thereto, to be distributed and sold by the Division of Documents of the Department of Property and Supplies in the manner provided by law.

REPORTS FROM COMMITTEES

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Finance, reported as committed, Senate Bill No. 41, entitled:

An Act to amend paragraph (a) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand forty-six), entitled "An act appropriating the moneys in the Motor License Fund," by appropriating such fund to the Board of Finance and Revenue for redemption of bonds issued to acquire toll bridges.

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER, from the Committee on Law and Order, reported as amended, Senate Bill No. 14 (House Bill No. 15), entitled:

An Act to amend the title and certain sections of the act approved the third day of May, one thousand nine hundred and thirty-three (Act No. 91), entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by limiting the provisions of the act to malt liquors, as defined therein and clarifying certain provisions by the act.

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Finance reported as amended, Senate Bill No. 64 (House Bill No. 8), entitled:

An Act imposing States taxes, payable by those herein defined as manufacturers and importers, on the privilege of manfacturing, selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors, providing for the collection of the taxes and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments, and upon manufacturers, importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties.

BILLS INTRODUCED

Mr. HARRIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 69, entitled:

An Act to further amend section three hundred six of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by providing that payments for partial disabilities shall be in addition to those for total disabilities increasing the time for which surgical medical and hospital services medicines and supplies shall be furnished removing the limit on the cost of such services and supplies requiring the employer to pay the cost of transportation to and from the place where such services are rendered providing for the right of the employe to consult a physician of his own at the cost of the employer.

Which was committed to the Committee on Judiciary General

Also read in his place and presented to the Chair Senate Bill No. 70, entitled:

An Act to amend section three hundred one of the act approved the second day of June One thousand nine hundred fifteen (Pamplet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by enlarging the class of accidents to which the said act shall apply.

Which was committed to the Committee on Judiciary General

Also read in his place and presented to the Chair Senate Bill No. 71, entitled:

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamplet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made.

Which was committed to the Committee on Judiciary General

Also read in his place and presented to the Chair Senate Bill No. 72, entitled:

An Act to further amend section three hundred five of the act approved the second day of June one thousand nine hundred and fifteen (Pamplet Laws 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by increasing the powers of the Bureau to revoke its order granting exemption from insurance requiring each employer to post conspicuously the name of his payer of compensation.

Which was committed to the Committee on Judiciary General

Also read in his place and presented to the Chair Senate Bill No. 73, entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 74, entitled:

An Act to amend section three hundred fifteen of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An act defining the libility of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing precedure for the determination of liability and compensation thereunder" as amended by extending the period within which claims can be made.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 75, entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of the liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 76, entitled:

An Act to further amend section four hundred twenty of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by providing in certain disputed cases for impartial medical services at the cost of the employer.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 77, entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board

Which was committed to the Committee on Judiciary General

Also read in his place and presented to the Chair Senate Bill No. 78, entitled:

An Act to amend section five hundred one of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by providing that payments may be awarded to claimants of remumeration for surgical medical and hospital services and supplies and that such payments may be enforced as payments of compensation are enforced

Which was committed to the Committee on Judiciary General

Also read in his place and presented to the Chair Senate Bill No. 79, entitled:

An Act to further amend section four hundred thirteen of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by repealing the provision limiting the time within which agreements or awards may be reviewed modified or reinstated providing when a petition to terminate or modify an agreement or award shall operate as a supersedeas and that such a petition must be accompanied by the affidavit of a physician.

Which was committed to the Committee on Judiciary General

Mr. TRAINER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TRAINER read in his place and presented to the Chair Senate Bill No. 80, entitled:

An Act to amend section four hundred eleven of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (Act No. 4), entitled "An act to regulate and restrain the sale, importation and use of certain alcoholic beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board, the Department of Public Instruction, other officers of the State government, courts and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses subject to local option to sell such beverages for consumption on the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in connections with and transactions in such beverages by licensees and others; making disposition of the receipts from State stores and of license fees; and imposing penalties," by prohibiting signs advertising any liquor or malt liquors outside buildings in which liquors are sold.

Which was committed to the Committee on Law and Order.

REPORT FROM COMMITTEE

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Finance, re-reported as amended, Senate Bill No. 65 (House Bill No. 17), entitled:

An Act to amend the title and certain sections of the act approved the nineteenth day of February, one thousand nine hundred twenty-six (Pamphlet Laws, sixteen), entitled "A supplement to the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, thirty-four), entitled 'An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws'; providing for the registering of federal permits; also regulating, under permit, through a Pennsylvania Alcohol Permit Board created in the Department of Welfare, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, recovery, re-use, holding in bond, holding in storage by bailees for hire, sale at wholesale, and transportation for hire, or any alcohol or alcoholic liquid, by certain persons; also providing for fees and the disposition thereof; also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid; also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by providing that the act shall be administered by the Pennsylvania Liquor Control Board making the act consistent with the repeal of the Eighteenth Amendment changing definitions and exemptions bringing rectifiers and blenders within the act allowing appeals to the courts providing for the abatement of nuisances and increasing fees.

MOTION TO READ BILLS THE FIRST TIME

Mr SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 14, entitled:

An Act to amend paragraph (a) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand forty-six), entitled "An act appropriating the moneys in the Motor License Fund," by appropriating such fund to the Board of Finance and Revenue for redemption of bonds issued to acquire toll bridges.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

Senate proceeded to the first reading and consideration of Senate Bill No. 41 (House Bill No. 15), entitled:

An Act to amend the title and certain sections of the act, approved the third day of May, one thousand nine hundred thirty-three (Act number ninety-one) entitled "An Act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises.

and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by limiting the provisions of the act to malt liquors, as defined therein, and clarifying certain provisions by the act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 10 o'clock.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:35 P. M. until Tuesday, December 5, 1933, at 10 o'clock A. M.

HOUSE OF REPRESENTATIVES

MONDAY, December 4, 1933.

The House met at 9:00 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Lord God of Hosts we enter thy presence in this General Assembly tonight with great reverence and due humility, for we remember that 251 years ago today, in the City of Chester, the First General Assembly of our Commonwealth was convened by William Penn, the friend of God and the friend of men.

We remember with profound gratitude also that 100 years ago the memorable session of the General Assembly of 1833 the Common School System of Pennsylvania was founded.

Verily Lord God, thou hast blessed us with wise and godly leaders in the past, Lord God of Hosts be with us yet, lest we forget. Now vouchsafe to thy servants here assembled, sufficient grace for every trial and wisdom for every problem.

Hold us steady, to lofty ideals and high motives under the pressure of mighty issues. Help us to think clearly and constructively and work untiringly for the welfare of the Commonwealth.

To this end, dear Lord, inspire our Speaker and his coadjutors with a high sense of responsibility to keep sacred the noble traditions of this venerable and honorable General Assembly. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, November 29, 1933.

The Clerk proceeded to read the Journal of Wednesday, November 29, 1933, when, on motion of Mr. Baldi, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. QUINN. HOUSE BILL No. 166.

An Act to amend Section 97 of the Act approved June sixteenth eighteen hundred thirty-six (Pamphlet Laws 755) entitled "An Act Relating to Executions," by adding thereto provisions relating to deficiency judgments after the sale of mortgaged real estate under a judgment upon the bond accompanying such mortgage, further providing for notice to the parties interested in such sale, establishing the procedure for obtaining and disputing such deficiency judgments and permitting resale of such real estate.

Refererd to the Committee on Judiciary General.

By Mr. QUINN. HOUSE BILL No. 167.

An Act to amend Section 4 of the Act approved the twenty-second day of April nineteen hundred and five (Pamphlet Laws 265) entitled "An Act Relating to Sheriff and Coroner's Deeds," by providing for the expiration of a minimum time between acknowledgement and delivery of such deeds.

Refererd to the Committee on Judiciary General.

By Mr. BEECH. (By request) HOUSE BILL No. 168.

A Supplement to the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous recepts; making an appropriation and providing for refunds," providing a special license for operators of commercial vehicles, fixing the fees therefor, and giving the Department of Revenue and the Highway Patrol certain powers relating thereto.

Referred to the Committee on Highways.

By Mr. BEECH. HOUSE BILL No. 169.

An Act authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium; placing the sanatorium upon completion under the jurisdiction and control of the Department of Health, and making an appropriation.

Referred to the Committee on Public Health and Sanitation.

By Mr. JOHN J. KANE. HOUSE BILL No. 170.

An Act to authorize any county, city, borough, township or other municipal sub-division of the Commonwealth of Pennsylvania to purchase, construct, maintain and operate bridges, tunnels, streets, highways, traffic distribution centers, traffic circles, airports, hangers, park-ways, recreation grounds and facilities, electric power stations and facilities, water works system, water supply systems, reserviours, sewer systems, sanitary disposal plants and facilities, gas plants and facilities, pipe lines and facilities, public parks, swimming pools, lakes, dams, gas mains, water mains, transportation systems, and parts of any of said projects and improvements thereof and additions thereto; and to purchase, lease, maintain and operate other mechanical facilities, equipments and appliances appropriate, proper, necessary, or convenient in connection with the construction, operation and use of such projects; and to authorize any County, City, Borough, Township or other municipal sub-division of the Commonwealth of Pennsylvania now or hereafter owning and operating any such projects to improve, enlarge, extend or repair the same,

and for any such purpose or purposes to authorize any such County, City, Borough, Township or other municipal subdivision of the Commonwealth of Pennsylvania to issue revenue bonds, payable solely from the revenues derived from the operation of any such projects; to regulate the issuance, sale, retirement and refunding of such bonds and of other matters in connection therewith; and to authorize any County, City, Borough, Township or other municipal subdivision of the Commonwealth of Pennsylvania to collect fees, tolls, rates, rentals and charges in connection with any or all of said structures, projects additions or improvements and any or all parts thereof; to regulate the use of the revenues of such projects when such bonds are issued or outstanding; to provide for the operation of any such projects in case of deficiency in such revenues; and for other purposes.

Referred to the Committee on Municipal Corporations.

By Mr. POWERS. HOUSE BILL No. 171.

An Act to amend section one of article six of the act approved the seventh day of March, one thousand nine hundred and one, (P. L. 20), entitled "An act for the government of cities of the second class," as amended, by providing for the assessment of a less rate of tax upon buildings than upon land, graded over a period of years, until the rate upon buildings shall become one-fifth of the rate upon land.

Referred to the Committee on Cities.

By Mr. POWERS. HOUSE BILL NO. 172.

An Act requiring the construction of sidewalks along certain State highways and appropriating moneys in the Motor License Fund for such purposes.

Referred to the Committee on Highways.

By Mr. O'ROURKE. HOUSE BILL No. 173.

An Act imposing a State tax for school purposes on all newspapers, magazines, periodicals and other publications published in this Commonwealth; providing for the collection of such tax; and appropriating the moneys derived therefrom.

Referred to the Committee on Ways and Means.

By Mr. WOODSIDE. HOUSE BILL No. 174.

An Act authorizing the county commissioners of the several counties to secure from Federal agencies funds for the erection and acquisition of bridges.

Referred to the Committee on Counties.

By Mr. LEONARD P. KANE. HOUSE BILL No. 175.

An Act prohibiting employes of State liquor stores from recommending any particular kind or brand of alcoholic beverages to purchasers to such stores, and providing a penalty.

Referred to the Committee on Judiciary General.

By Mr. LONG. HOUSE BILL No. 176.

An Act to amend section three of the act, approved the twenty-second day of November, one thousand nine hundred and thirty-three (Act No. 1), entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth, between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified; describing the method and manner of collection of such tax; conferring powers and imposing duties on certain State officers and departments, and certain individuals, firms and corporations; and imposing penalities," by changing the floor tax on vinous liquors.

Referred to the Committee on Ways and Means.

By Mr. LONG. HOUSE BILL No. 177.

An Act providing that one-third of the cost of the board of revision of taxes and of the assessors other than personal property assessors in counties of the first class, shall be paid by the school district co-extensive therewith.

Referred to the Committee on Cities.

By Mr. HOOPES. HOUSE BILL No. 178.

An Act to provide relief for the unemployed, and promote the general welfare of the people of the Commonwealth, by providing for the creation of County Employment Service Districts, authorized to acquire, sell and distribute necessities of life, including food, clothing, shelter and public utility service; authorizing the board of directors of such district to furnish employment to the unemployed, and to exercise the right of eminent domain; dening the powers and duties of such district and the officers thereof; conferring jurisdiction on the courts of common pleas in connection therewith, and imposing certain costs and charges preliminarily on counties.

Referred to the Committee on Counties.

By Mr. WAGNER. HOUSE BILL No. 179.

An Act to amend sections fourteen and twenty-two of the act, approved the tenth day of June, one thousand eight hundred and ninety-three (P. L. 419), entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended, providing that if an elector at any election marks his ballot in any straight party column, and also makes a mark after the name of any individual candidate, such ballot shall be counted for all candidates of such party, and the marks after the individual candidates shall be disregarded.

Referred to the Committee on Elections.

By Mr. YOURISHIN. HOUSE BILL No. 180.

A Supplement to an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder, "providing for the inclusion of occupational diseases within the scope thereof and providing definitions, provisions and procedure related to such diseases.

Referred to the Committee on Public Health and Sanitation.

By Mr. McGINNIS. HOUSE BILL No. 181.

An Act to amend section five hundred and twenty-four, as amended, and section five hundred and twenty-five, of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local or any parts thereof, that are or may be inconsistent therewith;" by providing that in school districts of the first class, taxes for school purposes shall be assessed and collected in the same manner, at the same proportional rates upon the several classes of property, and with the same exemptions as the municipal taxes for the municipality comprising the respective school districts.

Referred to the Committee on Education.

By Mr. McHENRY. (By request) HOUSE BILL No. 182.

An Act to amend section three hundred and five of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered,

and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith;" limiting the compensation of solicitors in districts of the third and fourth classes.

Referred to the Committee on Education.

By Mr. STEVENS. HOUSE BILL No. 183.

A Supplement to the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," limiting the rate of the tax which may be levied by any school district upon real estate.

Referred to the Committee on Education.

By Mr. STEVENS. HOUSE BILL No. 184.

An act to further amend clause (f), section one, article two, and section four article five and to amend clause (c), section one, article three of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expenses and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is therey taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act," by requiring the approval of the commission to proposed changes in rates; and abolishing service and readiness to serve charges.

Referred to the Committee on Public Utilities.

By Mr. McELWEE. HOUSE BILL No. 185.

An Act relating to income taxes for school purposes in counties of the third, fourth, fifth, sixth, seventh and eighth classes of this Commonwealth; providing for the assessment of the potential annual income of every piece of real estate and the return of the actual net income of every natural person of the age of twenty-one years and upwards residing in the county, and every copartnership, unincorporated association, company, limited partnership and company doing business within the county; providing a method of determining said actual net income; providing that rates and levies for school purposes (except for the payment of existing indebtedness) shall be based on the sum of said potential annual income of real estate and said actual net income, and providing for the levying thereof; giving the right of appeal; and repealing all inconsistent laws.

Referred to the Committee on Counties.

By Messrs. PETERS and BALDI. HOUSE BILL No. 186.

An Act to secure funds for old age pensions; permitting licensing, regulating and controlling horse racing and betting and wagering on such races, creating a State Racing Commission with jurisdiction over the same; defining its powers and duties; imposing certain license fees and taxes and disposing of the same, and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. JOHN J. PERRY. HOUSE BILL No. 187.

An Act relating to discrimination of prices, making certain discrimination in the sale prices of commodities unlawful, and making the violation of the provisions of the act a misdemeanor, and providing a penalty.

Referred to the Committee on Judiciary General.

By Mr. HEFFNER. HOUSE BILL No. 188.

An Act to amend section six hundred and fourteen of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended; increasing the length of time during which an operator's privilege shall be revoked for certain causes.

Referred to the Committee on Highways.

By Mr. WADE. HOUSE BILL No. 189.

An Act to amend sections one two and five of the act approved the nineteenth day of July one thousand nine hundred and thirteen (Pamphlet Laws eight hundred forty-three) entitled "An act requiring employers to make report to the Department of Labor and Industry of accidents to employees and prescribing a penalty for non-compliance therewith" by requiring reports of disability caused by occupational diseases and of all accidents without regard to continuation of disability.

Referred to the Committee on Manufactures.

By Mr. RHODES. HOUSE BILL No. 190.

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentages of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated town with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, by providing for payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement.

Referred to the Committee on Counties.

By Mr. O'NEILL. HOUSE BILL No. 191.

An Act to amend section one of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 237), entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two, and validating the liens of such taxes," further extending the period for such returns and providing for returns for the year one thousand nine hundred and thirty-three.

Referred to the Committee on Counties.

By Mr. LOSE. HOUSE BILL No. 192.

An Act making appropriations to the Department of Welfare for pensions for the blind and for the administration of the distribution of such pensions.

Referred to the Committee on Appropriations.

By Mr. LOSE. HOUSE BILL No. 193.

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, pensions for and the burial of certain blind persons, and the administration of this act by the Department of Welfare, providing penalties.

Referred to the Committee on Appropriations.

By Mr. HEFFERON. HOUSE BILL No. 194.

An Act to amend sections three hundred one three hundred eight three hundred fifteen five hundred one and to further amend sections three hundred five three hundred six four hundred seven four hundred nine four hundred thirteen four hundred twenty four hundred twenty-three four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by enlarging the class of accidents to which the said act shall apply increasing the powers of the Bureau to revoke its order granting exemption from insurance requiring each employer to post conspicuously the name of his payer of compensation providing that payments for partial disabilities shall be in addition to those for total disabilities increasing the time for which surgical medical and hospital services medicines and supplies shall be furnished removing the limit on the cost of such services and supplies requiring the employer to pay the cost of transportation to and from the place where such services are rendered requiring compensation to be paid directly to the employe requiring the employer to furnish to the Bureau evidence of payment of compensation extending the period within which claims can be made making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the Board to the employe repealing the provision limiting the time within which agreements or awards may be reviewed modified or reinstated providing when a petition to terminate or modify an agreement or award shall operate as a supersedeas and that such a petition must be accompanied by the affidavit of a physician providing in certain disputed cases for impartial medical services at the cost of the employer extending the time for appeals from the referees to the Board and from the Board to the courts of common pleas extending the time for filing exceptions to the actions of the Board providing that payments may be awarded to claimants of remuneration for surgical medical and hospital services and supplies and that such payments may be enforced as payments of compensation are enforced.

Referred to the Committee on Judiciary General.

By Mr. FURMAN. HOUSE BILL No. 195.

An Act to amend section fourteen of the act, approved the tenth day of June, one thousand eight hundred and ninety-three (P. L. 419), entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended; providing for the arrangement of parties and candidates on ballots.

Referred to the Committee on Elections.

By Mr. FITZGERALD, HOUSE BILL No. 196.

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder," as amended by extending the time for appeals from the referee's decision to the board.

Referred to the Committee on Judiciary General.

By Mr. FITZGERALD, HOUSE BILL No. 197.

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board.

Referred to the Committee on Judiciary General.

By Mr. FITZGERALD, HOUSE ILL No. 198.

An Act to further amend section four hundred twenty of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder," as amended by providing in certain disputed cases for impartial medical services at the cost of the employer.

Referred to the Committee on Judiciary General.

By Mr. FITZGERALD, HOUSE BILL No. 199.

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made.

Referred to the Committee on Judiciary General.

By Mr. FITZGERALD, HOUSE BILL No. 200.

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

Referred to the Committee on Judiciary General.

By Mr. FITZGERALD, HOUSE BILL No. 201.

An Act to further amend section four hundred thirteen of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by repealing the provision limiting the time within which agreements of awards may be reviewed modified or reinstated providing when a petition to terminate or modify an agreement or award shall operate as a supersedeas and that such a petition must be accompained by the affidavit of a physician.

Referred to the Committee on Judiciary General.

By Mr. FITZGERALD, HOUSE BILL No. 202.

An Act to amend section three hundred fifteen of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the period within which claims can be made.

Referred to the Committee on Judiciary General.

By Mr. FITZGERALD, HOUSE BILL No. 203.

An Act to amend section three hundred one of the act approved the second day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by enlarging in the class of accidents to which the said act shall apply.

Referred to the Committee on Judiciary General.

By Mr. FITZGERALD, HOUSE BILL No. 204.

An Act to further amend section three hundred five of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by increasing the powers of the Bureau to revoke its order granting exemption from insurance requiring each employer to post conspicuously the name of his payer of compensation.

Referred to the Committee on Judiciary General.

By Mr. FITZGERALD, HOUSE BILL No. 205.

An Act to amend section five hundred one of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by providing that payments may be awarded to claimants of remuneration for surgical medical and hospital services and supplies and that such payments may be enforced as payments of compensation are enforced.

Referred to the Committee on Judiciary General.

By Mr. FITZGERALD, HOUSE BILL No. 206.

An Act to further amend section three hundred six of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of lia-

bility and compensation thereunder" as amended by providing that payments for partial disabilities shall be in addition to those for total disabilities increasing the time for which surgical medical and hospital services medicines and supplies shall be furnished removing the limit on the cost of such services and supplies requiring the employer to pay the cost of transportation to and from the place where such services are rendered providing for the right of the employe to consult a physician of his own choice at the cost of the employer.

Referred to the Committee on Judiciary General.

By Mr. O'ROURKE. HOUSE BILL No. 207.

An Act to amend an act approved the twenty-fifth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand twenty-four), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commisisoner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," by excepting from the provisions of the act domestic service in private homes and further regulating the hours of labor.

Referred to the Committee on Labor.

By Mr. TURNER. HOUSE BILL No. 208.

An Act authorizing cities, boroughs, incorporated towns, and townships to charge and collect annual rentals for the use of certain sewers, sewage systems, and treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon.

Referred to the Committee on Municipal Corporations.

By Mr. SCHROCK. HOUSE BILL No. 209.

An Act appropriating certain accumulations in the Insurance Fund to cities, townships and boroughs for payment to firemen's relief, pension and retirement funds.

Referred to the Committee on Appropriations.

By Mr. WELSH. HOUSE BILL No. 210.

An Act to amend the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (P. L. 594) entitled "An act establishing certain township roads as State Highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act" adding a certain route in Fayette County.

Referred to the Committee on Highways.

By Mr. McCLURE. (By request) HOUSE BILL No. 211.

An Act authorizing the recorder of deeds of any county of the second class to record or where re-recording is authorized by law to re-record by a photographic or photostatic process or method all papers required or authorized to be recorded or re-recorded by him, and fixing the fees for such recording and re-recording; providing that any such photograph or photostatic record or re-record or any photographic or photostatic exemplification thereof shall be legal evidence in all cases where such original paper would be competent; authorizing the board of county commissioners of any such county to contract, purchase and pay for out of the county funds such apparatus, equipment and supplies as shall be necessary to enable such recorder to record and re-record such instruments by such photographic or photostatic process or method; authorizing the employment of such skilled employes and assistants as shall be necessary to administer such process or methods, and providing for fixing the kind, number and compensation of such skilled employes and assistants, and providing that such compensation shall be paid only out of the fees of said office, collected or earned.

Referred to the Committee on Counties.

By Mr. WEIDEMANN. HOUSE BILL No. 212.

An Act to amend section two hundred and four of the act approved the fifteenth day of May, one thousand nine hundred and thirty-three, (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations, authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothontaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts;" regulating the establishment and maintenance of branch banks, offices and agencies.

Referred to the Committee on Banking.

By Mr. PHILIP STERLING. (By Request.) HOUSE BILL No. 213.

An Act to plan against unemployment by establishing a Public Works Planning Board; prescribing and defining its powers and duties; granting authority to cities to create local public works planning boards and defining their powers and duties; defining the relationship of the State board to such local boards exist on and after January first, one thousand nine hundred and thirty-seven, and making an appropriation.

Referred to the Committee on State Government.

By Mr. SURFACE. HOUSE BILL No. 214.

An Act to amend sections five hundred and thirty-seven and five hundred and sixty-three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws general, special or local, or any parts thereof that are or may be inconsistent therewith," as amended, by restricting the taxing power of school districts of the fourth class, and providing for the revision of their budgets by the Department of Public Instruction.

Referred to the Committee on Education.

COMMUNICATIONS

The SPEAKER laid before the House the following communications which were read by the Clerk:

FAVORING FIVE MILLION DOLLAR APPROPRIATION

Darby Public Schools.

Referred to Committee on Education.

OPPOSING LIQUOR CONTROL LEGISLATION

William J. Hinchman, Philadelphia.

Referred to Committee on Judiciary General.

ADDRESS IN COMMEMORATION OF ESTABLISHMENT OF SCHOOL SYSTEM.

The SPEAKER. In commemoration of the establishment of the school system in Pennsylvania, the Chair recognizes the gentleman from McKean, Mr. Wilson.

Mr. WILSON. Mr. Speaker, the House of Representatives is today observing the two hundred fifty-first anniversary of the opening of Pennsylvania's first legislative body at Chester on December 4, 1682. By an interesting coincidence yesterday, December 3, was also the one hundredth anniversary of the opening of that historic session of the General Assembly which later passed the Free School Act, approved April 1, 1834, abolishing the pauper schools and initiating Pennsylvania's system of free public education for all the children within its borders.

Pennsylvania's General Assembly has many progressive measures to its credit that have helped to make this great Commonwealth preeminent in industry and commerce, agriculture and the fine arts.

Pennsylvania has become the home of liberty and opportunity to millions of loyal citizens who have given our beloved Commonwealth first rank in many fields. A procession of Pennsylvania's great men and women, epitomizing Pennsylvania's progress during the years that lie behind, is a promise of the greater progress that lies ahead, if we preserve and strengthen the basic institutions and ideals that have brought us happily to this anniversary day. And what a procession it is: William Penn, founder of the Commonwealth; Benjamin Franklin, statesman, author, and inventor; Andrew Carnegie, whose ingenuity and foresight brought steel into general use in America; E. L. Drake, who drilled the first oil well in America at Titusville; John Wanamaker, who established the department store system, one price sales, and advertising in local papers; Benjamin West, founder of American art; Joseph Pennell, one of the world's greatest etchers; Edwin Austin Abbey and Violet Oakley, artists; John W. Alexander, mural painter; Francis Hopkinson, Stephen Collins Foster, and Ethelbert Nevin, musical composers; Oliver Evans, America's first mechanical engineer; Robert Fulton and John Fitch, inventors; George Westinghouse, inventor; Joseph Priestly, who discovered oxygen; Doctor John Morgan, founder of American medicine; Doctor Philip S. Physick, father of American surgery; and many others, too numerous to mention in this brief statement.

In appraising Pennsylvania's contribution to the nation, it should be remembered that the Declaration of Independence, the political Bible of our land, was written, adopted, and signed here; that the United States Constitution was written on Pennsylvania soil; that Lincoln delivered his immortal address at Gettysburg, one of the world's decisive battle fields; that Sir Walter Scott found his Rebecca in Pennsylvania; that Longfellow selected a Philadelphia Churchyard for the resting place for his Evangeline; that the first American textbook was written by Francis Daniel Pastorius; that America's first medical school, first college of physicians, first law school, first academy of fine acts, and first women's art school were organized in Philadelphia; that the first college of pharmacy and the first women's medical college in the world was founded here; and that the flag of our country was designed, made, and adopted in Philadelphia.

Pennsylvania's contribution to National welfare and progress has been truly great—one to fill every Pennsylvanian with pride in her glorious past and with a feeling of deep responsibility for the future.

A vital factor in this advance of Pennsylvania to ever richer and higher levels of achievements has been our system of public schools wherein all the children of the Commonwealth may enjoy, presumably without discrimination, an efficient and thorough education as mandated in the Constitution.

Free public schools are maintained for but one purpose, and that is to prepare competent, loyal citizens for the Commonwealth during the difficult days that lie ahead. To this high task the teachers and officials of the public schools of the Commonwealth dedicate themselves without reservation.

The SPEAKER. The Chair thanks the gentleman from McKean, Mr. Wilson, for his remarks. They will be spread upon the Legislative Journal.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 10

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 29, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 10, Printer's No. 46, entitled, "An act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connections with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of license fees and imposing penalties."

GIFFORD PINCHOT.

BILLS INTRODUCED AND REFERRED

By Mr. THOMAS J. GALLAGHER. HOUSE BILL No. 215.

An Act to amend section eight hundred and three of the act approved the fifth day of May, one thousand nine hundred and thirty-three, (P. L. 457), entitled "An act relating to the business of building and loan associations, providing for the organization and voluntary dissolution of such association; defining the rights, powers, duties, liabilities and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by making bonds of the Home Owners' Loan Corporation legal investments for such associations.

Referred to the Committee on Building and Loan Associations.

By Mr. THOMAS J. GALLAGHER. HOUSE BILL No. 216.

An Act to amend section forty-one (a) one of the acts approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, four hundred forty-seven), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions;

debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, judgments and executions therefor, sales and mortgages of real estate for the payment thereof, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions and the substitution of executors and administrators therein; and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the adult and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and so generally dealing with the jurisdiction, powers and procedure of the orphan's court in all matters relating to fiduciaries concerned with the estates of decedents," as amended, by making bonds issued by the Federal Home Owners' Loan Corporation legal instruments for fiduciaries.

Referred to the Committee on Judiciary General.

By Mr. THOMAS J. GALLAGHER. HOUSE BILL No. 217.

An Act to amend sections one thousand two hundred eight and one thousand two hundred nine of the act, approved the fifteenth day of May one thousand nine hundred and thirty-three, (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts, by authorizing investment of bonds of the Home Owners' Loan Corporation.

Referred to the Committee on Banking.

By Mr. FURMAN. HOUSE BILL No. 218.

A Supplement to the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalies and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts"; providing for the licensing of organizations for sale of beverages at out-door gatherings and picnics, and prescribing penalties.

Referred to the Committee on Judiciary General.

By Mr. FURMAN. HOUSE BILL No. 219.

An Act to amend section twenty-three of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts"; further regulating sales on Sunday and election day.

Referred to the Committee on Judiciary General.

LEAVES OF ABSENCE

Mr. MUMFORD asked and obtained leave of absence for Mr. Wheeler for the balance of the week.

Mr. ANDREWS asked and obtained leave of absence for Mr. DeFrehn for today.

REPORTS FROM COMMITTEES

Mr. HEFFERNAN, from the Committee on Appropriations, reported as amended, House Bill No. 62, entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An Act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," by making additional appropriations to certain administrative departments.

Mr. CORDIER, from the Committee on Mines and Mining, reported as committed, House Bill No. 73, entitled:

An act to regulate the sale and delivery of coal, coke, petroleum coke, briquettes, and other solid fuels; providing for appointment of public weighmasters; prescribing their powers and duties; imposing certain duties on the Department of Internal Affairs; and providing penalties.

Mr. R. B. STERLING, from the Committee on Mines and Mining, reported as committed, House Bill No. 128, entitled:

An Act to amend section one of article one of the act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," as amended, empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures.

Mr. HEWITT, from the Committee on Mines and Mining, reported as committed, House Bill No. 129, entitled:

An Act to amend section three of article twenty-eight of the act, approved the ninth day of June, one thousand nine hundred and eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," by extending the provisions of said act to all bituminous coal mines employing five or more persons, and empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures.

Mr. GEORGE W. WILLIAMS, from the Committee on Appropriations, reported as committed, House Bill No. 113, (Senate Bill No. 16), entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," making an appropriation for the payment of certain expenses of the General Assembly convened in Extraordinary Session on the thirteenth day of November, one thousand nine hundred thirty-three.

QUESTION OF PERSONAL PRIVILEGE

Mr. BECHTEL. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. BECHTEL. Mr. Speaker, I note on page 162, of the Legislative Journal of the House under date of November 21, 1933, that I am not recorded as voting on the adoption of the amendments to House Bill No. 10. I desire the Legislative Journal to show that I was in my seat and voted "aye" on the amendment.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be noted in the Journal.

RESOLUTION

PRINTING 5000 COPIES OF BOROUGH ACT AND AMENDMENTS.

Mr. McCLURE offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read by the Clerk as follows:

In the House of Representatives, December 4, 1933.

Resolved (if the Senate concur), That the Legislative Reference Bureau is hereby directed to have printed, as a legislative document, five thousand copies of the General Borough Act of May 4, 1927, P. L. 519, with all amendments thereto, to be distributed and sold by the Division of Documents of the Department of Property and Supplies in the manner provided by law.

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION No. 7

URGING ACTION ON LABOR AND SOCIAL LEGISLATION.

Mr. HOOPES. Mr. Speaker, I desire to call up at this time Resolution No. 7, Printer's No. 34.

The resolution was read by the Clerk as follows:

In the House of Representatives, November 28, 1933.

Whereas, The depression has emphasized the necessity for labor and social legislation such as old age pensions unemployment insurance prevention of evictions minimum wages restriction of hours of labor abolition of child labor regulation of wage payments and railroad safety measures and

Whereas, Our Joint Committee to investigate wages and labor conditions of children in the Commonwealth has recommended the adoption of many of these measures and

Whereas, The Governor has included all of these subjects in his call for this special session and will have us on the spot if we fail to act thereon and

Whereas, Bills along these lines have been introduced and referred to committees of this House

Whereas, Although this session is now in its third week and it is a generally expressed hope that we may conclude our labors within the very near future several of these committees have held no meetings and the chairmen thereof despite repeated requests have failed and refused to call such meetings and

Whereas, Our calendars have been very light with the result that the members have been compelled to waste a great deal of time that could have been spent profitably in considering legislation beneficial to the workers of this Commonwealth now therefore

Be It Resolved, That the chairman of the Committees to which these bills have been referred are hereby directed to immediately call meetings thereof and to report measures covering the aforesaid subjects to this House not later than Wednesday December sixth one thousand nine hunderd thirty-three

On the question,

Will the House adopt the resolution?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend resolution by striking out on page 2 at the end of line 3 after the word thereof, the remainder of the said line and striking out lines 4, 5 and 6.

On the question,

Will the House agree to the amendments?

The SPEAKER. The amendments as offered by the gentleman from Berks, Mr. Hoopes, would strike out on page 2, line 3, after the word, "thereof" the words "and to report"; and lines 4, 5 and 6, so that the resolution clause would read: "That the chairman of the committees to which bills have been referred are hereby directed to immediately call meetings thereof."

This being a strike out amendment it can be brought up for immediate consideration.

Mr. HOOPES. Mr. Speaker and members of the House, this is not a radical resolution. In fact, it is so mild and moderate that I am almost ashamed to sponsor it. However, I have found from experience in this House that it is sometimes desirable to bring up mild and moderate measures.

I think a word of explanation as to the amendment should be made. I was informed that it was the opinion of some members that if the resolution was left in the form that it was, it would be an attempt to discharge several committees of the House, or so close to it as to be of doubtful propriety, and in order to prevent the resolution being ruled out of order, I have made the amendment which has been suggested to me, so that the resolution really as it is now is to direct certain committee chairmen to call meetings of their committees.

The resolution refers to labor and social legislation, such as old age pensions, unemployment insurance, prevention of evictions, minimum wages, restriction of hours of labor, abolition of child labor, regulation of wage payments and railroad safety measures, none of which are very radical.

Some measures or some of the subjects have already since the introduction of this resolution been reported to this House. For instance, I think there are a couple of measures on old age pensions. I would like to call the attention of the House to the fact, however, that the measures that have been reported are those which may be adopted without constitutional amendments, namely, those applying only to

indigent, aged persons over seventy years of age, "indigent" meaning absolutely destitute according to the interpretation of our Supreme Court. To have real, effective old age pensions, it is necessary to have a much broader measure than these are, and I wish to call the attention of the House to the fact that there are two proposed amendments to the Constitution, which have been submitted for the purpose of amending the Constitution and making it possisble to have adopted a real old age pension law.

On the subject of unemployment insurance, there have also been a number of measures introduced. Some of these measures have been introduced at several previous sessions, but the House has taken no action upon them.

At this point I would like to call attention, briefly, to the results of unemployment insurance in at least one other country. In the United States during the past few years and particularly in Pennsylvania, we have been very much afflicted or municipalities, school districts, cities, towns, boroughs or townships have had a great deal of trouble in collecting their local taxes owing to the fact that property owners were unemployed and unable to pay their taxes with the result that many of our municipalities are facing bankruptcy and are unable to carry on their municipal functions in the manner that is desired.

A little over a week ago I had the pleasure of discussing this subject with a well known English economist who has been the speaker of the city council of Norwich in England for the last twenty-four years. I asked him whether the cities in England were having any difficulty in collecting their taxes such as we are having in the United States and he told me that they were not, that their taxes were coming in practically the same as before the depression. I said, "How do you account for that?" He said, "The answer is that in England we have unemployment insurance. The workers have been receiving an income, less to be sure than what they have heretofore received, but sufficient not only to maintain them, to feed, clothe and shelter them, but also to make it possible for them to pay their local taxes." So, unemployment insurance is a desirable measure not only from the viewpoint of helping the unemployed directly, but also in making it possible for our municipalities to carry on.

I think it well known to this House that in this year, the one hundredth anniversary of the adoption of our free school system, many of our schools in this State are threatened with being closed because of the inability of the school districts to collect their taxes. Had we had unemployment insurance it is entirely probable that this situation would have been relieved to a very great extent.

The question of evictions has been coming to the forefront more and more ever since the depression started. The unemployment relief boards have held that thy did not have sufficient money to pay rents, and I do not think there is any doubt but that they are correct, that they do not have the money for that purpose, that they do not have the money to pay the rents. Some of the landlords have been taking advantage of the situation, some of them possibly compelled, because of their own economic position, to evict the unemployed with resulting hardship to them and their families. It is very desirable that we should have legislation on this subject. There is a bill before the House that covers that matter. which places it within the power of the courts to consider each individual case upon petition of the person threatened with evicition and to decide whether under the circumstances of that case the eviction or the sale of the household furniture should be stayed for a given length of time. Legislation of this sort was passed by this House at the last session, but did not get through the Senate. I think it is most desirable and necessary that it should be done, because we are now entering the winter with hundreds and thousands of families being thrown out on the street with no place to go. Families are forced to double up, four or five in a house that was intended for one, while some houses are standing idle with no occupants at all. In the name of the welfare of the people of this Commonwealth, it is desirable that we should have legislation to remedy the conditions with which we are confronted.

Restriction of the hours of labor and minimum wages: I think there is a bill on the calendar on this subject, so I shall pass over that very briefly, but I think it is worth while calling the attention of the members of this House to the fact that a joint committee which investigated employment in certain industries in this state of women and children reported that it found cases of women being paid less than three cents an hour, and that there were more than ten thousand getting less than ten cents an hour, that children were getting even less and that the hours of labor ranged from fifty to fifty-four per week.

It is generally recognized, I believe, since the advent of the NRA that it is necessary to drastically reduce the hours of labor. I think there is no doubt but that the Federal government's power to restrict the hours of labor in industries that do not enter into interstate commerce is, to say the least, very doubtful. So, I think it is most necessary that this Legislature should at this time consider legislation to reduce the hours of labor, so as to make it possible to re-employ a large number of the unemployed. To permit women and children to work fifty to fifty-four hours a week for wages from three to ten cents an hour, when men are walking the streets looking for jobs, is nothing short of criminal.

The total abolition of child labor is certainly desirable. Some fifteen states have already ratified the proposed child labor amendment to the United States Constitution. The Pennsylvania Legislature, to its disgrace, passed a resolution, not only refusing to ratify the amendment but directly repudiated it some years ago. I think that it is high time that we removed that strain from this Commonwealth, by acting favorably upon an amendment to the Constitution forbidding the employment of children particularly in times like this. As a matter of fact the amendment does not forbid. All that it does is to authorize the Congress to pass legislation forbidding the employment of minors under eighteen years of age, and certainly you can depend upon your representatives in congress not to go too far with it.

The question of the payment of wages is also a very serious matter. I think the members of this House will probably be surprised to learn that we have in this Commonwealth a number of fly-by-night employers who go in and rent a building, lease machinery and operate in a community for a few weeks or months and fail to pay the wages due to their employes or at least only pay a part of what is due each week and keep it up until they owe their employes—and I know this to be a fact in a particular case in which I was called to represent certain employes, that they were paid wages from three dollars to seven dollars a week, and the employer was back in his payments from one hundred to one hundred and fifty dollars to each of his employes.

At the present time there is no effective law in Pennsylvania to reach people of this sort. Of course you can sue them and get a judgment, but then the employer promptly pulls up stakes and leaves. He is not the owner of the building, he does not own anything, and therefore, there is no way to compel him to pay. It is high time that we

passed an act that will make it a criminal offense for failure to pay wages under conditions such as that, and I think the committee of this House should consider this measure very carefully.

There are also railroad safety measures which will tend to increase employment and should be carefully considered by this House.

I don't want to take up more of your time. I could readily discuss a number of other measures. I did not attempt to include all the desirable legislation in this resolution. There are a number of others such as occupational disease compensation, just to mention one, which could have been very well included.

Pennsylvania has a reputation of being behind its sister states in labor and social legislation. Twenty years ago we were in the vanguard, but since that time we have done very little along those lines.

The only thing that this resolution, as amended, will do will be to direct committee chairmen to call meetings of their committees. I have one committee in mind in which I have several bills and in which other members have a number of bills. I think there must be twenty or twenty-five bills in that committee. I have asked the Chairman of that committee on repeated occasions when that committee was going to meet, and I have been uniformly put off with the statement that it would meet in due course, or some time or something to that effect.

I understand that there is a concerted movement on foot for this legislature to adjourn next week. Certainly unless that committee takes up these measures immediately, we will not get a chance to consider them. We have been here fully three weeks. We have considered very little outside of liquor and bonus legislation. I don't believe that the minds of the members of this House are so single tracked that they could not have been considering other legislation at the same time. I think that these committees could very well have met and passed upon this legislation so that we might at least have one bill on third reading on the calendar tonight, but as it is we don't have any at all. On many occasions we have only had one or two. Our calendars have been very light. Most of the members of the House have certainly not been overworked. We have been at ease awaiting action of the Senate, or awaiting action of some leaders that were outside or somewhere or things of that sort most of the time we have been up here, and I think we could have been very well acting upon some of this beneficient social and labor legislation. In order that we may get an opportunity to act on such legislation, at least at this time, I ask you to vote for this resolution, directing committee chairmen who have measures of this sort to call meetings of their committees.

Mr. Speaker, I ask for a roll call.

Mrs. WILSON. I second the call for a roll call.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the gentleman from Berks, Mr. Hoopes.

The SPEAKER. Will the gentleman from Berks, Mr. Hoopes, permit himself to be interrogated?

Mr. HOOPES. I will, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, the gentleman says that Chairmen have refused to convene their committees. What Chairmen have refused to convene their committees?

Mr. HOOPES. Mr. Speaker, in view of the direct request for an answer I will say that I have asked the chairman of the Committee on Labor on repeated occasions when that committee was going to meet, and I have been put off from time to time with the statement that it would meet, but never have I been able to find out when, and it has not met yet, which seems to me to be tantamount to a refusal to meet up to this time at least.

Mr. ANDREWS. Mr. Speaker, if he will permit, I would like to interrogate the gentleman who is Chairman of the Committee on Labor.

The SPEAKER. Will the gentleman from Montgomery, Mr. Yeakel, permit himself to be interrogated?

Mr. YEAKEL. I will, Mr. Speaker.

Mr. ANDREWS. Has the Chairman of the Committee on Labor refused to convene his committee?

Mr. YEAKEL. I have not refused, Mr. Speaker?

Mr. ANDREWS. Mr. Speaker, I desire to ask, has the Committee met.

Mr. YEAKEL. It has not, Mr. Speaker.

Mr. ANDREWS. Does the Chairman of the Committee plan to convene the committee?

Mr. YEAKEL. When I see so fit.

Mr. ANDREWS. Mr. Speaker, on numerous occasions the Speaker of this House has requested the chairmen of the committees to get their bills. Presumably the Speaker requested the chairmen of the committees to get their bills in order that these bills might be considered. The Chairman of the Committee on Labor says he will convene that committee when he sees fit. The answer of this House should, I believe, be that the Chairman of the Committee on Labor should convene his committee forthwith.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House adopt the resolution as amended?

The yeas and nays were required by Mr. Hoopes and Mrs. Wilson and were as follows:

YEAS—178

Andrews,	Gillette,	McCreary,	Schwartz,
Baker,	Gorman,	McElwee,	Scott,
Baldi,	Green,	McGinnis,	Sheffer,
Barnhardt,	Greenstein,	McGrail,	Shellenberger,
Bechtel,	Hamilton,	McGregor,	Shettel,
Beech,	Harmuth,	McHenry,	Shortz,
Bennett,	Harris,	McKay,	Shreiner,
Bernhard,	Hart,	McKinney,	Shugars,
Blumberg,	Hartman,	Melchiorre,	Sinwell,
Boyd,	Heffernan,	Merrell,	Snyder,
Brancato,	Hefferon,	Mohn,	Sowers,
Brennan,	Hermansen,	Moore,	Spann,
Brown, J. E.,	Hester,	Mumford,	Stank,
Brown, W. L.,	Hewitt,	Munley,	Steedle,
Brownfield,	Himes, H. E.,	Murphy,	Sterling, P.,
Cannon,	Himes, L. R.,	Myers,	Sterling, R. B.,
Caputo,	Hoffman,	Negley,	Stevens,
Carey,	Holmes, J. B.,	O'Connor,	Stevenson,
Carson,	Holmes, J. L.,	O'Keefe,	Stone,
Chervenak,	Hoopes,	O'Neill,	Storb,
Cohen,	Horst,	O'Rourke,	Stott,
Conner,	Hough,	Patterson,	Surface,
Cooke,	Howard,	Peelor,	Tahl,
Cordier,	Hutton,	Pennock,	Trout,
Craig,	Jaffe,	Perry, D. R.,	Turner,
Cramer,	Jones,	Perry, J. J.,	Wade,
Dane,	Kane, J. J.,	Powell,	Wagner,
Davies,	Kinney,	Powers,	Walker, G. E.,
Denning,	Labar,	Price,	Walker, W. A.,
Downey, G. E.,	Lane,	Quinn,	Wall,
Downey, J. J.,	Laubach,	Raub,	Wasserman,
Duffy,	Lenahan,	Rectenwald,	Way,
Dunmire,	Lewis,	Reed,	Weidemann,
Emhardt,	Long,	Reilly,	Welsh,
Eroe,	Lose,	Rhodes,	Westrick,
Evans,	Lovett, J. E.,	Roan,	Williams, G. W.,
Fitzgerald,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Flanagan,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Fleisher,	Lynch, M.,	Ruby,	Wood,
Flinchbaugh,	Male,	Ruth,	Woodside,

Flynn, J. W.,	Malina,	Sarig,	Wright,
Forrest,	Maloney,	Sautter,	Yourishin,
Furman,	Marcks,	Schrock,	Zimmerman,
Gallagher, T. J.,	McCandless,	Schrope,	Talbot,
Gallagher, W. J.,	McClure,	Schwab,	Speaker.
Gartner,			

NAYS—5

Ederer,	Heffner,	Meredith,	Peters,
Flynn, J. M.,			

So the question was determined in the affirmative and the resolution was adopted.

RESOLUTION

FIXING DATE FOR FINAL ADJOURNMENT TO BE DEFERRED UNTIL COMPLETION OF LEGISLATION

Mr. JOHN E. BROWN offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, December 4, 1933.

Whereas, His Excellency, the Governor, cognizant of the needs of the people of the Commonwealth, has called the General Assembly into extraordinary session to consider legislation set forth in thirteen items in his proclamation and covering many subjects of needed legislation; and

Whereas, The Members of the House of Representatives fully recognize their responsibility—like Israel Putman of old, their plows are in the furrow and they stand ready to do their part; and

Whereas, Various standing committees are taking little or no action on bills referred to them, thereby throttling needful legislation—having time for deliberation and consideration of this legislation. Shall we, like Nero, fiddle while Rome burns? Therefore be it

Resolved, That this House shall not consider the fixing of a day for final adjournment of this extraordinary session until all bills introduced are reported to the House for its action, and until all the purposes for which this session has been called have been accomplished.

URGING COMPLETION OF BUILDING PROJECT IN WESTERN PENNSYLVANIA

Mr. FITZGERALD offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, December 4, 1933.

Whereas, The Roosevelt New Deal contemplates the carrying forward of the internal waterways system of the United States toward the ideals conceived by the forward looking statesmen of the Nation during the past quarter century; and

Whereas, The Mississippi River and its tributaries have been made available for the navigation of vessels to East Brady, via the Allegheny River, a 9,000 mile waterway that is now in use, carrying thousands of tons of freight; and

Whereas, The Congress of the United States has authorized the further development of the Allegheny River to at least Oil City, with ten miles of the unfinished project already provided for; and

Whereas, Available engineering reports and regional economic surveys indicate the feasibility of a canal running from Franklin, Pennsylvania, to Lake Erie at the City of Erie and terminating in the Harbor of Presque Isle, which is Pennsylvania's only lake port; and

Whereas, The completion of such an All-Pennsylvania waterway as the Northern limit of the Mississippi-Ohio-Allegheny waterway would provide western Pennsylvania with a new artery of traffic for the interchange of the mineral and agricultural products of the great northwest and the mineral and manufactured products of the Commonwealth of Pennsylvania; and exchange of our mineral and agricultural products with the agricultural products of the great South; and

Whereas, The actual construction of a waterway from Franklin, Pennsylvania, to Erie, Pennsylvania, during the period of construction, would provide employment for thousands of presently unemployed Pennsylvanians; and

Whereas, Permanent benefits and wealth would be added to Pennsylvania by reason of the existence and operation of such a waterway; and

Whereas, The said All-Pennsylvania route may be constructed at a cost of less than fifty per centum of the cost of constructing any other proposed alternate route; and

Whereas, The All-Pennsylvania canal is the shortest route of any of those proposed by at least fifty miles; and

Whereas, The selection of any other route connecting the Mississippi Valley with the Great Lakes would involve the building of a harbor on Lake Erie at a tremendous and needless outlay of Federal money; and

Whereas, There is at Erie a natural landlocked harbor now available and affording complete terminal facilities for any volume of commerce which may desire to utilize said proposed Pennsylvania canal; and

Whereas, The said route would utilize Pennsylvania waters in Pennsylvania; and

Whereas, These several other routes proposed depend entirely upon Pennsylvania watersheds to make these several projects navigable; and

Whereas, Under the National Industrial Recovery Act, the Public Works Administration is in control of funds for the purpose and is desirous of expending funds for such purposes as the development of inland waterways; and

Whereas, It is apparently the desire of His Excellency, the President of the United States, and the Honorable Harold L. Ickes, Public Works Administrator, to speed the use of funds appropriated to the Public Works Administration for purposes of this character; and

Whereas, Pennsylvania pays the second largest amount of taxes into the Federal Treasury and should be rightfully considered in the development of this project as proposed; therefore, be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania do respectfully petition His Excellency, the Honorable Franklin D. Roosevelt, President of the United States, to authorize the completion of the Allegheny River project and the building of a canal from Franklin, Pennsylvania, to the City of Erie, on Lake Erie, in Pennsylvania; and be it further

Resolved, That the General Assembly further memorialize United States Senators from Pennsylvania and the Congressmen from Pennsylvania to use their best offices to bring about the immediate approval of this All-Pennsylvania project.

URGING PUBLIC EMPLOYMENT BE GIVEN TO PHYSICALLY HANDICAPPED

Mr. JOHN M. FLYNN offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, December 4, 1933.

Urging that a suitable part of public employment be given to physically handicapped persons.

Whereas, The employment of crippled and other physically handicapped Persons in tasks which they are competent to perform is in accord with a wise social economy and was so recognized by the State of Pennsylvania in 1919 when it led other States of the Union in establishing a Division for the Vocational rehabilitation and placement of Disabled Persons, and

Whereas, In recent years the tendency to discriminate against the employment of physically handicapped persons has been increasing as a result of certain general industrial policies rather than diminishing as a social good requires, and

Whereas, A greater recognition of the physically handicapped in public employment would be beneficial both as an equitable course in itself and as setting an example for private industry and business.

Now Therefore Be It Resolved, By the House of Representatives of the State of Pennsylvania, the Senate concurring, that the appointing authorities in every State department, and in every county, city, and town, be urged to give consideration to the suitable employment of crippled and other physically handicapped persons, to the end that a fair proportion shall be represented in public employment, and that all rules and policies in conflict therewith be revised.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. At the request of His Excellency, the Governor, and Mrs. Pinchot, you are invited to be guests at the Executive Mansion at a Christmas Party on Tuesday evening, December 12, 1933, at 8 o'clock, dress informal. This invitation includes the members and their wives. The Governor asks me to make this announcement for fear some of the members would not be going to their homes over this week-end, and therefore, would not receive their invitations. The invitations are being mailed tonight.

BILLS INTRODUCED AND REFERRED

By Mr. WASSERMAN, HOUSE BILL No. 220.

An Act prohibiting evictions from dwelling houses, under certain conditions during a certain period of time; and imposing penalties.

Referred to the Committee on Judiciary General.

By Mr. WASSERMAN, HOUSE BILL No. 221.

An Act limiting, for a certain period of time, the right to sell on mortgage foreclosures and to enter judgments on mortgage bonds and warrants and to sell on such judgments; providing for deficiency judgments; and imposing penalties.

Referred to the Committee on Judiciary General.

By Mr. WASSERMAN, HOUSE BILL No. 222.

An Act prohibiting sales of household goods on executions or distress for rent during certain periods; and imposing penalties.

Referred to the Committee on Judiciary General.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 4, 1933.

Resolved (if the House of Representatives concur), That the Auditor General and State Treasurer be requested to furnish to the General Assembly as early as possible, a joint statement of the existing and probable future financial conditions of the State Treasury during the present fiscal biennium, which statement shall be in such form and contain such information as said officers deem necessary to enable the Members of the General Assembly to ascertain what moneys will be available for appropriation at the present extraordinary session, taking into consideration the revenues to be derived from taxes on liquor and profits and revenues to be derived from State liquor stores, permits, and license application fees.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. DAVID R. PERRY. Mr. Speaker and members of the House, the resolution forwarded to this body from the Senate is a resolution suggesting that we shall know by intelligent report how we may act in the future. There has been presented and will be acted upon by this body very important and worthwhile legislation. However, there is this important fact to bear in mind, the Commonwealth of Pennsylvania is unquestionably facing today a future of financial uncertainty. Its fiscal affairs present a problem that should be carefully analyzed and seriously considered by all of us. Coincident with an admitted increase from the new liquor channels of revenue come danger signals of depleted income from other sources, and, at the same time advocacy that the Commonwealth enter upon new expenditures for various projects which, however desirable, may tax our fiscal resources to the danger limit.

A fundamental difficulty seems to be that we do not have a clear conception of our present financial status. The bonded indebtedness of the Commonwealth is being further increased by $85,000,000, in compliance with the will of the electorate. Future revenues must, however, undergo the added strain of retiring these bonds and carrying the interest. It has been estimated that, under certain conditions, the costs alone will amount to $50,000,000 or more. The cost of road bonds, met from the motor license fund, requires an appropriation of approximately $13,200,000 for a biennium. Anticipated revenues from the release of liquor by repeal of the 18th Amendment have already been put in jeopardy by litigation in the Federal Courts, involving the liquor floor tax, which had been estimated to yield about $25,000,000. Total revenues from the profits of the liquor stores and other taxes on liquor remain pure estimates.

We cannot be certain, on the basis of our present knowledge, where we are going financially. The fiscal officers of the Commonwealth, Auditor General Baldwin and State Treasurer Waters, have for some time been warning us all of the hazards and penalties if this Legislature fails to exercise a policy of strict economy. It seems obvious that the best practice would be for us to conserve judiciously the new revenues that are coming to us.

Before we can, however, consider this whole fiscal problem intelligently, we must have facts and estimates of our financial standing that are as accurate as it is possible to obtain. We cannot proceed satisfactorily without such definite and comprehensive information.

On the question recurring,

Will the House concur in the resolution?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 45, entitled:

An Act making home loan bonds, issued by the United States Government, legal investments for trust funds.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 125, entitled:

An Act for the protection of health, safety and welfare of women and minors in any occupation, trade or industry except domestic service in private homes and farm labor, by regulating under the police power of the Commonwealth the minimum wage which shall be paid to such women and minors; providing for wage boards, their powers and the procedure to determine the necessity for and to establish the minimum wage standard in any industry where the health, safety and welfare of women and minors is jeopardized by the payment of an oppressive and unreasonable wage; creating powers and imposing duties on the Department of Labor and Industry, the Secretary of Labor and Industry and such director as he may appoint to carry out this act; imposing certain duties on employers and requiring certain records to be kept and information to be furnished by him; permitting

publication after hearing of the names of violators of minimum wage standards; prohibiting contracts for and payment of less than the minimum wage standards and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 120, entitled:

An Act in aid of unemployment relief for the citizens of this Commonwealth by providing for preference to citizens of this Commonwealth in employment upon public works of this Commonwealth, conferring certain duties on the Department of Labor and Industry, and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 102, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges; defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; providing for the payment of interest on, and the redemption of, such bonds; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 16, entitled:

An Act to amend title, Whereas clauses, and sections one and four of the act approved the eighteenth day of May, one thousand nine hundred and thirty-three, (P. L. 826) entitled, "An act authorizing the courts of common pleas to stay writs of execution against and tax sales of certain property in certain cases; providing for the continuance of return days of writs of executions; and authorizing sales thereon without issuance of further writs."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 94, entitled:

An Act to repeal the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (P. L. 34), entitled, "An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 20, entitled:

An Act authorizing cities to acquire lands and provide for the erection thereon of dwellings for rental to its citizens and appropriate money and issue bonds therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 103, entitled:

An Act to amend sections one, two, nine and eleven of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 395), entitled, "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing for the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation;" extending the provisions thereof to all bridges wholly within the Commonwealth, and providing for the payment of the cost of acquiring such bridges out of the Toll Bridge Fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 80, entitled:

An Act to amend section two of the act approved the fifth day of March, one thousand nine hundred and six, (P. L. 63), entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions," as amended; providing that the county commissioners may appoint the registrars for each district without nomination petitions from the party representatives of the district.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 114 (Senate Bill No. 19), entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with
The House proceeded to the second reading and consideration of House Bill No. 56, as follows:

An Act to amend sections one thousand seven hundred and seventy-six two thousand one hundred and twelve and two thousand one hundred and forty-one of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" lengthening the time for which assessment bonds for street and sewer improvements may be issued regulating notice where sewer-works are constructed without the limits of a borough

Whereas The National Recovery Administration is urging the construction of various public works in order to relieve unemployment and

Whereas The Governor in his proclamation for the extraordinary session has suggested recovery legislation in order to cooperate with the National Recovery Administration therefore in order that boroughs may be enabled to more readily proceed with the construction of street and sewer improvements

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assmbly met and it is hereby enacted by the authority of the same That sections one thousand seven hundred and seventy-six two thousand one hundred and twelve and two thousand one hundred and forty-one of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" are hereby amended to read as follows

Section 1776 Issue of Bonds In order to provide for the payment of the cost and expenses of such improvement the council of such borough may from time to time issue bonds in such sums as may be required in all to an amount not exceeding the amount of assessments The bonds shall bear the name of the street or alley to be improved and shall rest alone for their security and payment upon such assessments and shall be payable at periods not exceeding [five] ten years from the date of their issue to be provided in the ordinance directing the improvement.

Section 2112 Notice of Certain Ordinances No ordinance for any such construction beyond the limits of the borough or any works connected therewith shall be adopted until notice thereof has been given by publication of the proposed ordinance for at least four weeks in one newspaper published in the borough or county and also by serving copies of such proposed ordinance upon all land owners through whose land such sewer is to pass at least ten days before final action thereon But no notice as herein provided shall be required where such construction beyond the limits of a borough is entirely within the limts of any street or highway In such cases a written notice shall be given to the corporate authorities of the municipality or township having jurisdiction over such street or highway before the construction is commenced

Section 2141 Issue of Bonds In order to provide for the payment of the costs and expenses of any such improvement the borough may from time to time issue bonds in such sums as may be required in all to an amount not exceeding the amount of assessments The bonds shall bear the name of the sewer and shall rest alone for their security and payment upon such assessments and shall be payable at periods not exceeding [five] ten years from the date of their issue to be provided in the ordinance directing the improvement

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 41, as follows:

An Act making an appropriation for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three

Section 1 The sum of twenty-five thousand dollars or so much thereof as may be necessary is hereby specifically appropriated for the purpose of providing bonds necessary for the borrowing of fifty million dollars ($50,000,000) on the credit of the Commonwealth of Pennsylvania in conformity with the provisions of Constitutional Amendment Number Four adopted by the people at the Municipal Election in November one thousand nine hundred and thirty-three and the statutes enacted to carry out the provisions of said Constitutional Amendment for the payment of the cost of advertising the same and for all other costs and expenses in connection with the issue of said sale and registration of said bonds Payments from said appropriation shall be made by requisition of the Auditor General after approval of vouchers by the Governor Auditor General and State Treasurer.

Section 2 The amount that shall be necessarily expended from said appropriation for the purposes stated shall be repaid into the General Fund in the State Treasury from the first receipts of the sale of said bonds

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 88, entitled:

An Act making an appropriation out of the General Fund to the Pennsylvania Liquor Control Board for the administration and enforcement of the Pennsylvania Liqour Control Act including the establishment operation maintenance and equipment of Pennsylvania Liquor Stores and places for the storing and testing of liquors and providing for the partial reimbursement of the General Fund by making an appropriation from The State Stores Fund to be transferred in installments to the General Fund

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two million dollars ($2,000,000) or as much thereof as may be necessary is hereby appropriated out of the General Fund to the Pennsylvania Liquor Control Board for the two fiscal years ending the thirty-first day of May one thousand nine hundred thirty-five for the payment of salaries wages or other compensation of officers and employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephones rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment for the purchase of spirituous and vinous liquors supplies furniture automobiles and equipment for the payment of rentals for buildings and other accommodations for the payment of the cost of printing for the payment of the cost of granting liquor licenses to hotels restaurants clubs and public service companies and for the payment of any other expenses whatsoever necessary for the proper conduct of the work of the board in administreing and enforcing the Pennsylvania Liquor Control Act including the establishment operation maintenance and equipment of Pennsylvania Liquor Stores and places for the storing and testing of liquor

The second section was read as follows:

Section 2 In order to reimburse the General Fund for as much of the appropriation made by section one of this act as is used in the establishment operation maintenance and equipment of Pennsylvania Liquor Stores and places for the storing and testing of liquor the sum of two million dollars ($2,000,000) or as much thereof as may be necessary shall be transferred from The State Stores Fund before the thirty-first day of May one thousand nine hundred thirty-five in such amounts and at such times as the Pennsylvania Alcohol Permit Board with the approval of the Governor shall direct Such transfers shall be made by the State Treasurer upon warrants of the Auditor General upon requisitions of the board The moneys in The State Stores Fund are hereby specifically appropriated to the board for transfer from time to time as provided in this section

On the question,

Will the House agree to the section?

Mr. CONNER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 2, line 27 by striking out after the word "Pennsylvania" and before the word "Board" the words: "Alcohol Permit" and inserting in lieu thereof the words: "Liquor Control"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section and title were separately read and agreed to as follows:

Section 3 This act shall become effective immediately upon its approval by the Governor

An Act making an appropriation out of the General Fund to the Pennsylvania Liquor Control Board for the administration and enforcement of the Pennsylvania Liquor Control Act, including the establishment, operation, maintenance and equipment of Pennsylvania Liquor Stores, and places for the storing and testing of liquors, and providing for the partial reimbursement of the General Fund by making an appropriation from The State Stores Fund, to be transferred in installments to the General Fund.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 55, as follows:

An Act making an appropriation out of The State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That out of the moneys in The State Stores Fund which represent net profits from the operation of Pennsylvania Liquor Stores the sum of twenty million dollars ($20,000,000) is hereby specifically appropriated to the State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinafter provided Such appropriation shall be paid over to the board during the period beginning April first one thousand nine hundred thirty-four and ending May thirty-first one thousand nine hundred and thirty-five but the moneys hereby appropriated may be used for the payment of bills contracted by or with the authority of the State Emergency Relief Board for work relief or direct relief prior to April first one thousand nine hundred thirty-four

The moneys appropriated shall be available from time to time as the Pennsylvania Alcohol Permit Board shall certify that profits are available and upon requisiton of the State Emergency Relief Board

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the moneys appropriated to it among the several counties of this Commonwealth on the basis of need

Section 3 The moneys so allocated to a county shall be available for expenditure in that county for relief as the State Emergency Relief Board shall determine Whenever the State Emergency Relief Board has determined to expend any part of a county's allocation for work relief on State highways and bridges thereon it shall pay such part of the county's allocation into the Motor License Fund and it shall thereafter be expended in accordance with existing laws by the Department of Highways in such county in the construction and improvement of such State highways and bridges thereon as shall be designated by the State Emergency Relief Board and the labor employed by the department (other than that required for supervision engineering and in the operation of road machinery) in such construction work shall be furnished by residents of such county in need of employment to be selected in accordance with the rules and regulations of the State Emergency Relief Board

The Department of Highways may cumulate the respective amounts in the Motor License Fund credited to a county until such funds are available to undertake the construction work authorized by this section

Section 4 The amount available in any county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure for the unemployed in such county through such public and private agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 5 Out of the appropriation made by this act the State Emergency Relief Board may allocate the sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary for printing the payment of the compensation and expenses of clerical and other assistants required for supervising the expenditure of the appropriation made by this act postage traveling expenses and all other incidental and necessary expenses incurred by the board in administering this act

Section 6 Out of the appropriation made by this act the State Emergency Relief Board may from time to time allocate to the State Veterans' Commission sums not exceeding an aggregate of three hundred thousand dollars ($300,000) for providing food clothing fuel or shelter for unemployed veterans who are without means of support

Section 7 The State Eemergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for investigation of applications for relief the cost of distributing food clothing fuel or shelter and the maintenance of proper records of receipts expenditures and other transactions of local relief distributing agencies

Section 8 This act shall become effective upon the first day of April one thousand nine hundred thirty-four

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 87, as follows:

An Act appropriating the moneys in The State Stores Fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That as much of the moneys from time to time in The State Store Fund as may be necessary are hereby appropriated to the Pennsylvania Liquor Control Board for the proper conduct of its work in establishing maintaining and operating Pennsylvania Liquor Stores warehousing and testing liquor issuing licenses to hotels restaurants clubs and public service companies and otherwise administering and enforcing the Pennsylvania Liquor Control Act as follows

(a) For the payment of the salaries wages or other compensation and traveling and other necessary expenses of such superintendents managers assistant superintendents assistant chiefs assistant engineers draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers laborers and other assistants and employes as may be required in the performance of the duties above mentioned and such special deputy attorneys general assistant deputy attorneys general and attorneys as may be assigned by the Attorney General to the board or for handling any legal business pertaining to its work

(b) For the purchase maintenance and repair of furniture furnishings stationery supplies materials equipment fuel and printing and binding and for the payment of the premiums on policies of insurance covering motor vehicles operated by employes of the board and surety bonds for officers or employes of the board required to furnish such bonds but all such purchases and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as purchasing agent

(c) For the purchase of automobiles and other automotive equipment through the Department of Property and Supplies the maintenance and operation of automobiles and for the payment of mileage charges to the Department of Property and Supplies for the use of automobiles

(d) For the purchase of liquors to be sold in or through Pennsylvania Liquor Stores

(e) For the payment of postage telegrams telephone rentals and toll charges and rentals for or royalties upon leased office equipment or other devices or machines

(f) For the payment of rentals for buildings or other accommodations leased by the board through the Department of Property and Supplies for use by or in connection with Pennsylvania Liquor Stores or for the storage or testing of liquors purchased by the board

(g) For the payment of premiums upon policies insuring the Commonwealth against workmen's compensation liability to employes or dependents of employes of the board

(h) For all other expenses of every kind and description necessary for the performance by the board of the aforesaid work

Section 2 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 74, as follows:

A Supplement to act number three hundred-A approved the third day of June one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the Ordinary expenses of the Executive Legislature and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to the Executive and Judicial Departments of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the appropriations made by the act to which this act is a supplement the following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund in the State Treasury to the several hereinafter named agencies of the Executive and Judicial Departments of the Commonwealth for the purposes hereinafter set forth for the two fiscal years ending the thirty-first day of May one thousand nine hundred thirty-five

EXECUTIVE DEPARTMENT

To the Department of Health

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and incidental expenses necessary for the proper conduct of the work of the department and the Sanitary Water Board the Advisory Health Board and other boards including the continuation of the investigation and study of the effect of the diversion of water from the tributaries of the Delaware River as authorized by the law the sum of thirty-seven thousand dollars ($37,000)

To the Department of Labor and Industry

For the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees the members of the Industrial Board and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and incidental expenses necessary for the proper conduct of the work of the Department including the work formerly performed by the Bureau of Industrial Relations the Workmen's Compensation Board the Workmen's Compensation Referees and the Industrial Board and for the purchase of artificial appliances for and the payment of maintenance costs of physically handicapped persons in training and all other expenses necessary to carry out the provisions of rehabilitation acts the sum of two hundred twelve thousand dollars ($212,000)

To the Department of Military Affairs

For the preparation of the new State Military Reservation at Indiantown Gap for occupancy by the Pennsylvania National Guard including necessary grading and improvements to the new site the construction or repair of roads sewers sewage lines tent floors and electric lines the construction and furnishing of buildings and the purchase of labor horses supplies equipment and materials the sum of seventy-five thousand dollars ($75,000)

To the Department of Property and Supplies

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of postage traveling expenses mileage charges to the department for the use of automobile telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and incidental expenses necessary for the proper conduct of the work of the department the Capitol Police the Board of Commissioners of Public Grounds and Buildings and other boards attached to the department for the care maintenance and preservation of public grounds and buildings including the Executive Mansion for the payment of the cost of advertising schedules of supplies the sale of unserviceable property proposals for executing the State printing and binding proposals for any contract work readvertising any schedules or proposals when necessary and all other advertising necessary for the proper conduct of the work of the department the sum of two hundred twenty-five thousand dollars ($225,000) Provided however That the department shall not use any part of this appropriation for the payment of the salaries wages or other compensation of employes necessary for the cleaning and care of offices or other quarters either in the Capitol Building or elsewhere used by the Department of Banking the Department of Highways the Department of Revenue to the extent to which appropriations for this purpose shall have been made to them from special funds the General Assembly the Judicial Department the Department of the Auditor General the Treasury Department the Board of Game Commissioners the Board of Fish Commissioners or the State Workmen's Insurance Board for the cleaning and care of offces or other quarters outside the city of Harrisburg used by any other department board or commission or for the cleaning and care of the State Arsenal or any barracks used by the Pennsylvania State Police

For the purchase of supplies including medicines medical surgical laboratory chemical biological and electrical supplies military stores and supplies stationery and office supplies for the purchase of food and forage and other animal foods for the purchase of furniture and equipment including office chemical laboratory medical surgical biological and electrical equipment furniture furnishings utensils military and police equipment fire arms and other accoutrements artifical appliances fire protection and fire fighting equipment for the purchase of animals poultry seedlings and transplants for the purchase of legal and other books

periodicals maps charts manuscripts pamhhlets exchanges records lantern slides archaeological and historical markers and for the purchase of all other materials supplies or equipment as set forth in the schedules of the Department of Property and Supplies or for which requisition is made but the want of which was not anticipated at the time of the making of said schedules for the cost of repairing office equipment for the cost of miscellaneous services for the payment of rental charges for telephones and other patented leased office devices for the payment of the cost of printing and printing processes such as binding ruling lithographing color printing and engraving for the purchase of paper envelopes cloth and other substances on which printing is done cuts electrotypes dies stamps and other printing and binding supplies as may be required for the Executive Mansion and the several administrative departments boards and commissions of the State Government except the Department of Highways the Department of Banking and the Department of Revenue to the extent to which appropriations for these purposes shall have been made to them from special funds the Department of the Auditor General the Treasury Department the Board of Fish Commissioners the Board of Game Commissioners the State Farm Products Show Commission the State Workmen's Insurance Board and departmental administrative boards or commissions having control of State institutions or supervision over or the duty of planning for State parks harbors or canals for the payment of the cost of making tests of materials supplies and equipment whether purchased by the Department of Property and Supplies directly or as purchasing agency for the payment of the cost of preparation of plans designs and specifications including necessary tests or borings and the preparation of same required for the performance of the work of the Department of Property and Supplies (when said cost is not otherwise provided for) including those to be purchased or altered at the expense of a fund other than the General Fund and for the payment of expenses incident to condemnation proceedings in the event such expenses are not provided for in any Act of the General Assembly authorizing the acquisition of land for the Commonwealth the sum of seventy five thousand dollars ($75,000)

To the Department of Public Instruction

For aid to financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine the sum of five million dollars ($5,000,000)

To the Department of Revenue

For the payment of salaries wages or other compensation of deputies and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and incidental expenses necessary for the proper conduct of the work of the department for the payment of the cost of filing liens and for the payment of costs of advertising required by any Act of Asesmbly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of one hundred seventy-five dollars ($175,000) Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purposes

To the Pennsylvania State Police

For the payment of salaries wages or other compensation of the State Police Force a deputy superintendent and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and incidental expenses necessary for the proper conduct of the work of the Pennsylvania State Police for medical attendance and hospital charges not covered by insurance for members of the State Police Force injured in the line of duty and for the maintenance and operation of a radio broadcasting station the sum of ninety-three thousand dollars ($93,000)

JUDICIAL DEPARTMENT

To the Juvenile Court of Allegheny County

For the payment of the salary of the Judge of the Juvenile Court of the County of Allegheny the sum of fifteen thousand dollars ($15,000)

Section 2 This act shall become effective on the date of its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 115 (Senate Bill No. 29), entitled:

An Act to amend paragraph (a) of section nine of article three of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expenses and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; precribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals; and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regu-

lation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" by authorizing the commission in special cases to grant relief to common carriers from the long and short haul and the aggregate of intermediate rates provisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 119, as follows:

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended construing the word "indebtedness" as used in said section and denying the right of the Commonwealth to collect taxes on deposits in banks banking institutions saving institutions and trust companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by the act approved the thirteenth day of July one thousand nine hundred and twenty-three (Pamphlet Laws one thousand eighty-five) is hereby further amended to read as follows

Section 17 That all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other State or of the United States and doing business in this Commonwealth and all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any county city borough township school district or incorporated district of this Commonwealth are hereby made taxable in the year one thousand nine hundred and nineteen and annually thereafter for State purposes at the rate of four mills on each dollar of the nominal value thereof Provided That whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidence of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corportion not later than ten days therafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidences of indebtedness under the provisions of the first section of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) to which this is a further amendment that the corporation has assumed such indebtedness or the payment of the interest thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest Where any private corporation shall assume such evidence of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provision of section one of said act of June seventeen one thousand nine hundred and thirteen upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon on or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year and for the ensuing year and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in section one of the act of June seventeen one thousand nine hundred and thirteen Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deduction from interest due as hereinbefore provided Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint stock associations holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

It is the intent of this act that all scrip bonds certificates and evidences of indebtedness made taxable under this section are not taxable under section one (1) of the act to which this is an amendment and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under section one (1) of said act

But the word "indebtedness" as used in this section shall not be construed to include deposits of money in any bank banking institution savings institution or trust company and no right shall exist in the Commonwealth to collect any tax

on such deposits under the provisions of this section for any period prior or subsequent to the effective date of this act

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 111 (Senate Bill No. 7), entitled:

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties and interest imposed on delinquent city and school taxes and any other charges including any costs due on such taxes in cities of the first class for the tax year one thousand nine hundred and thirty-one or any previous tax year may be abated by the council of any such city if such taxes are paid in full on or before the thirtieth day of June one thousand nine hundred and thirty-four All penalties and other charges not including interest due on such delinquent city and school taxes for the tax year one thousand nine hundred and thirty-two may be abated by the council of any such city if such taxes and the interest due thereon are paid in full on or before the thirtieth day of September one thousand nine hundred and thirty-four

This act shall be construed to apply to all city and school taxes whether or not liens for such taxes have been filed in the office of the prothonotary of the county or any proceedings for the collection of such taxes have been instituted in any court in said county

On the question,

Will the House agree to the section?

Mr. BLUMBERG. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, lines 5 and 6, by striking out the words, "and any other charges including any costs due on such taxes."

Amend Sec. 1, page 1, line 6, by inserting after the word "class" the words: "and in school districts of the first class"

Amend Sec. 1, page 1, line 10, by inserting after the word "city" the words: "or the Board of Public Education of such school district"

Amend Sec. 1, page 1, line 10, by inserting after the word "if" the words: "Thirty-three and one third per centum of"

Amend Sec. 1, page 1, line 11, by striking out the words "thirteenth day of June" and inserting in lieu thereof: "thirty-first day of December one thousand nine hundred and thirty-three and thirty-three and one third per centum of such taxes on or before the twenty-eighth day of February one thousand nine hundred thirty-four and the remaining thirty-three and one third per centum of such taxes on or before the first day of May."

Amend Sec. 1, page 2, line 2, by inserting after the word "city" the following: "or by the Board of Public Education of any such school district"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 This act shall become effective immediately upon final enactment

The title was read as follows:

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class

On the question,

Will the House agree to the title?

Mr. BLUMBERG. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 2, by adding at the end thereof, after the word "class" the following: "and on school taxes in school districts of the first class"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF VOTE

Mr. STEEDLE. Mr. Speaker, I move that the vote by which the House agreed to transcribe House Bill No. 55, Printer's No. 24, on page 4, of today's calendar, be reconsidered.

The motion was agreed to.

The votes by which the House agreed to the title, and the several sections, were separately reconsidered.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That out of the moneys in The State Stores Fund which represent net profits from the operation of Pennsylvania Liquor Stores the sum of twenty million dollars ($20,000,000) is hereby specifically appropriated to the State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinfater provided Such appropriation shall be paid over to the board during the period beginning April first one thousand nine hundred thirty-four and ending May thirty-first one thousand nine hundred and thirty-five but the moneys hereby appropriated may be used for the payment of bills contracted by or with the authority of the State Emergency Relief Board for work relief or direct relief prior to April first one thousand nine hundred thirty-four

The moneys appropriated shall be available from time to time as the Pennsylvania Alcohol Permit Board shall certify that profits are available and upon requisition of the State Emergency Relief Board

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, line 6, by striking out the word "twenty" and inserting in lieu thereof: "forty"

Amend Sec. 1, page 1, line 6, by striking out the figures "($20,000,000)" and inserting in lieu thereof: "($40,000,000)"

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The second to the eighth sections inclusive and the title were separately read and agreed to as follows:

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the moneys appropriated to it among the several counties of this Commonwealth on the basis of need

Section 3 The moneys so allocated to a county shall be available for expenditure in that county for relief as the State Emergency Relief Board shall determine Whenever the State Emergency Relief Board has determined to expend any part of a county's allocation for work relief on State highways and bridges thereon it shall pay such part of the county's allocation into the Motor License Fund and it shall thereafter be expended in accordance with existing laws by the Department of Highways in such county in the construction and improvement of such State highways and bridges thereon as shall be designated by the State Emergency Relief Board and the labor employed by the department (other than that required for supervision engineering and in the operation of road machinery) in such construction work shall be furnished by residents of such county in need of employment to be selected in accordance with the rules and regulations of the State Emergency Relief Board

The Department of Highways may cumulate the respective amounts in the Motor License Fund credited to a county until such funds are available to undertake the construction work authorized by this section

Section 4 The amount available in any county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure for the purchase of food clothing fuel and shelter for the unemployed in such county through such public and private agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 5 Out of the appropriation made by this act the State Emergency Relief Board may allocate the sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary for printing the payment of the compensation and expenses of clerical and other assistants required for supervising the expenditure of the appropriation made by this act postage traveling expenses and all other incidental and necessary expenses incurred by the board in administering this act

Section 6 Out of the appropriation made by this act the State Emergency Relief Board may from time to time allocate to the State Veterans' Commission sums not exceeding an aggregate of three hundred thousand dollars ($300,000) for providing food clothing fuel or shelter for unemployed veterans who are without means of support

Section 7 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for investigation of applications for relief the cost of distributing food clothing fuel or shelter and the maintenance of proper records of receipts expenditures and other transactions of local relief distributing agencies

Section 8 This act shall become effective upon the first day of April one thousand nine hundred thirty-four

An Act making an appropriation out of The State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

STATEMENT BY MR. COHEN

Mr. COHEN asked and obtained unanimous consent to make a statement.

Mr. Speaker and members of the House: The facts which I expect to bring to your attention would now have been common gossip had the Committee of the Legislature, appointed for the purpose of investigating the Insurance Department, performed its functions; but since it has not done so I must take this opportunity to lay before the members of the House and the Committee appointed to investigate the Insurance Department the facts which will impress upon you the immediate necessity for the rejuvenation of that committee and the urgent necessity for a thorough investigation of the Department of Labor and Industry, both to be prosecuted without the white wash characteristic of such investigations.

The facts which I propose to bring to your attention are a fit subject for a get-rich-quick-Wallingford Story and makes Mr. Ponzie of high finance fame appear as a piker.

On May 28, 1931, the Insurance Department of the Commonwealth was requested by Carl Hansen, the principal owner of the American Mine Owners' Casualty Company of Huntingdon, Pa., to sanction a merger between that company and the Commonwealth Casualty Company, which company in turn was headed by W. Freeland Kendrick, a former mayor of Philadelphia. Within the Insurance Department objections were raised to this merger by a number of the employees due to the very apparent fact that at the time the merger was requested both companies were in a shaky or insolvent position. However, over the objections of certain trusted employees of the department, after pressure of higher ups, a merger was permitted under an agreement which provided that one stock holder was to receive $10.00 a share for his stock of which he had a large block. By a further provision of the merger the remaining stockholders of both companies were to pool their stock for a period of six months while the two merged companies would operate in order to ascertain the proportionate share of the business done by each company, and after that proportion was ascertained the distribution to the stockholders was to be made.

On September 16, 1931, before the six-months' trial period had expired a new request was made. This request came from the Independence Indemnity Company of Philadelphia and was sponsored by the same Carl Hansen. This request was to merge the Independence Indemnity of Philadelphia with the Commonwealth Casualty and the American Mine Owners. Objections by trusted employees of the Insurance Department were again raised to this merger on the very apparent grounds that the merger could not be equitably made until the terms of the stock pool agreement under the first merger had time to work out. The objections raised thereto were again overruled by the Insurance Commissioner and the three companies —American Mine Owners', Commonwealth Casualty and Independence Indemnity, all in a precarious financial position and on the verge of insolvency, were allowed to continue their operations in the Commonwealth of Pennsylvania.

On October 30, 1932, the companies were in such financial difficulty that in order to show some degree of solvency the liabilities of these three companies were assumed by the International Re-Insurance Corporation—a Delaware corporation of high sounding verbiage but with so little financial responsibility that they were chased out of the State of California.

After the absorption of these three Pennsylvania companies by the Delaware Corporation, the International Re-Insurance Company, which was also controlled by Carl Hansen, made a demand for the withdrawal of $665,000 worth of bonds on deposit with the State Treasurer. These bonds were originally

the property of the three merged companies. Prior to this time application had already been made for the withdrawal of these bonds but in the Insurance Department was one friend of good government; he again raised the strenuous objections to the withdrawal and cited his authority for such objections, Section 403 of the 1921 Insurance Code which reads as follows: "No deposit (of bonds) when once made shall be wholly withdrawn or diminished so long as any liability to policyholders remains unsatisfied."

The 1931 statement of the Independence Indemnity Company showed over $9,000,000 of liabilities. The Bureau of Workmen's Compensation in charge of Director Stephen B. Sweeney, also had brought to his attention the fact that there were one thousand or more open compensation claims of Pennsylvania claimants which were unsatisfied. These claims represented monies due the laborers of the Commonwealth of Pennsylvania, their widows, dependents and permanently and totally injured workers. These facts were brought to the attention of Mr. Sweeney, who in turn called them to the attention of the Insurance Department. Nevertheless, in view of the fact that one of the companies had liabilities of $9,000,000 and in view of the fact that approximately one thousand compensation claims remained unpaid and open, involving an approximate liability of upwards of $200,000 still the Insurance Commissioner under the advice of the Attorney General's office, under date of November 1, 1932, wrote to Edward Martin, State Treasurer, as follows:

Insurance Department, November 1, 1932.

Honorable Edward Martin, State Treasurer, Harrisburg, Pennsylvania.

Dear Sir:

Please be advised that the outstanding obligations of the Independence Indemnity Company, Philadelphia, Pennsylvania, have been assumed by the International Re-Insurance Corporation, a Delaware Corporation, with executive office in Los Angeles, California, in consideration for which the Independence Indemnity Company has conveyed to the International Re-Insurance Corporation all of its property, both real and personal, of every kind, character and description and wheresoever situated.

The agreement referred to above was executed on October 31st, 1932, and was approved by a majority of the stockholders of the Independence Indemnity Company as provided by law.

You are hereby authorized to release the following securities, with aggregate par value of $635,000, deposited in the name of the Independence Indemnity Company, Philadelphia, Pennsylvania, to Mr. G. R. Dette, Vice President of the International Re-Insurance Corporation, against his receipt:

(Here follows itemized description of the $635,000 worth of bonds.)

There will still remain in your custody, $30,000 par U. S. A. Treasury Bonds, Nos. E-00039665, E-00042465, F-00042466, in the name of the Independence Indemnity Company, Philadelphia, Pennsylvania.

Very truly yours,

C. F. ARMSTRONG,
Insurance Commissioner.

CFA:vps

On November 3, 1932, two days later, apparently not being satisfied with depriving the injured workmen, employers and other claimants of the merged companies of $635,000.000 the Insurance Commissioner again requested General Martin for a release of the remaining $30,000. Not one penny would they allow to remain in the possession of the Commonwealth to be utilized to satisfy claims of injured and maimed workmen or their widows and orphans. The removal of the funds was an immoral disregard of the welfare of injured claimants which knowledge was in the hands of the Director of the Bureau of Workmen's Compensation, Mr. Sweeney, and which should have been utilized by Mr. Sweeney to prevent the unlawful disregard of the acts of assembly by the Insurance Commissioner.

On April 19, 1933, within five months after the removal of the $665,000 worth of bonds, International Re-Insurance Corporation was placed in receivership. The control and possession of the insurance department's $665,000 worth of bonds was lost forever and the obligation of the Commonwealth to protect policy holders and claimants was ruthlessly disregarded.

What has already been stated to you should be sufficient but apparently it was not sufficient either to the Insurance Department or to the Director of the Workmen's Compensation Bureau or to any of the powers that be, for on January 6, 1933, an additional $300,000 of securities were withdrawn from the custody of the State Treasurer and turned over to Lloyds Insurance Company of America which company had purchased the Constitution Indemnity Company of Pennsylvania.

The 1931 schedule of outstanding liabilities of the Constitution Indemnity Company shows liabilities of over $3,225,000. It might be possible to excuse the Insurance Department, the Attorney General's Department and the Department of Labor and Industry in allowing the withdrawal of the $665,000 worth of bonds but for these departments, without any objection, without any protection to allow the withdrawal of an additional $300,000 surely warrants the condemnation of this body.

On August 4, 1933, six months after the removal of the $300,000 worth of securities which were turned over to Lloyds Insurance Company of America. Lloyds Insurance Company of America were placed in receivership. Again the Commonwealth has been derelict in its duty to the injured workmen and policy holders.

And I am also informed that up to the present writing the Director of Workmen's Compensation has not advised the injured claimants who were insured by the Lloyds Insurance Company of America of their right under the Workmen's Compensation Act which would allow them to enter a certified copy of their agreement or decree as a judgment against their employer.

The statements that I have made are all at the disposal of the committee appointed to investigate the Insurance Department and are surely at the disposal of any committee appointed to investigate the Bureau of Workmen's Compensation, directed by Mr. Sweeney.

Resolution No. 83, which appointed a committee to investigate the affairs and records of the Insurance Department contained a paragraph that "said committee shall make report of its findings to the next session of the General Assembly." So far this has not been done and I say to the gentlemen of that committee that I will be more than glad to present to the committee in deliberation the individuals who will personally substantiate the allegations that I have made.

The SPEAKER. The statement of the gentleman from York will be spread upon the Legislative Journal.

STATEMENT BY MR. HUTTON

Mr. HUTTON. Mr. Speaker, in view of the remarks by the gentleman from York, Mr. Cohen, I desire to make a statement to the House.

The SPEAKER. If there are no objections on the part of the House, the gentleman will proceed. The Chair hears none.

Mr. HUTTON. Mr. Speaker and members of the House, I have listened very intently to the statement as made by the gentleman from York, Mr. Cohen. Practically all of the information which he has read to this House has already been collated by the Insurance Investigating Committee. The committee has held four sessions. The last meeting that was called was for October 26th, but unfortunately, owing to the fact that this date was so near to the November election, it was not possible for the Committee to hold a full hearing at that time.

I can assure the gentleman from York, Mr. Cohen, that as Chairman of this Committee, and I think I speak for the members of that committee, that we will welcome any information which he can give to us in the further investigation of the situation which he has outlined to the House. I might say, furthermore, for the information of the gentleman from York, and also for the information of the House, that the Committee has labored under a very great disadvantage in not having any funds with which to carry on the investigation. I presume that I, as Chairman of the investigating committee, have probably been in touch with the same individuals who have furnished the statement which the gentleman from York has just read. Some of these statements can be substantiated from records. Other portions of the statement can only be substantiated by records which are not within the State of Pennsylvania at the present time. I want to assure the members of this House that as Chairman of the Insurance Investigating Committee, we intend to run all of these clues and all of these statements down to the very last and to the limit. Some of the situations that have been disclosed certainly need corrective measures. I understand from the remarks by the gentleman from York, that it was his idea that the committee should report at this session; it was not the view of the Chairman of the Committee that we were to report at this particular session. If there had been anything in the call of the Governor, then we might have been warranted in reporting at this particular session, but my interpretation is that the report must be made to the next regular session of the General Assembly.

In the meanwhile the committee is functioning, and I can assure the gentleman from York, and every member of this House, that there will be no shirking on the part of that committee in the full performance of the duties of the committee.

The SPEAKER. The remarks of the gentleman from Franklin, Mr. Hutton, will be spread upon the Legislative Journal.

RECESS

The SPEAKER. If there is no objection the Chair will declare a recess until 10:50 o'clock P. M. Are there objections? The Chair hears none, and a recess is declared (at 10:35 o'cock P. M.) until 10:50 o'clock P. M. today.

AFTER RECESS

The SPEAKER (Grover C. Talbot) in the Chair.

The SPEAKER. The time of the recess having expired, the House will be in order.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 43 (HOUSE BILL No. 223).

An Act making an appropriation to the Department of Military Affairs.

Referred to the Committee on Appropriations.

SENATE BILL No. 44 (HOUSE BILL No. 224).

An Act making an appropriation to the Department of Military Affairs for the purchase of supplies, materials and equipment to improve the Military Reservation at Indiantown Gap.

Referred to the Committee on Appropriations.

SENATE BILL No. 62 (HOUSE BILL No. 225).

An Act reducing to five days the period during which municipal subdivisions of the Commonwealth are required to advertise notice of proposed awards of contracts for articles to be used on projects financed by the Federal Civil Works Administration.

Referred to the Committee on Municipal Corporations.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 13.

An Act to amend certain sections of the act approved the fifth day of May, one thousand nine hundred thirty-three (Act number one hundred four), entitled "An act imposing a State Tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties," by restricting the provisions of the act to malt liquors, as defined therein.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, by inserting in line 14 after the word "therein" the words "and clarifying certain provisions of the act."

Amend Section 4, page 6, line 17, by inserting after the word "to" and before the word "retail" the word "distributors."

Amend Section 7, page 8, line 8, by striking out the word "fifth" and inserting in lieu thereof the word "tenth."

Amend Section 10, page 9, lines 14 and 15, by striking out after the word "by" the words "manufacturers and distributors" and inserting in lieu thereof the words "a manufacturer or distributor"; also in line 15 by inserting after the word "shipped" the words "by him"; also at the beginning of line 16 by inserting before the word "regular" the words "licensed or"; also in line 17 by striking out the words "the seller"; also in same line by inserting after the word "seller" the words "such manufacturer or distributor"; also in line 18, by inserting after the word "paid" the words "by him"; also in line 21, by striking out after the word "purchaser" the words "a written acknowledgement" and inserting in lieu thereof the words "an affidavit"; also in line 23, by inserting after the word "liquors" by inserting the words "for sale or consumption outside the Commonwealth."

Amend Section 13, page 10, line 10, by inserting after the word "violate" the words "any provision of this act for which violation no specific penalty is provided or any of."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—198

Andrews,	Griffith,	McGinnis,	Scott,
Baker,	Habbyshaw,	McGrail,	Sheffer,
Baldi,	Haines,	McGregor,	Shellenberger,
Barnhardt,	Hamilton,	McHenry,	Shenkel,
Bechtel,	Harmuth,	McKay,	Shettel,
Beech,	Harris,	McKinney,	Shortz,
Bennett,	Hart,	Melchiorre	Shreiner,
Bernhard,	Hartman,	Meredith,	Shugarts,
Blumberg,	Heffernan,	Merrell,	Simon,
Boyd,	Hefferon,	Mohn,	Sinwell,
Brancato,	Heffner,	Moore,	Snyder,
Brennan,	Hermansen,	Mumford,	Spann,
Brown, J. E.,	Hester,	Munley,	Stank,
Brown, W. L.,	Hewitt,	Murphy,	Steedle,
Brownfield,	Himes, H. E.,	Myers,	Sterling, P.,
Cannon,	Himes, L. R.,	Negley,	Sterling, R. B.,
Caputo,	Hoffman,	Nothnagle,	Stevens,
Carey,	Holmes, J. B.,	O'Connor,	Stevenson,
Carson,	Holmes, J. L.,	O'Keefe,	Stiteler,
Chervenak,	Hoopes,	O'Neill,	Stone,
Cohen,	Horst,	O'Rourke,	Storb,
Conner,	Hough,	Patterson,	Stott,
Cooke,	Howard,	Peelor,	Surface,
Cordier,	Hutton,	Pennock,	Tahl,
Craig,	Jaffe,	Perry, D. R.,	Terry,
Cramer,	Jones,	Perry, J. J.,	Turner,
Dane,	Kane, J. J.,	Peters,	Wade,
Denning,	Kane, L. P.,	Powell,	Wagner,
Downey, G. E.,	King,	Powers,	Walker, G. E.,
Downey, J. J.,	Kinney,	Price,	Walker, W. A.,
Duffy,	Labar,	Quinn,	Wall,
Dunmire,	Lane,	Raub,	Wasserman,
Ederer,	Laubach,	Rectenwald,	Way,
Emhardt,	Lenahan,	Reed,	Weidemann,
Eroe,	Lewis,	Reilly,	Welsh,
Evans,	Long,	Rhodes,	Westrick,
Fitzgerald,	Lose,	Rice,	White,
Flanagan,	Lovett, J. E.,	Roan,	Wike,
Fleisher,	Lovett, W. S.,	Root,	Williams, G. W
Flinchbaugh,	Lynch, J. R.,	Roth,	Williams, J. J.,
Flynn, J. M.,	Lynch, M.,	Royle,	Wilson, L. M.,
Flynn, J. W.,	Male,	Ruby,	Wilson, T. B.,
Forrest,	Malina,	Ruth,	Witkin,
Furman,	Maloney,	Sarig,	Wood,
Gallagher, T. J.,	Marcks,	Sautter,	Woodside,
Gallagher, W. J.,	Mason,	Schrock,	Yeakel,
Gartner,	McBride,	Schrope,	Yourishin,
Gillette,	McCandless,	Schwab,	Zimmerman,
Gorman,	McClure,	Schwartz,	Talbot,
Green,	McCreary,	Scorza,	Speaker,
Greenstein,	McElwee,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

REPORT FROM COMMITTEE

Mr. CORDIER, from the Committee on Ways and Means, reported as committed, House Bill No. 161 (Senate Bill No. 17), entitled:

An Act to amend section seventeen of the act, approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws, five hundred seven), entitled "An Act to provide revenue for State and county purposes, and, in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by excluding interest bearing accounts in any bank or banking institution, savings institution, or trust company from the provisions thereof.

BILL ON FIRST READING

Mr. CORDIER asked and obtained unanimous consent for House Bill No. 161 (Senate Bill No. 17), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 161 (Senate Bill No. 17), entitled:

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties or city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by excluding interest bearing accounts in any bank or banking institution savings institution or trust company from the provisions therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. SHELLENBERGER. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11 o'clock.

The motion was agreed to and (at 11.02 o'clock P. M.) the House adjourned until Tuesday, December 5, 1933, at 11 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., TUESDAY, DECEMBER 5, 1933. No. 13.

SENATE

TUESDAY, December 5, 1933

The Senate met at 10 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Thou Gracious Heavenly Father, help us to realize that he that dwelleth in the secret place of the Most High shall abide under the shadow of the Almighty, and whether sunshine or rain, storm or tempest in our own individual lives, we can be at peace if we are abiding in the shadow of the Rock. Bless us all this morning and guide us personally in our trials and tribulations as well as in our joys. May we always be at peace in our own souls. Bless this Senate today. Direct the members in all their work. Keep us all in Thy fear and in Thy love. We ask in Christ's name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. OWLETT, the further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 5, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BERKS COUNTY

Miss Beatrice Crowell, Reading.
Paul A. Holzman, Tulpehocken.

BLAIR COUNTY

Wm. E. Neugebauer, Tyrone.

BUTLER COUNTY

J. S. Spence, Evans City.

LANCASTER COUNTY

Miss F. Ethel Adams, Lancaster.

GIFFORD PINCHOT.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 42, as follows:

A Joint Resolution creating a Liquor Control Investigation Commisison defining the powers and duties of said Commission and making an appropriation

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That a Liquor Control Investigation Commission is hereby created to be composed of three Senators appointed by the President Pro Tempore of the Senate and four Representatives appointed by the Speaker of the House of Representatives The Commission shall organize by the election of a chairman vice-chairman and secretary The secretary need not be a member of the commission

The members of the Commission shall serve without compensation but shall be entitled to all necessary traveling and hotel expenses

The Commission shall have power to employ such clerks assistants and experts as may be deemed necessary to properly perform its functions and to make a report and to fix their compensation The Commission may also fix a compensation for the secretary if not a member of the Commission

The Commission may hold such meetings and hearings in Harrisburg or elsewhere within the Commonwealth as is deemed advisable

Section 2 It shall be the duty of the Commission to study the laws of other states and countries relating to liquor control and the experience of such states and countries and frame legislation which in its opinion is best adapted to this State for control and regulation of the traffic of liquor and alcoholic products usable for beverage purposes

The Commission shall make a report to the General Assembly not later than the first day of February one thousand nine hundred and thirty-five of its findings which report shall contain such drafts of legislation as the Commission deems advisable for the consideration of the General Assembly

Section 3 The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the Commission for the payment of the expenses of the members for salaries and expenses of employes for postage supplies and incidental expenses and for printing and distributing of its report

Section 4 This joint resolution shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Lanius,	Salus,
Aron,	Einstein,	Mansfield,	Scott,
Batchelor,	Fay,	Miller,	Shapiro,

Baumer,	Frazier,	Norton,	Snyder,
Bell,	Gelder,	Owlett,	Sones,
Bennett,	Graff,	Parkinson,	Sordoni,
Boyd,	Harris,	Pethick,	Staudenmeier
Brandt,	Harvey,	Pierson,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Hunsicker,	Rice,	Ziesenheim.
Coyne,	Krause,	Roberts,	

YEAS—1

Prince,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 56, as follows:

An Act authorizing counties poor districts boroughs towns townships and school districts having moneys borrowed for one purpose to use the same for other purposes which will aid recovery from existing economic depression and requiring in certain such cases the assent of the electors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the word "municipality" as used in this act means any county poor district borough incorporated town school district or township The word "municipal" herein is used with reference to such municipality

Section 2 For the purposes of this act "recovery objectives" shall mean objects and purposes intended to aid and promote recovery from the existing economic depression and the prevailing social emergency

Section 3 Whenever any municipality shall have increased its indebtedness in accordance with the provisions of an act approved the twentieth day of April one thousand eight hundred seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and the indebtedness so increased is in excess of the amount required for the purposes for which it was incurred or the purpose for which said increase was authorized has proved to be impracticable unfeasible or impossible in whole or in part the proper authorities of any such municipality may by their ordinance resolution or vote signify their desire and purpose to use the money so borrowed or the excess remaining unexpended for any other lawful municipal purpose that may be consistent with and in furtherance of recovery objectives.

Section 4 Where the moneys intended to be reallocated and used by virtue of the reasons and for the objectives stated in the preceding sections hereof shall have been derived by the act of the respective municipal authorities without vote of the electors their use for a different purpose than the original purpose or purposes for which they were designed may be effectuated by ordinance resolution or vote of the proper muncipal authorities. In such event the several municipalities respectively shall have the power to adopt such further ordinances or resolutions as may be appropriate to put into force the proposed reallocation and use of such moneys

Section 5 Where any such indebtedness shall have been increased with the assent of the electors of any such municipality in addition to the ordinance resolution or vote of the municipal authorities authorizing the reallocation and use of such moneys the assent of the electors thereto shall be obtained as hereinafter provided

Section 6 The corporate authorities of any such municipality shall give notice during at least thirty days by weekly advertisements in newspapers not exceeding three in the district and if no newspaper be published therein then by at least twenty printed handbills posted in public places in said municipality of an election to be held at the place or places of holding the municipal elections on a day to be by them fixed Such notice shall state (a) The date of such election (b) the amount of money theretofore borrowed (c) the purpose for which such money was originally authorized (d) the reason why said money may not be used for the purpose for which it was borrowed or the amount of the excess remaining unexpended from the indebtedness authorized (e) the new purpose for which the municipal authorities of such municipality desire to use said money

A certified copy of the ordinance or resolution hereinbefore required and of the above notice shall be filed in the office of the clerk of the court of quarter sessions

Section 7 Such election shall be held at the place hours and under the same regulations as provided by law for the holding of municipal elections and the question to be submitted to the electors shall be in the following form

Shall the sum of ..... dollars heretofore borrowed by the ..... of ..... for the purpose of ..... and remaining unexpended be used by said ..... for the purpose of .....

Section 8 If at such election a majority of the electors shall vote in favor of using said borrowed money or the excess remaining unexpended for the purpose other than that for which it was originally authorized the said money shall thereafter be used for such new purpose in the same manner as if it had originally been authorized and borrowed for such purpose

Section 9 It is the intent of this act not to repeal any like or similar legislation that is not restricted to furthering recovery objectives

Section 10 This act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 31, entitled:

An Act authorizing the Department of Property and Supplies to act as purchasing agency for certain Federal agencies and making an appropriation of moneys received to reimburse the department for the cost of so acting.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 34, entitled:

An Act authorizing the State Treasurer to act as custodian of moneys and securities contributed to or deposited with the Commonwealth or officers, departments, boards, or commissions of the Commonwealth, prescribing the manner in which such moneys or securities shall be held and disbursed or delivered up, and making an appropriation to the Treasury Department for the cost of administering such moneys and securities.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 52, as follows:

An Act To amend the title and sections one two and three of the act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" as amended by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of the act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" is hereby amended to read as follows

An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk [for human consumption] conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties

Section 2 That section one of said act as amended by the act approved the twenty-second day of May one thousand nine hundred thirty-three (Pamphlet Laws eight hundred thirty-two) is hereby further amended to read as follows

Section 1 Be is enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose and within the meaning of this act the following definitions shall obtain

"Milk" means milk skimmed milk cream sour milk sour cream buttermilk and all other fluid derivatives of milk [for human consumption] except condensed milk and evaporated milk

"Person" includes masculine and feminine and any firm copartnership institution association or corporation and any agent servant assistant employe or representative thereof

"To sell" "for sale" or "sold" and similar terms means the selling exchanging delivering or having in possession care control or custody with intent to sell exchange or deliver or to offer or to expose for sale

"Dairy farm" is a place or premise where one or more cows are kept and a part or all of the milk from which is sold or delivered to any person

"Milk plant" is any place or premise or establishment where milk is collected processed stored bottled pasteurized or prepared for distribution

"Approved inspector" is one who has proven to the satisfaction of the secretary to be a person of good character trained by school and experience to carry on dairy farm and milk plant inspection in a capable and efficient manner and has received a certificate of approval from the secretary Such certificate shall not constitute an approved inspector an official or employ of the Department of Health nor shall he represent himself so to be

"Secretary" means the Secretary of Health of this Commonwealth or his authorized representative

"Municipality" includes any city borough town or township in this Commonwealth

Section 3 That section two of said act as amended by the act approved the twenty-second day of May one thousand nine hundred thirty-three (Pamphlet Laws eight hundred thirty-two) is hereby further amended to read as follows

Section 2 Except as hereinafter provided no person shall sell milk [for human consumption] within this Commonwealth without first having obtained a permit from the secretary nor otherwise than in accordance with the requirements of this act Each person desiring a permit to sell milk shall annually make an application therefor on a form to be secured from the secretary Such application shall set forth

(a) The name and address of applicant

(b) The designation of the milk to be offered for sale

(c) The name of the municipality or municipalities in which the applicant desires to sell milk

(d) An accurate record of each milk plant owned or operated by the applicant for a permit which receives or handles milk [for human consumption]

(e) Such other information as may be required by the secretary

Every applicant for or holder of a permit to sell raw milk desiring to purchase milk for resale as raw milk shall receive permission from the secretary before accepting milk from any source other than that given in the application for a permit All sources of raw milk shall be inspected and approved by the secretary

Every applicant for or holder of a permit to sell pasteurized milk or milk for pasteurization shall keep an accurate record of the names and addresses of the owners or operators of all dairy farms from which milk is received This record shall be kept on file in the milk plant where the milk is received and shall be available at all times for the inspection of the secretary

An accurate report of a sanitary inspection on all dairy farms from which milk a received and of the milk as delivered to the milk plant shall be kept on file in the milk plant The sanitary inspection shall be made semi-annually by an approved inspector at the expense of the applicant for or holder of a permit Such inspections may be made by the secretary Within thirty days after demand by the secretary additional inspections shall be made of any or all farms and reports thereon filed in the milk plant Inspection reports shall be made upon forms satisfactory to the secretary

No applicant for or holder of a permit to sell pasteurized milk or milk for pasteurization shall receive milk from a dairy farm until the report of the sanitary inspection made by an approved inspector shall have been placed on file in the milk plant where the milk is received for the inspection and approval of the secretary nor shall he receive milk from any milk plant owned or operated by another person who is not in lawful possession of a permit

Permits shall be issued only to persons whose entire milk supply the farms where it is produced and the plants in which the milk is handled have been approved by the secretary Every permit shall expire annually

Permits may be refused suspended or revoked by the secretary if in his judgment the requirements of this act are not complied with by the person making an application for a permit or to whom a permit has already been issued

Before refusal to grant a permit or before a permit is suspended or revoked the secretary shall afford the applicant or holder of the permit an opportunity to be heard and shall give at least five (5) days' written notice of the hearing to the applicant or the holder of the permit by registered letter sent to the address given in the application

When an application for a renewal of a permit has been regularly made and no notification of a hearing as above described has been sent the applicant by the secretary the permit of the preceding year shall continue in full force until renewed or revoked in accordance with this section

The secretary may constitute as his agent for the purpose of issuing permits for the sale of milk a department of health board of health or health officer of any municipality and [shall] may accept permits issued by municipalities under the terms of municipal ordinances equally as stringent as the requirements of this act and enforced by such municipalities as the only permit required for the sale of milk in such municipalities

This section shall not apply to a person selling or delivering milk directly from a dairy farm to a milk plant

Unless the secretary shall require a permit this section shall not apply to a person selling milk from a store when such milk is purchased from a person already in lawful possession of a permit to sell milk

This section shall not apply to persons in charge of hotels restaurants soda fountains boarding houses or other places where milk is served when such milk is to be consumed on the premises thereof and is purchased from one already in lawful possession of a permit to sell milk

The secretary may in his discretion exempt a person selling milk from not more than one cow from such requirements of this act as he may deem in each instance to be unnecessary for the protection of the public health

Section 4 That section three of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws eight hundred four) is hereby further amended to read as follows

Section 3 Every person having made an application for a permit to sell milk or holding a permit for the sale of milk shall at any time allow the secretary to inspect the milk plants herds stables and daily farms from which milk is obtained handled or prepared for sale and to inspect the pasteurizing bottles and handling of milk in any manner whatsoever and to take such samples of milk as may be deemed necessary upon payment therefor at the usual market price when payment is demanded

The secretary shall have the right to exclude from sale any part of a milk supply which may be considered unsafe for [human] consumption or milk which is produced on dairy farms or handled in milk plants which fail to meet the requirements of this act

Non-compliance with the provisions of this section by a permit holder is hereby specifically declared to be a violation of this act and subject to the penal provisions hereof and shall be sufficient grounds for the revocation of the permit of such permit holder

No milk shall be sold for ice cream making purposes from sources which have not been inspected and approved by the secretary unless such milk shall be denatured by having sugar added thereto in the proportion of two and one-half pounds of sugar in each forty quarts of forty per centum cream

No milk shall be sold for butter making purposes from sources which have not been inspected and approved by the secretary unless such milk shall be denatured by having salt added thereto in the proportion of two and one-half pounds of salt in each forty quarts of forty per centum cream

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 55, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction and providing for the repayment of such moneys from the General Fund.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,

Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 64 (House Bill No. 8), as follows:

An Act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous linquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Spirituous and Vinous Liquor Tax Law"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Container" Any receptacle vessel or cask barrel drum keg can or bottle or other form of package used for the transferring or shipment of distilled spirits rectified spirits or wines

"Corporation" A corporation or joint stock association organized under the laws of this Commonwealth the United States or any other State territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Distilled Spirits" Any alcohol other than denatured alcohol unfit for beverage purposes and any liquid usable for beverage purposes which contains more than one-half of one per cent of alcohol by volume obtained by distillation or any process of evaporation mixed with water and other substances in solution including brandy rum whisky gin and any other alcoholic beverage obtained as aforesaid by whatever name such beverage may be called All wines containing more than twenty-four (24) per cent absolute alcohol by volume shall be classed as "distilled spirits" for the purpose of this act

"Gallon" A liquid measure containing two hundred thirty-one (231) cubic inches

"Importer" Any person who or which

1 Imports or causes to be imported from any other state or territory of the United States or from any foreign country distilled spirits rectifed spirits or wines for his own use in the Commonwealth of Pennsylvania or for sale and delivery in and after reaching the Commonwealth other than in the original package receptacle or container

2 Imports or causes to be imported from any other state or territory of the United States or from any foreign country distilled spirits rectified spirits or wines for his own use in the Commonwealth of Pennsylvania or for sale or delivery therein after the same have come to rest or storage therein whether or not in the original package receptacle or container

3 Purchases or receives distilled spirits rectified spirits or wines in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use or for sale and delivery therein from any person who has imported the same from a foreign country

4 Purchases or receives distilled spirits rectified spirits or wines in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use therein or for sale and delivery therein from any person who has imported the same from any other state or territory of the United States in case such distilled spirits rectified spirits or wines have not prior to such purchase or receipt come to rest or storage in the Commonwealth of Pennsylvania

5 Receives and in any manner uses or distributes distilled spirits rectified spirits or wines in the Commonwealth of Pennsylvania where the tax provided in this act has not been previously paid

"In bond" Distilled spirits rectified spirits and wines shall be construed to be "in bond" when they are lodged or stored in any place or warehouse designated or defined from time to time by or pursuant to any Act of Congress as a bonded winery distillery warehouse general bonded warehouse or special bonded warehouse under bond of the owner thereof conditioned upon the payment of taxes due thereon to the United States

"Manufacturer" Any person association or corporation engaged in the producing manufacturing distilling rectifying or compounding of distilled spirits rectified spirits or wines in this Commonwealth

"Person" Every natural person association or corporation Whenever used in a clause prescribing or imposing a fine or imprisonment or both the term "person" as applied to "association" shall mean the partners or members thereof and as applied to "corporation" shall mean the officers thereof

"Proof Gallon" A gallon of liquid which contains one-half (½) of its volume of alcohol of a specific gravity of seven thousand nine hundred thirty-nine ten thousandths (.7939) at sixty degrees (60°) fahrenheit

"Rectified Spirits" Any beverage containing more than one-half of one per cent of alcohol by volume obtained by rectification redistillation refining or purifying of distilled spirits or wines by any process other than by original and continuous distillation from mash wort or wash through continuous closed vessels and pipes until the manufacture thereof is completed or by mixing distilled spirits wines or other liquor with any materials or with any other distilled spirits wines or other liquor thereby producing any spurious imitation blended or compound alcoholic liquor

"Secretary" The Secretary of Revenue of this Commonwealth or his duly authorized deputy or representative

"Spirituous and Vinous Liquors" Distilled spirits rectified spirts and wines as defined in this section

"Wines" Any beverage containing more than one-half of one per cent and not more than twenty-four (24) per cent absolute alcohol by volume obtained by the fermentation of the natural sugar contents of fruits or other agricultural products containing sugar including all natural wines and fortified wines within the above limits but not including any beverage known as beer lager beer ale porter or similar fermented malt liquor obtained by alcoholic fermentation of an infusion or decoction of barley malt and hops in water

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax

(a) Except as otherwise in this act provided every manufacturer shall be subject to pay to the Commonwealth of Pennsylvania the taxes imposed in this section for the privilege of producing manufacturing distilling rectifying or compounding distilled spirits rectified spirits or wines in this Commonwealth when such distilled spirits rectified spirits or wines are withdrawn from bond or if not required by Act of Congress to be stored or placed in bond when prepared for market or for use in the manufacture or production of any beverage intended for sale

Such taxes shall be measured by the amount of such distilled spirits rectified spirits and wines so produced manufactured distilled rectified or compounded by the manufacturer on or after the effective date of this act and shall be computed thereon at the following rates

On distilled spirits one dollar ($1) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On rectified spirits thirty cents ($.30) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon in addition to the tax imposed herein on the privilege of

manufacturing or producing using or selling within this Commonwealth the distilled spirits or wines from which said rectified spirits are produced manufactured or compounded

On wines one-half cent ($.005) per unit of proof per wine gallon and a proportionate tax at a like rate on all fractional parts of such wine gallon

Provided however that the rate of tax on the privilege of manufacturing producing or distilling in this Commonwealth distilled spirits or wines until January first one thousand nine hundred thirty-four shall be two dollars on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon and that until January first one thousand nine hundred thirty-four the tax of thirty cents ($.30) per proof gallon or wine gallon when below proof shall not be imposed for the privilege of rectifying spirits

(b) Except as otherwise in this act provided every importer shall be subject to pay to the Commonwealth of Pennsylvania the taxes imposed in this section for the privilege of selling or using in this Commonwealth distilled spirits rectified spirits or wines produced manufactured distilled rectified or compounded without this Commonwealth Such taxes shall be measured by the amount of such distilled spirits rectified spirits and wines so sold or used by the importer in this Commonwealth on or after the effective date of this act except as hereinafter provided and shall be computed thereon at the following rates

On distilled spirits one dollar ($1.) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On rectified spirits one dollar and thirty cents ($1.30) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On wines one-half cent ($.005) per unit of proof per wine gallon and a proportionate tax at a like rate on all fractional parts of such wine gallon

Provided however that until the first day of January one thousand nine hundred thirty-four the rate of tax for the privilege of selling or using in this Commonwealth distilled spirits rectified spirits or wines produced manufactured distilled rectified or compounded without this Commonwealth shall be two dollars on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon unless a floor tax shall have been paid upon such distilled spirits rectified spirits or wines under the provisions of Act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and at the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties"

Also provided that the tax imposed by this clause shall not be payable on any distilled spirits and wines used by the importer in this Commonwealth in the manufacture of rectified spirits which are exempt from tax under the provisions of this act

Section 4 Monthly Reports and Payments of Taxes By Manufacturer Penalty For the purpose of ascertaining the amount of taxes payable under this act by manufacturers it shall be the duty of each manufacturer on or before the fifteenth day of each month to transmit to the department upon a form prepared and furnished by the department a report under oath or affirmation of the distilled spirits rectified spirits and wines withdrawn from bond or if not required by Act of Congress to be stored or placed in bond prepared for market or for use in the manufacture or production of any beverage intended for sale by him within this Commonwealth during the preceding month Such reports shall show the number of proof gallons or wine gallons of alcoholic beverages withdrawn from bond or if not required by Act of Congress to be stored or placed in bond prepared for market or for use in the manufacture or production of any beverage intended for sale during the period for which it is made and such further information as the department shall prescribe

Every manufacturer at the time of making each report required by this section shall compute and pay to the department the tax due by him to the Commonwealth under the provisions of this act The amount of all taxes imposed under the provisions of this act for every month shall be due and payable on the fifteenth day of the next succeeding month and shall bear interest at the rate of one (1) per cent per month or factional part of the month from the day they were due and payable until paid

If any manufacturer shall neglect or refuse to make any report or payment as herein required an additional ten per centum of the amount of taxes shall be added by the department and collected as hereinafter provided and in addition thereto the Pennsylvania Liquor Control Board at the request of the department may suspend any permit issued by it to such manufacturer

Section 5 Determination and Redetermination of Taxes Penalty and Interest due by Manufacturers

(a) If the department is not satisfied with the report and payment of taxes made by any manufacturer under the provisions of this act it is hereby authorized and empowered to make a determination of the taxes due by such manufacturer based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such manufacturer Within thirty (30) days after the date of any such determination such manufacturer may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons which the petitioner believes entitle him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within ninety (90) days after the date of any determination to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within thirty (30) days after notice by the department of the action taken on any petition for redetermination filed with it the manufacturer against whom such determination was made may by petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reasons upon which the petitioner relies and shall be in such form as the Board of Finance and Revenue shall prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received and in the event of the failure of said board to dispose of any such petition within ninety (90) days the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the taxes due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within ninety (90) days may within sixty (60) days appeal to the court of common pleas of Dauphin county from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(e) If any manufacturer shall neglect or refuse to make any report and payment of taxes required by this act the department shall estimate the taxes due by such manufacturer and determine the amount due by him for taxes penalties and interest thereon as prescribed herein from which determination there shall be no right of review or appeal

Section 6 Labels to be Affixed to Containers by Manufacturers Every manufacturer shall affix to each container in which distilled spirits rectified spirits or wines are placed for sale a label setting forth the name of the manufacturer the place where and until January first one thousand nine hundred and thirty-four the date upon which the contents of

such containers were produced manufactured distilled rectified or compounded and unless such spirits or wines are tax exempt the words "Pennsylvania Spirituous and Vinous Liquor Tax Paid" Such Label shall be affixed in such manner that its removal shall require the continued application of steam or water

Section 7 Spirituous and Vinous Liquor Tax Stamps Penalties The payment of taxes herein provided to be paid by importers under the provisions of this act shall be evidenced by the affixing of "spirituous and vinous liquor tax stamps" to the containers in which all such beverages are intended for sale or use Such stamps shall be affixed by importers to each individual container in which such beverages are intended for sale or use before such beverages are sold or used within this Commonwealth unless a label has already been affixed to such container evidencing the payment of the floor tax imposed by Act No 1 approved November 22 1933

Any importer who shall fail to affix to the containers of such beverages the stamp as required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than two hundred dollars ($200) or more than one thousand dollars ($1,000) and costs of prosecution or to undego imprisonment for a term of not less than six (6) months or more than three (3) years or both in the discretion of the court

Any importer who shall be convicted of a misdemeanor under this section shall in addition to the punishment heretofore described be adjudged to pay to the Commonwealth the taxes due together with interest at the rate of one (1) per cent per month or fraction of a month from the date when said taxes were due and payable Such adjudication shall be certified to the prothonotary and shall be indexed as and have the effect of a judgment for the amount of such tax and interest

Section 8 Sale of Stamps and Reports by Importers The department shall prescribe prepare and furnish such stamps as it deems necessary for the payment of the taxes to be paid by importers under the provisions of this act The department shall make provisions for the sale of such stamps in such places and at such times as it may deem necessary

The department may appoint persons within or without the Commonwealth as agents for the sale of stamps to be used in paying the taxes herein imposed and whenever the department shall sell consign or deliver to any such agent any such stamps for sale or use the agent shall be entitled to receive as compensation for his services and expenses as such agent and to retain out of the moneys to be paid by him for such stamps a commission of one half of one per cent of the face value thereof The department is hereby authorized and required to allow such commission or compensation in the settlements of the accounts of such agent upon payment by him into the State Treasury through the department of any moneys which may be or become due to the Commonwealth by reason of the sale delivery or consignment to such agent of such stamps

For the purpose of verifying the stamp requirements of this act it shall be the duty of every importer on or before the tenth day of each month to transmit to the department on forms prepared and supplied by the department a report under oath or affirmation of all spirituous and vinous liquors imported and sold or used by the importer in this Commonwealth and such other information as the department shall prescribe

Section 9 Manner of Affixing Stamps Stamps shall be affixed in such manner that their removal shall require continued application of steam or water

Section 10 Purchase and Use of Stamps by Foreign Vendors Producers or other vendors of distilled spirits rectified spirits and wines from without this Commonwealth may purchase stamps from the department and affix them in the manner prescribed by the department to original containers in which such beverages are to be sold in this Commonwealth in which case the recipient of such beverages within this Commonwealth shall not be required to purchase and affix stamps thereon or pay the taxes herein imposed upon the privilege of selling or using such beverages within this Commonwealth

Section 11 Counterfeiting of Stamps Penalty Any person who falsely or fraudulently makes forges or alters or counterfeits any stamp prescribed by the department under the provisions of this act or causes or procures to be falsely or fraudulently made forged altered or counterfeited any such stamp or knowingly and wilfully utters publishes passes or tenders as true any such false altered forged or counterfeited stamp or uses more than once any stamp provided for and required by this act for the purpose of evading the tax hereby imposed and assessed shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment for a term of not less than two (2) years or more than five (5) years

Section 12 Examination of Records Equipment and Stock The Department or any agent appointed by it is hereby authorized at any time to examine the books papers invoices other records and manufacturing equipment pertaining to and stock of distilled spirits rectified spirits and wines in and upon any premises where the same are placed stored or sold either by manufacturers or importers or any other person to verify the accuracy of any report required to be made by this act or payment of or liability for the taxes imposed by this act Any person in possession of such beverages is hereby directed and required to give the Secretary of Revenue or his duly authorized representative the means facilities and opportunity for such examinations

The department is hereby authorized to furnish any information obtained by it in the exercise of its duties under the provisions of this act concerning distilled spirits rectified spirits and wines manufactured in or imported into this Commonwealth to the proper authorities of this or of any other State territory or the United States and to obtain similar information from the proper authorities of any other State territory or the United States

Section 13 Acceptance of Beverage not Bearing the Labels or Stamps Required by this Act It shall be unlawful for any retail dealer consumer or any person other than an importer to accept delivery of distilled spirits rectified spirits or wines in containers upon which the labels required to be affixed by manufacturers or the stamps required to be affixed by importers under the provisions of this act or of Act number one approved November twenty-two one thousand nine hundred thirty-three do not appear and upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace he shall be fined twenty-five dollars ($25) and in default of payment thereof shall undergo imprisonment for not more than ten (10) days

Section 14 Uncollectible Checks Whenever any check issued in payment of tax penalty or interest imposed by this act shall be returned to the department as uncollectible the department shall charge a fee of five dollars ($5) per one hundred dollars ($100) or fractional part thereof plus all protest fees to the person presenting such check to the department

Section 15 Retention of Records by Manufacturers and Importers Each manufacturer and importer shall maintain and keep for such period as may be required by the department such record or records of distilled spirits rectified spirits and wines produced manufactured distilled rectified or compounded in or imported into this Commonwealth by him together with invoices bills of lading and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of one thousand dollars ($1,000) and costs of prosecution or to undergo imprisonment for not more than one year or both in the discretion of the court

Section 16 Violations

(a) Any person who shall fail neglect or refuse to make the report and pay the taxes penalties and interest imposed by this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books records invoices other papers and manufacturing equipment pertaining to and stock of distilled spirits rectified spirits and wines within this Commonwealth or who shall make any incomplete false or fraudulent report or who shall attempt to do anything whatsoever to avoid a full disclosure of the amount of distilled spirits rectified spirits and wines by which the taxes under this act are measured or to avoid the payment of the whole or any part of the taxes penalties and interest due shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and costs of prosecution and to undergo imprisonment for not less than six (6) months or more than three (3) years Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

(b) Any person who shall falsely label any container in which distilled spirits rectified spirits or wines are placed for sale or use a false or fictitious name or give a false or fictitious address in any application or form required under

the provisions of this act or otherwise commit a fraud in any application record or report shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars ($500) or more than one thousand dollars ($1,000) and costs of prosecution or undergo imprisonment for not less than six (6) months or more than three (3) years or both in the discretion of the court Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

(c) Upon the conviction of any person of any of the misdemeanors described in this section the Alcohol Permit Board at the request of the department may revoke any permit issued by it to such person

Section 17 Enforcement The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

Section 18 Disposition of Tax Fees Fines and Interest All taxes fines penalties and interest received collected or accruing under the provisions of this act shall be paid into the General Fund of the State Treasury by and through the department

Section 19 Exemption from Tax From and after the date upon which the Commonwealth of Pennsylvania begins to operate Pennsylvania Liquor Stores no taxes shall be imposed or collected under the provisions of this act upon the privilege of producing selling or using such distilled spirits rectified spirits and wines as are sold to or sold or used by the Commonwealth or are sold to the United States or any governmental agency thereof or for the use of any university or college of learning any laboratory for use exclusively in scientific research or any hospital sanatorium or eleeomosonary dispensary

Section 20 Other Exemptions No tax shall be imposed under the provisions of this act upon the privilege of manufacturing or selling any wine for to or by the holder of a sacramental wine permit or upon the privilege of manufacturing or selling any distilled spirits rectified spirits or wines for or to pharmacists duly licensed and registered under the laws of this Commonwealth or manufacturing pharmacists or chemists or other persons for use in the manufacture or compounding of preparations unfit for beverage purposes or upon the privilege of manufacturing importing storing or using alcohol in the manufacture or production of denatured alcohol in accordance with the laws of Congress of the United States and regulations issued pursuant thereto

Section 21 Refunds and Exemptions Appropriation (a) Upon application to the Board of Finance and Revenue the Board shall refund to any manufacturer who has paid the tax imposed by this act on the privilege of producing manufacturing distilling rectifying or compounding distilled spirits rectified spirits or wines shipped to dealers outside of this state the difference between the tax paid and the tax which would have been payable at the lowest rate of tax upon the same privilege imposed by any other state or insular possession of the United States which is in substantial competition with this state in the production manufacture distilling rectifying or compounding of distilling rectifying or compounding distilled spirits rectified spirits or wines of the kind for the privilege of producing manufacturing which the applicant paid the tax and if any such state or insular possession imposes no tax upon such privilege when the product is shipped out of the state or possession then the Board shall refund to the applicant the entire tax paid

(b) Any producer manufacturer distiller rectifier or compounder of distilled spirits rectified spirits or wines may at any time file with the Board a petition setting forth the same facts which would be necessary to sustain a claim for refund under clause (a) hereof and requesting the Board to certify its findings to the department If the Board shall find that any state is in competition as alleged in the petition it shall immediately certify its finding to the department together with such facts as are pertinent and thereafter the department shall permit exemptions equal in amount to the refunds which would be payable under the preceding clause until such time as new information indicates that a change has occurred in the facts presented to the Board of Finance and Revenue As new facts are from time to time certified to the Department by the Board of Finance and Revenue the department shall modify or cancel the exemptions theretofore allowed

(c) As much of the revenue accruing from this act as is necessary is hereby appropriated to the Board of Finance and Revenue for the payment of the refunds authorized by clause (a) hereof

(d) Upon the refusal of the Board to grant refunds or certify findings and facts to the department any person aggrieved thereby may institute mandamus proceedings in the Court of Common Pleas of Dauphin County

Section 22 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 23 Effective Date This act shall become effective the day after the day the Twenty-first Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. BUCKMAN. Mr. President, the Attorney General informs me that the printer in re-printing this bill since it was reported from the Committee last night has inserted some words where they should not be, and in order to strike out those words without delaying the passage of the bill, I desire to offer the following amendment, which consists entirely of striking out those words which are improperly inserted, and after this is done, if it is done, I shall ask that the Senate proceed with the consideration of the bill.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to amend section 21, page 21, line 18 by striking out at the beginning of the line before the word "distilled" the words: "[distilled rectifying or compounding]."

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 65 (House Bill No. 17), as follows:

An Act to amend the title and certain sections of the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permits through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage for bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by providing that the act shall be administered by the Pennsylvania Liquor Control Board making the act consistent with the repeal of the Eighteenth Amendment changing definitions and exemptions bringing rectifiers and blenders within the act allowing appeals to the courts providing for the abatement of nuisances and increasing fees

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" is hereby amended to read as follows

[A SUPPLEMENT

To the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating]

AN ACT

Regulating under permit through [a] the Pennsylvania Liquor Control Board [created in the Department of Welfare] the manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire [sale at wholesale] and transportation for hire of any alcohol [or] alcoholic liquid or alcoholic beverage by certain persons requiring the registration of federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act

Section 2 Sections 2 3 4 5 7 8 9 10 12 13 15 16 17 18 19 and 21 said act are hereby amended to read as follows

Section 2 (Definitions) For the purpose of this act the folowing terms shall have the following meanings respectively designated for each

[(a) The phrase "intoxicating liquor" as used in this act shall mean anything found and determined from time to time to be intoxicating by act of Congress passed pursuant to and in the enforcement of the Constitution of the United States of America]

[(b)] (a) The word "person" shall mean and include natural persons associations partnerships and corporations for whatever purpose organized

[(c)] (b) The phrase "alcohol and alcoholic liquid" whenever used in this act shall mean and include alcohol and all distilled redistilled denatured recovered liquids or substances and any compound or admixture thereof beer ale wines porter spirits whiskey and all liquors from whatever source or by whatever processes produced which contain any alcohol by volume capable of being used for beverage purposes [or as intoxicating liquor] during or after manufacture production distillation redistillation denaturization rectification blending or recovery

[(d)] (c) The term "application" shall mean a formal verified written request under oath or supported by a verified statement of facts for a permit for the privilege authorized by law

[(e)] (d) The term "permit" shall mean a formal written authorization by the board setting forth specifically therein the things that are authorized

[(f)] (e) The term "board" shall mean the Pennsylvania Liquor Control Board [authorized and created by this supplemental act]

[(g)] (f) The term "regulations" shall mean any regulation prescribed by the board for carrying out the provisions of this act

[(h)] (g) The term "container" shall mean and include any receptacle vessel or form of package tank vat cask barrel drum keg can bottle or conduit used or capable of use for holding storing transferring or shipment of alcohol or alcoholic liquid

[(i)] (h) The term "federal permit" as used in this act shall be construed to mean what is commonly known as the [basic] permit issued by authority of the United States of America in conformity with the [National Prohibition Act] Acts of Congress and the regulations issued pursuant thereto and shall not include a subsidiary or installment permit [for a particular transaction issued to the holder of a basic permit]

[(j)] The phrase "National Prohibition Act" shall be construed to mean the act of Congress approved October twenty-eighth one thousand nine hundred and nineteen known as the National Prohibition Act as supplemented and amended]

[(k)] (i) The term ["industrial alcohol plant"] "distillery" shall mean and include any premises or plant [or distillery] wherein alcohol or alcoholic liquid is manufactured made and distilled from raw material blended or rectified or any place wherein alcohol or alcoholic liquid is produced by any method suitable for the production of alcohol

[(l)] (j) The term "denaturing plant" shall mean and include the premises of a distillery used exclusively for the denaturization of alcohol either specially or completely by the admixture of such denaturing materials as shall render the

alcohol or any compound in which it is authorized to be used unfit for use as [an intoxicating] a beverage

[(m)] (k) The phrase ["dealcoholizing plant"] "brewery" shall mean and include [all] any premises and plants where [alcohol or] alcoholic liquids or beverages are produced by the process of which beer ale or porter [or wine is] are produced [or wine] [by wasting the alcohol or by arrested fermentation and all premises and plants where alcohol alcoholic liquids or beverages are treated so that the percentage of alcohol is diminished]

(l) The phrase "winery" shall mean and include any premises and plants where alcoholic liquids or beverages are are produced by the process by which wine is produced or premises and plants wherein liquid such as wine is produced

[(n)] (m) The term "bonded warehouse" shall mean and include all places and warehouses legally established under the provisions of the [National Prohibition Act] Acts of Congress and the administrative provisions of the internal revenue laws of the government of the United States of America for the storage concentration distribution and holding in bond of alcohol or alcoholic liquid

[(o)] (n) The term "manufacture" shall mean and include all means methods and processes used employed and made use of to produce and make alcohol or alcoholic liquid from raw materials and shall mean and include rectification and blending of alcohol and alcoholic liquid the production recovery or reuse of alcohol in the making developing using in the process of manufacture denaturing redistilling or recovering of any alcohol or alcoholic liquid in distilleries denaturing plants breweries and wineries

[(p)] (o) The term "denatured alcohol" shall mean and include all alcohol or alcoholic liquid or any compound thereof which by the admixture of such denaturing material or materials is rendered unfit for use as [an intoxicating] a beverage

Section 3 It shall be unlawful for any person without a permit from the Commonwealth obtained as hereinafter provided except as exempted by section five hereof to manufacture produce distill develop or use in the process of manufacture denature redistill recover rectify blend reuse hold in bond hold in storage as bailee for hire [sell at wholesale] or transport for hire within this Commonwealth any alcohol or alcoholic liquid except that a person may without a permit manufacture wine out of grapes grown by him and sell the same to a permit-holding winery.

Section 4 Every person except as exempted by section five thereof holding a federal permit under the [National Prohibition Act] Acts of Congress to manufacture produce distill develop or use in the process of manufacture denature redistill recover reuse hold in bond hold in storage as bailee for hire [sell at wholesale] or transport for hire within this Commonwealth any alcohol or alcoholic liquid shall within thirty (30) days after this act takes effect file a true and exact copy of the same with the board and every person thereafter obtaining such a federal permit shall file forthwith a true and exact copy of the same with said board Said board shall keep a record of said federal permits and register therein the name and address of each person to whom said federal permit is issued the date of the federal permit the date of its expiration and a brief description of the provisions of the federal permit and shall file said copy in its office Provided however That no federal permit shall be registered for any applicant who is not a citizen of the United States or who has within two (2) years prior to the making of such application been convicted of a violation of the laws of this Commonwealth or of the United States relating to alcohol or alcoholic liquors

Conviction of a violation of any of the statutes of this Commonwealth or the laws of the United States relative to alcohol or alcoholic liquors by the holder of any federal permit shall operate as a revocation of the registration of such federal permit

Section 5 It is hereby declared that registration of a federal permit or securing a permit hereunder shall not be required from any registered pharmacist or a physician licensed by the State Board of Medical Education and Licensure or a person or persons who make and sell vinegar [non-intoxicating] cider and fruit juices or a person or persons who [make] manufacture store sell or transport methanol [distilled from wood] propanol butanol and amanol or a person or persons who conduct a wholesale drug business or a person or persons who conduct a mercantile business chiefly devoted to the sale of food stuffs and having an established place located within the Commonwealth or a person or persons who manufacture alcoholic preparations not fit for use as a beverage other than denatured alcohol or for [intoxicating] beverage purposes a person or persons engaged in the manufacture possession or sale of patent patented or proprietary medicines toilet medicinal or antiseptic preparations unfit for beverage purposes or solutions or flavoring extracts or syrups or a person or persons who manufacture or sell paints varnishes enamels lacquers stains or paint or varnish removing or reducing compounds or wood fillers or a person or persons who manufacture any substance where the alcohol or alcoholic liquid is changed into other chemical substances and does not appear in the finished product as alcohol or alcoholic liquid or such common carriers by railroad as are subject to regulation by the Public Service Commission of the Commonwealth of Pennsylvania or a person or persons who sell store or transport alcohol and alcoholic liquids completely denatured as specified by the board

Section 7 Every applicant for a permit under this act shall file with the board a petition in writing duly verified in such form as the board shall from time to time prescribe setting forth

1 The legal names of the applicant and of the owner of the place where business under the permit will be carried on with their residence addresses by street and number if a partnership of each separate partner and if a corporation of each individual officer thereof

2 The exact location of said place of business and of every place to be occupied or used in connection with such business the productive capacity of each plant where any alcohol or alcoholic liquid is to be manufactured produced distilled rectified blended developed or used in the process of manufacture denatured redistilled recovered reused the capacity of every warehouse or other place where such alcohol or alcoholic liquid is to be held in bond or stored for hire [the storage capacity of every place where a wholesale business in any alcohol or alcoholic liquid is to be conducted] or the equipment to be used where a transportation business is to be carried on under the permit

3 The period of time the applicant has been carrying on the business for which the permit is desired

4 If the permit is for the manufacture production distillation development rectification blending denaturization holding in bond or holding in storage of any alcohol or alcoholic liquid the maximum quantity per month to be manufactured developed or stored and if the permit is for the use redistillation recovery rectification blending denaturization or reuse of any alcohol or alcoholic liquid or the sale of any alcohol or alcoholic liquid for use in the manufacture or compounding of preparations unfit for beverage purposes the purpose or purposes for which the same is to be used

5 That no one of the applicants has been convicted of a violation of this act or of any law or regulation of the United States of America or of the Commonwealth of Pennsylvania for the control of the manufacture possession and traffic in [any intoxicating liquor] alcohol or alcoholic liquids

6 That each and every one of the applicants is a citizen of the United States of America

7 Such other relevant information as the board shall from time to time require by rule or regulation

This petition must be verified by affidavit of the applicant made before any officer legally qualified to administer oaths and if any false statement is wilfully made in any part of said petition the applicant or applicants shall be deemed guilty of the crime of perjury and upon indictment and conviction shall be subject to its penalties

Section 8 Upon the filing of the application in the form herein provided and upon execution of a bond to the Commonwealth and a warrant of attorney to confess judgment in the penal sum of ten thousand dollars ($10,000) with surety to be approved by the board which bond shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to [intoxicating liquors] alcohol or alcoholic liquid and the conditions of the permit the board may grant to such applicant a permit to engage in the manufacturing producing distilling developing or using in the process of manufacturing denaturing redistilling recovering

rectifying blending reusing holding in bond holding in storage as bailee for hire [selling at wholesale] and transporting for hire of alcohol or alcoholic liquid

Section 9 All persons except as exempted by section five hereof manufacturing producing distilling developing or using in the process of manufacture denaturing redistilling recovering rectifying blending reusing holding in bond holding in storage as bailee for hire [selling at wholesale] or transporting for hire of alcohol or alcoholic liquid under the provisions of this Act of Assembly shall securely and permanently attach to every container ready for shipment thereof as the same is manufactured produced distilled developed denatured redistilled recovered rectified blended reused a label stating name of manufacturer kind and quantity of alcohol or alcoholic liquid contained therein and the date of its manufacture together with the number of the permit authorizing the manufacture thereof and all persons possessing such alcohol or alcoholic liquid in wholesale quantities shall securely keep and maintain such label thereon [and all persons selling at wholesale shall attach to every package of alcohol or alcoholic liquid when sold a label setting forth the kind and quantity of alcohol or alcoholic liquid contained therein by whom manufactured the date of sale and the person to whom sold which label shall likewise be kept and maintained thereon until the alcohol or alcoholic liquid is used for the purpose for which such sale was authorized]

Section 10 Every permit issued under the provisions of this act for the manufacture production distillation development denaturization redistillation recovery rectification blending reuse holding in bond holding in storage of any alcohol or alcoholic liquid shall specify the maximum quantity or such alcohol or alcoholic liquid per month which may lawfully be manufactured produced distilled rectified blended developed denaturized redistilled reused held in bond or stored under such permit Any permit issued for the use of any alcohol or alcoholic liquid in the process of manufacture shall specify the purpose or purposes for which such alcohol or alcoholic liquid is to be used and the maximum quantity per month which may lawfully be used under such permit Every permit shall specify by definite location every place to be occupied or used in connection with the business to be conducted thereunder It shall be unlawful for the holder of any permit to manufacture produce distill develop denaturize redistill recover rectify blend reuse hold in bond hold in storage or use a greater quantity of any alcohol or alcoholic liquid in any month than that specified in his permit or to use any alcohol or alcoholic liquid for any purpose other than that specified in his permit or to occupy or use any place in connection with any business authorized under a permit other than the place or places designated therein

Section 12 Every place operated under permit secured hereunder where any alcohol or alcoholic liquid is manufactured produced distilled developed or used in the process of manufacture denatured redistilled rectified blended recovered reused held in bond stored for hire or in connection with a permittee's business [sold at wholesale] shall be subject to inspection by members of the board or by persons duly authorized and designated by the board at any and all times of the day or night as they may deem necessary (a) for the detection of violations of this act or of the rules and regulations of the board promulgated under the authority of this act or of the act to which this is a supplement or (b) for the purpose of ascertaining the correctness of the records required by this act to be kept by permittees and the books and records of permittees and the books and records of their customers insofar as they relate to purchases from said permittees shall at all times be open to inspection by the members of the board or by persons duly authorized and designated by the board for the purpose of making inspections as authorized by this section Members of the board and the persons duly authrized and designated by the board shall have the right without fee or hindrance to enter any place which is subject to inspection hereunder or any place where records subject to inspection hereunder are kept for the purpose of making such inspections

Section 13 Upon learning of any violation of this act or of any rule or regulation promulgated by the board under the authority of this act or of any provision of the act to which this is a supplement by the holder of a permit issued under the provisions of this act the board shall cite such permittee to appear before it not less than ten (10) nor more than fifteen (15) days from the date of sending such permittee by registered mail a notice to show cause why the permit should not be revoked And upon such hearing if satisfied that any such violation has occurred the board shall immediately revoke such permit notifying the permittee thereof by registered letter

Any permittee aggrieved by any decision of the board may file within thirty days thereafter in the court of common pleas of the county in which the permittee is resident and any applicant aggrieved by the refusal of the board to grant a permit may file within thirty days thereafter in the court of common pleas of Dauphin County a petition against the members of the board as [defendant] defendants alleging therein the action and decision complained of and praying for a reversal thereof Upon personal service of a summons on any member of the board returnable within three days of the date thereof the board shall within one week from such return date file an answer in which it shall allege by way of defense the grounds as shall in the meantime accrue or be discovered All allegations of the answer shall be deemed to stand denied without further pleading and upon application of either party the cause shall be advanced and heard without delay Mere technical irregularities in the procedure of the board shall be disregarded A judgment sustaining the revocation of or refusal to grant a permit by the board shall not bar after one year a new application by the plaintiff for a permit nor shall a judgment in favor of the plaintiff prevent the board from thereafter revoking or refusing a permit for any proper cause which may thereafter accrue or be discovered the court shall have full power to dispose of all costs From the judgments of the court of common pleas appeals may be taken as in other actions at law but during the pendency of any such appeal in which a former permittee is appellant such former permittee shall not carry on any business of the kinds regulated by this act

Section 15 [All persons now carrying on any business requiring a permit under the provisions of this act must apply for the same within sixty (60) days after its passage and any such business may continue if a permit has been so applied for until it is granted or refused] The fee for every brewery permit issued under the provisions of this act shall be one thousand dollars ($1,000.00) per annum The fee for every permit issued to a winery shall be two hundred and fifty dollars ($250.00) The annual fee for every permit issued to a distillery shall be twenty-five hundred dollars ($2,500) per annum if the authorized annual production is less than five hundred thousand (500,000) proof gallons five thousand dollars ($5,000) per annum if the authorized annual production is five hundred thousand (500,000) proof gallons and more but less than two million (2,000,000) proof gallons ten thousand dollars ($10,000) per annum if the authorized annual production is two million (2,000,000) proof gallons and more but less than five million (5,000,000) proof gallons fifteen thousand dollars ($15,000) per annum if the authorized annual production is five million (5,000,000) proof gallons and more but less than ten million (10,000,000) proof gallons twenty thousand dollars ($20,000) per annum if the authorized annual production is ten million (10,000,000) proof gallons and more but less than fifteen million (15,000,000) proof gallons and twenty-five thousand dollars ($25,000) per annum if the authorized annual production is fifteen million dollars (15,000,000) proof gallons or more but for the purpose of determining the amount of the fee payable by a distillery the authorized annual production of alcohol for the purpose of denaturization shall be excluded except that no fee for a distillery shall be less than twenty-five hundred dollars ($2,500) per annum The fee for all other permits shall be one hundred dollars ($100.00) The fees for all permits when applied for and issued on or after April first but prior to July first shall be three-fourths of the annual fee July first but prior to October first shall be one-half of the annual fee October first but prior to January first one-fourth of the annual fee All fees shall be paid to the board which shall deposit the same in the State Treasury through the Department of Revenue [where they shall be kept apart from all other funds in the State Treasury in a separate fund to be known as the ["Permit Fund" The moneys from time to time in the said fund are hereby specifically appropriated to the board for the payment of any and all expenses of every kind and description which

may be necessary for the proper administration and enforcement of this act Moneys shall be paid out of the said fund by warrant of the Auditor General upon the State Treasurer after requisition by the Secretary of Welfare]

For the purpose of this section the term "proof gallon" shall mean a gallon of liquid which contains one-half its volume of alcohol of a specific gravity of seven thousand nine hundred thirty-nine ten thousandths (.7939) at sixty degrees Fahrenheit

Section 16 Permits shall be issued by the board under [the] its official seal [of the Department of Welfare] Every permit so issued must at all times be posted in a conspicuous place where the business is carried on under it and said place of business must be kept open during general business hours of every day in the year except Sundays and legal holidays No permit shall be issued hereunder to any person unless (a) in case of individuals he or she is a citizen of the United States of America (b) in case of companies or unincorporated associations of individuals each and every one is a citizen of the United States of America (c) in case of corporations each and every stockholder thereof is a citizen of the United States of America or to any person who has been convicted of a violation of this act or of any law or regulation of the United States of America or of the Commonwealth of Pennsylvania for the control of traffic in any alcohol or alcoholic liquor

Section 17 The board shall have the power to make and promulgate appropriate rules and regulations for carrying into effect the provisions of this act [Provided That as far as practicable the rules and regulations of the board shall conform to the rules and regulations promulgated by the appropriate agency of the government of the United States for carrying into effect the provisions of any act or acts of Congress regulating the manufacture development storage sale or transportation of any alcohol or alcoholic liquid or intoxicating liquor]

Section 18 (a) Any place within this Commonwealth in which any alcohol or alcoholic liquid is manufactured produced distilled developed or used in the process of manufacture denatured redistilled recovered rectified blended reused stored in bond or stored for hire [or sold at wholesale] by a person without a permit as required by the provisions of this act and any place in which a person holding a permit issued under the provisions of this act shall violate any provision of this act or any rule or regulation of the board or any provisions of the act to which this is a supplement is hereby declared to be a common nuisance and upon such violation the permit if any held by such persons shall be automatically suspended [Any nuisance as in this section defined may be abated under the provisions of the act of the twenty-seventh day of March one thousand nine hundred and twenty-three Pamphlet Laws thirty-four to which this is a supplement]

(b) An action to enjoin any nuisance defined in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General of the State or by the district attorney of the respective county Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases within the county in which the offense occurs If it is made to appear by affidavit or otherwise to the satisfaction of the court that such nuisance exists a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the proceedings If a temporary injunction is prayed for the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the liquor or other things used in connection with the violation of this act constituting such nuisance No bond shall be required in instituting such proceedings It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing but on finding that the material allegations of the petition are true the court shall order that no alcohol or alcoholic liquid be manufactured produced distilled developed rectified or used in the process of manufacture denatured redistilled recovered reused rectified stored in bond stored for hire or sold at wholesale by a person without a permit as required by the provisions of this act Upon the decree of the court ordering such nuisance to be abated the court may upon proper cause shown order that the room house building structure boat vehicle or place shall not be occupied or used for one year thereafter but the court may in its discretion permit it to be occupied or used if the owner leessee tenant or occupant thereof shall give bond with sufficient surety to be approved by the Court making the order in the penal and liquidated sum of not less than five hundred dollars ($500.00) payable to the Commonwealth of Pennsylvania for use of the county in which said proceedings are instituted and conditioned that no alcohol or alcoholic liquid or alcoholic beverage be manufactured produced distilled developed rectified or used in the process of manufacture denatured redistilled recovered reused rectified stored in bond stored for hire or sold at wholesale by a person without a permit as required by the provisions of this act

Section 19 Whenever any person or persons withdraw or remove any alcohol or alcoholic liquid which has not been denatured from any distillery [industrial alcohol plant] denaturing plant [dealcoholizing plant] brewery winery or bonded warehouse for the purpose of denaturing the same it shall be unlawful for any such person or persons to use sell or conceal or attempt to use sell or conceal or be concerned in the sale use or concealment of any such alcohol or alcoholic liquid unless before such sale or use the said alcohol or alcoholic liquid shall be denatured by adding thereto denaturing material or materials or admixtures thereof which render it unfit for beverage purposes

It shall be unlawful for any person or persons to recover and reuse or attempt to recover and reuse by redistillation or by any other process or means whatsoever any alcohol or alcoholic liquid from denatured alcohol or to knowingly use sell conceal or otherwise dispose of alcohol or alcoholic liquid so recovered or redistilled

Section 21 No property rights shall exist in any alcohol or alcoholic liquid manufactured possessed produced distilled developed or used in the process of manufacture denatured redistilled recovered rectified reused held in bond held in storage as bailee for hire [sold at wholesale] or transported for hire in violation of any of the provisions of this act and the same shall be deemed contraband and forthwith destroyed No alcohol or alcoholic liquid in the custody of any officer of the law shall be seized or taken from him on any writ of replevin injunction or other like process

Section 3 This act shall become effective immediately upon its approval by the Governor except that the increased fees provided by this act shall first become effective for permits issued for the year one thousand nine hundred and thirty-four

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. BUCKMAN. Mr. President, what I said a few minutes ago with reference to House Bill No. 8, practically the same condition exists with reference to House Bill No. 17, now under consideration. On page eighteen of the bill, line twelve, the word "dollars" has been inserted where it should not be, and I desire the unanimous consent of the Senate to amend the bill by striking out the word "dollars" without delaying the passage of the bill and in order that the Senate may proceed to the consideration of the bill when, as and if the amendment shall be agreed to.

Mr. President, I ask unanimous consent to amend section 15, page 18, line 12 by striking out after the word "million" and before the figures "(15,000,000)" the word: [dollars].

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

And amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 14 (House Bill No. 15), as follows:

An Act to amend the title and certain sections of the act approved the third day of May one thousand nine hundred thirty-three (Act number ninety-one) entitled "An act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter session courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by limiting the provisions of the act to malt liquors as defined therein and clarifying certain provisions of the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title and sections one two three four five six eight nine ten eleven twelve thirteen fourteen sixteen eighteen nineteen twenty twenty-one twenty-two twenty-three twenty-four twenty-five twenty-six twenty-seven twenty-eight twenty-nine and thirty-one of the act approved the third day of May one thousand nine hundred thirty-three (Act number ninety-one) entitled "An act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter session courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" be and the same are hereby amended to read as follows:

AN ACT

To regulate and restrain the traffic in malt [brewed and vinous and fruit juice beverages] liquors as herein defined providing for the licensing of the sale and distribution of such [beverages] liquors imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such [beverages] liquors may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Short Title This act shall be known and may be cited as the ["Beverage"] "Malt Liquor License Law"

Section 2 Definitions The following words and terms as used in this act shall be construed as defined in this section

(a) The [word "beverages"] term "malt liquor" means any beer lager beer ale porter [wine] or similar fermented malt [or vinous] liquor [and fruit juice] containing one-half of one per centum or more of alcohol by volume [and not exceeding three and two-tenths per centum of alcohol by weight] by whatever name such liquors [or fruit juices] may be called [the manufacture and sale of which for beverage purposes is not prohibited by the laws of the United States]

(b) The word "person" means and includes natural persons associations partnerships and corporations

(c) The word "manufacturer" means and includes all persons holding permits issued by the Pennsylvania Alcohol Permit Board or the Pennsylvania Liquor Control Board of this Commonwealth

(d) The word "distributor" means and includes persons licensed to engage in the purchase and resale of [beverages] malt liquors in the original sealed packages as prepared for the market by the manufacturer but not for consumption on the premises where sold

(e) The term "retailer" means and includes persons licensed to engage in the retail sale of [beverages] malt liquors where the consumption thereof is upon the premises of such vendor with the privilege of selling [beverages] malt liquors to be carried from the premises by the purchaser thereof only however in the original containers

(f) The term "original containers" means and includes bottles casks kegs or other containers that have been securely capped or corked by the manufacturer with the name and address of the manufacturer permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing same

(g) The term "license" means and includes both the person making the application therefor and the premises upon which the privileges of the license are to be exercised and includes [distributors' retailers' and public service] licenses issued under the provisions of this act

(h) "Eating place" means a room having an area of not less than three hundred square feet and equipped with tables and chairs accommodating forty persons at one time

(i) "Treasurer" means the county treasurer of the county in which is located any place specified in an application as the place for which a license is desired

(j) As used in this act the singular shall include the plural and the masculine gender shall include the feminine and neuter

Section 3 Sales for Consumption on the Premises It shall be unlawful for any person to sell to another for consumption upon the premises where sold or to permit another to consume upon the premises where sold any [beverage] malt liquor unless such person holds a valid [retailer's] malt liquor retail license issued under this act by the treasurer or a valid license issued under any other act authorizing the sale of spirituous vinous and malt liquors for consumption upon such premises

Section 4 Sales not for Consumption on the Premises It shall be unlawful for any person to sell to another any [beverage] malt liquor not for consumption upon the premises where sold unless such person holds a valid manufacturer's permit issued by the Pennsylvania Alcohol Permit Board or the Pennsylvania Liquor Control Board or a valid distributor's or retailer's malt liquor license issued by the treasurer

Section 5 Malt Liquor Distributors' Licenses The Treasurer shall issue to any person who applies therefor pays the license fee hereinafter prescribed and files the bond hereinafter re-

quired a [distributor's] malt liquor distributor license for the place at which such person desires to sell [beverages] malt liquors not for consumption on the premises where sold

Section 6 Malt Liquor Retailers' Licenses Subject to the restrictions hereinafter provided the treasurer shall issue to a person who conducts a reputable hotel or any incorporated club whatsoever or a reputable bona fide eating place where food is regularly and customarily prepared and sold and who makes application upon a form as hereinafter prescribed pays the license fee hereinafter prescribed and files the bond hereinafter required a [retailer's] malt liquor retailer license for such place

[Such licenses shall be issued only to reputable individuals who are citizens of the United States and have for one year been residents of the municipality or township wherein the place of business is located at the date of their applications or to reputable corporations organized or duly registered under the laws of Pennsylvania]

No [retailer's] malt liquor retailer license shall be granted for the sale of [beverages] malt liquors for consumption on the premises in any municipality or township in which the electors shall as hereinafter provided have voted against the licensing therein of places where [beverages] malt liquors may be sold for consumption on the premises where sold

Section 8 Public Service Malt Liquor License The Department of Revenue may issue [special retailers'] public service malt liquor licenses to a railroad pullman or steamship company permitting [beverages] malt liquors to be sold at retail in dining club or buffet cars or the dining compartments of steamships or vessels for consumption on the trains steamships or vessels wherever operated in the State except when standing in stations or terminals within a municipality wherein retail sales are prohibited Such licenses shall only be granted to reputable persons and for fit places The Department of Revenue shall have the power to suspend or revoke any such licenses for cause after granting a hearing thereon to the licensee Any person aggrieved by the decision of the Department of Revenue in refusing suspending or revoking any such license may within thirty days thereafter appeal to the court of common pleas of Dauphin County which shall fix a time for hearing of which notice shall be given to the Department of Revenue as the court may provide The court shall hear the appeal de novo and shall make such order affirming modifying or reversing the order of the department as to it shall appear just The action of the court shall be final

Section 9 [Distributors' and Retailers' Licenses] Malt Liquor License Year Mercantile License Exemption Licenses issued under this act to distributors [and] retailers and public service companies shall unless revoked in the manner provided in this act be [granted by the treasurer and shall be] valid for [one] the malt liquor license year for which they are issued The malt liquor license year [in each county] shall begin on June first in each calendar year Licenses may be issued at any time during a malt liquor license year

No licensee under this act shall be required to obtain any mercantile license whatsoever to sell malt liquors and every licensee under this act who is also the holder of a mercantile license may deduct the gross income received from sales of malt liquors from his gross income from all sources in making his returns for mercantile license tax purposes

Section 10 Filing of Applications for Distributors' and Retailers' Licenses Every person intending to apply for a distributor's or retailer's license as aforesaid in any municipality or township of this Commonwealth shall file with the treasurer his or its application [at least one week before the first day of June] and [shall] at the same time pay said treasurer a filing fee of ten dollars for the use of the county

Section 11 Application for Distributors' and Retailers' Licenses Application for distributors' and retailers' malt liquor licenses shall contain

(a) The name and residence of the applicant and how long he has resided there and if an individual the residence of such applicant and if an association partnership or corporation the residences of the members officers and directors for the period of two years next preceding the date of such application

(b) The particular place for which the license is desired and a detailed description thereof

(c) Place of birth of applicant and if a naturalized citizen where and when naturalized and if a corporation when and where incorporated with the names and addresses of each officer and director

(d) Name of owner of premises and his residence

(e) That the applicant is not or in case of a partnership or association that the members or partners are not and in the case of a corporation that the officers and directors are not in any manner pecuniarily interested either directly or indirectly in the profits of any other class of business regulated under this act except as hereinafter temporarily permitted

(f) That applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person shall be in any manner pecuniarily interested therein during the continuance of the license except as hereinafter temporarily permitted

(g) Whether applicant or in case of a partnership or association any member or partner thereof or in case of a corporation any officer or director thereof has during the three years immediately preceding the date of said application had a license for the sale of [beverages] malt liquors or spirituous and vinous liquors revoked or has during the same period been convicted of any criminal offense and if so a detailed history thereof

(h) A full description of that portion of the premises for which license is asked and if any other business is to be conducted concurrently with the sale and distribution of [beverages] malt liquors a full history of such business relating the nature thereof the length of time it has so previously been conducted by the applicant or his predecessor at such location

There shall be annexed to such application a certificate signed by at least twelve reputable qualified electors of the ward borough or township in which such [beverages] malt liquors are to be sold setting forth that they have been acquainted with the applicant or applicants or the members of the association or partnership or the directors and officers of the corporation where the applicant is a corporation that they have good reason to believe that each and all the statements contained in the petition are true and they therefore believe that the application should be granted and that the license should issue

The application must be verified by affidavit of applicant and if any false statement is made in any part of the application the affiant shall be deemed guilty of the crime of perjury A license shall not be granted by the treasurer unless the application contains the information herein required

Section 12 Prohibitions Against the Grant of Licenses Any retailer may be granted licenses to maintain operate or conduct any number of places for the sale of [beverages] malt liquors but a separate license must be secured for each place where [beverages] malt liquors are sold or where orders are taken

No person shall possess or be issued more than one distributor's license in any one municipality or township nor shall any distributor maintain or operate any place or places other than that for which the license is granted where [beverages] malt liquors are sold or where orders are taken

Licenses shall be granted by the treasurer only to reputable individuals or to associations partnerships and corporations whose members or officers and directors are reputable individuals

Licenses shall be granted by the treasurer only to individual citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding or to corporations organized in or duly authorized to transact business in this Commonwealth and all of whose officers and directors shall be citizens of the United States who have also been residents of this Commonwealth for at least three years immediately preceding the applications for license

A malt liquor retail license shall not be issued to any individual unless such individual for one year immediately preceding the date of his application has been a resident of the county wherein his place of business is or is to be located

Section 13 Revocation and Suspension of Licenses by Court of Quarter Sessions After a license has been granted upon petition of the Attorney General the treasurer the district attorney or fifteen or more taxpayers residents of the ward borough or township where the place of business is located to the court of quarter sessions and upon sufficient cause being shown or proof being made to the court that the licensee holding a license or any partners members officers or directors of the licensee has or have violated any of the laws of this

Commonwealth relating to the sale of [beverages] malt liquors or relating to the manufacture sale or transportation of alcohol [or/and] or other alcoholic beverages it may upon due notice and proper hearing being given to the person so licensed suspend or revoke the said license issued by the treasurer The court shall assess or remit the costs in its discretion The action of the court in suspending or revoking a license shall be final

Any licensee whose license is revoked shall be ineligible to have a license or permit under this act or under another act relating to the manufacture sale or distribution of malt liquor or other alcoholic liquors until the expiration of five years from the date his license was revoked

Section 14 Licenses Not Assignable Transfers Licenses issued under this act may not be assigned The treasurer is hereby authorized to transfer any distributor's or retailer's malt liquor license from one person to another or from one place to another within the same municipality or township as the treasurer may determine but no transfer shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not lawfully have been issued originally Any such transfer of a license may be made at any time From any refusal to grant a transfer the person aggrieved shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to grant licenses

Section 16 Renewal of Licenses Renewals of licenses shall be granted annually by the treasurer upon the filing of an application as hereinbefore provided [at least one week before the first day of June] and the payment of a fee of ten dollars for the use of the county and the payment of the license fee and the filing of a bond as in the case of an original license

Section 18 All Licensees to Furnish Bond No license shall be issued to any distributor or retailer or railroad pullman or steamship company until the licensee shall have first executed a bond to the Commonwealth of Pennsylvania and a warrant of attorney to confess judgment in the penal sum hereinafter prescribed and with sufficient sureties either personal or a surety company authorized to do business in this Commonwealth Such [bond] bonds shall not be accepted until approved by the treasurer in the case of licenses issued to retailers and distributors and by the Department of Revenue in the case of licenses issued to railroad pullman or steamship companies All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to the sale of beverages or relating to the manufacture sale or transportation of alcohol or any other alcoholic beverages Such [bond] bonds shall be filed with and retained by the treasurer in the case of licenses issued to retailers and distributors and by the Department of Revenue in the case of licenses issued to railroad pullman or steamship companies The penal sums of such bonds filed by a distributor or retailer shall be one thousand dollars for each place at which the licensee is authorized to sell beverages The penal sums of such bonds filed by railroad pullman or steamship companies shall be one thousand dollars irrespective of the number of licensed cars or ships operated by such companies Every such bond shall be turned over to the district attorney or the Attorney General as the case may be to be sued out if and when the licensee's license shall have been revoked as herein provided

Section 19 License Fees Distribution of Revenues No license shall be issued to any distributor or retailer until the licensee shall have first paid an annual license fee for such grant as follows

(a) In the case of a distributor the license fee shall be graduated according to the population of the municipality or township in which the place of business is located as follows and shall be paid to the treasurer

I In municipalities or townships having a population of less than one thousand five hundred inhabitants thirty-seven dollars and fifty cents

II In those having a population of one thousand five hundred and more but less than ten thousand inhabitants fifty dollars

III In those having a population of ten thousand and more but less than fifty thousand inhabitants seventy-five dollars

IV In those having a population of fifty thousand and more but less than one hundred thousand inhabitants one hundred dollars

V In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants one hundred and twenty-five dollars

VI In those having a population of one hundred fifty thousand and more one hundred and fifty dollars

(b) In the case of a retailer the license fee shall be graduated according to the population of the municipal unit in which the place of business is located as follows and shall be paid to the treasurer

I In municipalities or townships having a population of less than one thousand five hundred inhabitants seventy-five dollars

II In those having a population of one thousand five hundred and more but less than ten thousand inhabitants one hundred dollars

III In those having a population of ten thousand and more but less than fifty thousand inhabitants one hundred and fifty dollars

IV In those having a population of fifty thousand and more but less than one hundred thousand inhabitants two hundred dollars

V In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants two hundred and fifty dollars

VI In those having a population of one hundred fifty thousand and more three hundred dollars

(c) In the case of an incorporated club the fee shall be twenty-five dollars in all cases

(d) In the case of a public service license for the sale of [beverages] malt liquors in dining club and buffet cars the fee shall be ten dollars for each car on which [beverages] malt liquors are sold and shall be paid to the State Treasurer through the Department of Revenue

(e) In the case of a public service license for the sale of [beverages] malt liquors on a boat or vessel the fee shall be fifty dollars for each such vessel or boat which shall be paid to the State Treasurer through the Department of Revenue

(f) The fees for distributor retail and public service company malt liquor licenses when applied for and issued on or after

September first but prior to December first shall be three-fourths of the annual fee

December first but prior to March first of the succeeding year shall be one-half of the annual fee

March first but prior to June first one-fourth of the annual fee

The license fees fixed by this section shall be paid before the license or renewal is issued

The fees for distributors' and retailers' malt liquor licenses shall be paid by the treasurer to the municipalties and townships in which the licensed places are located for the use of such municipalities and townships The fees for public service malt liquor licenses shall be for the use of the Commonwealth

Remittances shall be made by the treasurer to municipalities and townships within thirty days of the receipt of any license fee

Section 20 Sales by Manufacturers Minimum Quantities No manufacturer shall sell any [beverages] malt liquors for consumption on the premises where sold nor sell or deliver any such [beverages] malt liquors in other than original containers nor in quantities of less than two hundred and eighty-eight (288) fluid ounces nor shall any manufacturer maintain or operate any place or places other than the place or places covered by his or its permit where [beverages] malt liquors are sold or where orders are taken

Section 21 Sales by Distributors No distributor shall purchase receive or resell any [beverages] malt liquors except in the original containers Provided That no [such beverage] malt liquors sold or delivered shall be consumed upon the premises of the distributor or in any place provided for such purpose by such distributor

Section 22 Sales by Retailers No retailer shall purchase or receive any [beverages] malt liquors except in original containers and thereafter may break the bulk upon the licensed premises and sell or dispense the same for use and consumption only however in and upon the premises so licensed Provided however That such retailer may sell such [beverages] malt liquors in the original containers to be carried from the premises by the purchaser thereof

No retailer shall maintain any bar at which [beverages] malt liquors are served to customers or sell any [beverages]

malt liquors for consumption on the licensed premises except in a room or rooms or place on the licensed premises at all times visible and accessible to the use and accommodation of the general public but this section shall not interpreted to prohibit the sale of [beverages] malt liquors at a lunch counter with seats or chairs permanently fastened thereto if such counter is in an eating place as herein defined A retailer licensed to sell [beverages] malt liquors in a hotel or club house may however sell and deliver such [beverages] malt liquors in any room of such hotel or [club-house] club house occupied by a bona fide registered guest or member entitled to purchase the same

Section 23 Unlawful Sales It shall be unlawful for any licensee or his or its servants agents or employes

(a) To sell trade or barter in [beverages] malt liquors between the hours of twelve o'clock midnight of any Saturday and six o'clock in the forenoon of the following Monday

(b) To sell furnish or give any [beverages] malt liquors to any person visibly intoxicated or to any insane person or to any minor

(c) To sell furnish or give any [beverages] malt liquors to any person on any day on which a general municipal special or primary election is being held

(d) In the case of retailers to sell or offer to sell any [beverages] malt liquors for consumption on the premises where sold to any person on credit excepting credits extended by [an] a hotel or club to a bona fide registered guest or member No right of action shall exist to collect any claims for credit extended contrary to the provisions of this clause

(e) To sell offer to sell or furnish any [beverage] malt liquor to any person on a pass-book or store order or to receive from any person any goods wares merchandise or other articles in exchange for [beverages] malt liquors

(f) To hawk or peddle any [beverages] malt liquors in this Commonwealth

(g) To manufacture import sell trade or barter in any spiritous vinous or other alcoholic liquors except malt liquors

Section 24 Things of Value Not to Be Offered for the Return of Certain Articles It shall be unlawful for any person licensed to sell [beverages] malt liquors to offer or give anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing such [beverages] malt liquors or to offer or give anything of value as a premium or present to induce the purchase of such [beverages] malt liquors or for any other purpose whatsoever in connection with the sale of such [beverages] malt liquors Provided however That this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof

Section 25 Unlawful to Fortify Adulterate or Contaminate [Beverages] Malt Liquors It shall be unlawful to fortify adulterate contaminate or in any wise to change the character or purity of the [beverages] malt liquors from that as originally marketed by the manufacturer

Section 26 Transportation in Original Packages It shall be unlawful to transport any [beverages] malt liquors except in the original containers

Section 27 Delivery Vehicles to Bear Name and Address of Distributor or Manufacturer It shall be unlawful for a manufacturer or distributor to deliver any [beverages] malt liquors excepting in vehicles bearing the name and address of such distributor or manufacturer on each side of such vehicle in letters no smaller than four inches in height

Section 28 Interlocking Business Prohibited (a) No manufacturer and no officer or director of any manufacturer shall at the same time be a distributor or retailer or an officer director or stockholder or creditor of any distributor or to any retailer nor be the owner proprietor or lessor of any place covered by any [distributor's] malt liquor distributor or [retailer's] malt liquor retail license

(b) No distributor and no officer or director of any distributor shall at the same time be a manufacturer or retailer or be an officer director stockholder or creditor of a manufacturer or retailer or be the owner proprietor or lessor of any place covered by any [retailer's] malt liquor retail license

(c) No manufacturer or distributor or retailer licensed under this act shall own any stock of or have any financial interest in any other class of business licensed under this act

(d) Excepting as hereinafter provided no manufacturer or distributor shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or in any mortgage lien against the same for which a [retailer's] malt liquor retail license is granted nor shall a manufacturer or distributor either directly or indirectly lend any moneys credit or equivalent thereof to any retailer in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where [such beverages] malt liquors are licensed for sale and consumption upon the premises excepting only the usual and customary commercial credits for [beverages] malt liquors sold and delivered

(e) Excepting as hereinafter provided no manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a [distributor's] malt liquor distributor license is granted nor shall a manufacturer either directly or indirectly lend any moneys credit or their equivalent to any distributor in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where [such beverages] malt liquors are licensed for sale by a distributor excepting only the usual and customery commercial credits for [beverages] malt liquors sold and delivered

The purpose of this section is to require a separation of the financial and business interests between the various classes of business regulated by this act and no person or corporation shall by any device whatsoever directly or indirectly evade the provisions of this section But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest until January first one thousand nine hundred and thirty-six by a manufacturer of any place occupied by a distributor or retailer if the manufacturer has continuously owned or had a conflicting interest in such place for a period of at least three years prior to the effective date of this act

The term "manufacturer" as used in this section shall include manufacturers as defined in this act and any person manufacturing any [beverage] malt liquor outside of this Commonwealth

Section 29 Penalty Any person copartnership association or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding three hundred dollars ($300) for the first offense and for any second or subsequent offense shall be sentenced upon conviction to pay a fine not exceeding five hundred dollars ($500) Any such person or the members agents servants or employes of any [partnerships] such partnership or association or the officers directors agents servants or employes of any such corporation responsible for any violation of any of the provisions of this act in addition to the fines hereinbefore prescribed [may] shall upon a first conviction be sentenced to imprisonment for a term not exceeding six months and upon a second or subsequent conviction be sentenced to imprisonment for a term not [exceeding six months or by both such fine and imprisonment in the discretion of the court] less than six months or more than one year

Section 31 Local Option In any municipality or township an election may be held but not oftener than once in four years on the date of any municipal election to determine the will of the electors with respect to the granting of licenses to retailers of [beverages] malt liquors under the provisions of this act Whenever electors equal to at least ten per centum of the highest vote cast for any office in the municipality or township at the last preceding general election shall petition the corporate authorities of the municipality or township for a referendum on the question of granting such licenses the said corporate authorities shall cause a question to be submitted at the municipal election occurring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners for submission of such question on the ballot or on voting machines at such election in the manner provided by the election laws of the Commonwealth

Such question shall be in the following form

Do you favor the granting of malt liquor retail [beverage] licenses in the of ?	Yes No	—— ——

If a majority of the persons voting on such question vote "yes" then [retailers'] malt liquor retail licenses shall be

granted by the treasurer in such municipality or township under the provisions of this act but if a majority of the persons voting on such question vote "no" then the treasurer shall thereafter have no power to grant or to renew upon their expiration any [retailer's] malt liquor retail licenses in such municipality or township under the provisions of this act

No retail malt liquor licenses shall be granted under the provisions of this act as amended in any municipality or township) wherein the electors under the provisions of the Beverage License Law of May third One thousand nine hundred and thirty-three (Pamphlet Laws two hundred fifty-two) voted prior to the adoption of this amendment against the granting of retail beverage licenses unless in accordance with the provisions of this act as amended the action of the electors is hereafter reversed

Section 2 All licenses issued to distributors retailers and railroad pullman or steamship companies prior to the effective date of this act and which were unrevoked on that date shall continue in full force and effect until the first day of June one thousand nine hundred thirty-four (unless revoked prior thereto for cause) except that such licenses shall after the effective date of this act authorize the licensees to sell only malt liquors in the manner provided in this act

Section 3 This act shall become effective on the day after the day the Twenty-First Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 41, as follows:

An Act to amend paragraph (a) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" by appropriating such fund to the Board of Finance and Revenue for redemption of bonds issued to acquire toll bridges

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph (a) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" is hereby amended to read as follows

(a) For sinking fund requirements and interest on outstanding bonds of this Commonwealth issued for the purpose of improving and rebuilding the highways of the Commonwealth the acquisition of toll bridges and for the payment of the compensation to the Commonwealth's loan and transfer agent for services rendered in connection with the registration transfer and payment of interest on said bonds and for other services required to be performed by such loan and transfer agent Payments to the Board of Finance and Revenue under this clause shall be made at such times and in such amounts as shall from time to time be provided by law but should the General Assembly at any time fail to enact legislation supplemental to this act payments shall from time to time be made hereunder upon the requisition of the Board of Finance and Revenue approved by the State Treasurer

Section 2 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS INTRODUCED

Mr. HARRIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection, The Chair hears none.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 81, entitled:

An Act to amend section fourteen of the act approved the fifth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred nineteen), entitled "An act regulating certain political parties: providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment of the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended, by providing for the delivery of the ballot box to the proper custodian immediately upon the completion by the election officers of the count and canvass of the vote and the sealing of the ballot box.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 82, entitled:

An Act to amend sections one, seven, fifteen and twenty-three as amended, and sections twenty-four and twenty-six, of the act approved the eighteenth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws five hundred forty-nine) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections, including primaries in any county, city, borough or township of the Commonwealth, at the option of the electors thereof; prescribing regulations with reference to the adoption, requirements, examination, purchase, installation, preparation, custody and demonstration of use of voting machines; providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election district in which voting machines may be used; placing duties upon county commissioners and the Secretary of the Commonwealth; providing for revision of wards of cities and boroughs into election districts, and the consolidation of election districts; providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used; and providing penalties for violation of the provisions of this act" by making provisions for voting machines designed to be made secure by the use of two or more seals; changing the requirements as to the printing of return sheets and statements; providing the requirements of and rules and regulations for the conduct of elections held with voting machines equipped with mechanism for printing paper proof-sheets; providing for the printing and distribution of said proof-sheets; providing for their use in canvassing the vote; making them part of the election returns; defining their probative value and effect, and enlarging the powers of return boards.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 83, entitled:

An Act to amend the tenth section of the act approved the tenth day of June, one thousand eight hundred ninety-three (Pamphlet Laws, four hundred nineteen) entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended, and repealing the act approved the twenty-third day of June, one thousand eight hundred eighty-five (Pamphlet Laws, one hundred forty-four) entitled "An act for the regulation of advertising of general elections," and all other inconsistent legislation.

Which was committed to the Committee on Elections.

ANNOUNCEMENT

The PRESIDENT. The Pennsylvania Convention to act upon the amendment for the repeal of the Eighteenth Amendment will meet as provided by law in the Hall of the Senate at noon today. The Senators will occupy seats on the east side of the rostrum. The delegates will occupy the seats within the rail. You are all invited.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until 3.45 o'clock this afternoon.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 5, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to adress the Members in Joint Session at four o'clock this afternoon.

GIFFORD PINCHOT.

JOINT SESSION TO HEAR GOVERNOR'S ADDRESS

Mr. MANSFIELD offered the following resolution, which was twice read, considered and agreed to:

In the Senate, December 5, 1933.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session Tuesday, December 5, 1933, at Four o'clock in the afternoon in the Hall of the House for the purpose of hearing an address of His Excellency, The Governor of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

TIME OF NEXT MEETING

Mr. HARVEY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARVEY offered the following resolution, which was twice read, considered and agreed to:

In the Senate, December 5, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, December eleventh, at nine o'clock; and when the House of Representatives adjourns this week it reconvene Monday evening, December eleventh, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurence bills of the House of Representatives as follows:

House Bill No. 41, (Senate Bill No. 84), entitled:

An Act making an appropriation for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three.

Which was committed to the Committee on Appropriations.

House Bill No. 55 (Senate Bill No. 85), entitled:

An Act making an appropriation out of The State Stores Fund to the State Emergency Relief Board, for direct relief, work relief and expenses; defining the purposes for which such moneys may be expended; providing for the audit of such expenditures; and the prescribing the powers and duties of the State Emergency Relief Board and of certain State departments.

Which was committed to Committee on Appropriations.

House Bill No. 56 (Senate Bill No. 86), entitled:

An Act to amend sections one thousand seven hundred and seventy-six, two thousand one hundred and twelve, and two thousand one hundred and forty-one, of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "General Borough Act" lengthening the time for which assessments bonds for street and sewer improvements may be issued; regulating notice where sewer-works are constructed without the limits of a borough.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 74 (Senate Bill No. 87), entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years begining June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," by making additional appropriations to the Executive and Judicial Departments of the Commonwealth.

Which was committed to the Committee on Appropriations.

House Bill No. 88 (Senate Bill No. 88), entitled:

An Act making an appropriation out of the General Fund to the Pennsylvania Alcohol Permit Board for the administration and enforcement of the Pennsylvania Liquor Control Act, including the establishment, operation, maintenance and equipment of Pennsylvania Liquor Stores, and places for the storing and testing of liquors, and providing for the partial reimbursement of the General Fund by making an appropriation from The State Stores Fund, to be transferred in installments to the General Fund.

Which was referred to the Committee on Appropriations.

SENATE BILL NO. 7 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 7, entitled:

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first calss and on school taxes in school districts of the first class

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. SALUS. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the

consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, Page 1, line 2, by inserting after the word "class" the following: "and on school taxes in school districts of the first class"; also section 1, page 1, line 5, by striking out after the word "taxes" the following: "and any other charges including any costs due on such taxes"; also line 10, by inserting after the word "city" the following: "or by the Board of Public Education of such school district"; also by inserting after the word "if" the following: "Thirty-three and one-third per centum of"; also line 11, by striking out after the article "the" the folowing: "thirtieth day of September June" and inserting in lieu thereof the following: "thirty-first day of December one thousand nine hundred and thirty-three and thirty-three one third per centum of such taxes on or before the twenty-eighth day of February one thousand nine hundred thirty-four and the remaining thirty-three and one third; per centum of such taxes on or before the first day of May;" also page 2, line 2, by inserting after the word "city" the following: "or by the board of Public Education of any such school district."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealv.	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	ray,	Miller,	Scott.
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURES IN AMENDMENTS TO HOUSE BILL NO. 8

He also presented comunication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 8, entitled:

An Act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of spirituous and vinous liquors and providing penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 17

He also presented comunication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 17, entitled:

An Act to amend the title and certain sections of the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permits through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by providing that the act shall be administered by the Pennsyvlania Liquor Control Board making the act inconsistent with the repeal of the Eighteenth Amendment changing definitions and exemptions bringing rectifiers within this act providing for the abatement of nuisances and increasing fees.

HOUSE CONCURS IN SENATE BILL NO. 29

He also returned to the Senate, Senate Bill No. 29, entitled:

An Act to amend paragraph (a) of section nine of article three of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the

nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entiled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" by authorizing the commission in special cases to grant relief to common carriers from the long and short haul and the aggregate of intermediate rates provisions.

with the information that the House has passed the same without amendment.

JOINT SESSION TO HEAR GOVERNOR'S ADDRESS

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, December 5, 1933.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session Tuesday, December 5, 1933, at four o'clock in the afternoon in the Hall of the House for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth.

ESCORT COMMITTEE

Mr. BUCKMAN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objections? The Chair hears none.

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, December 5, 1933.

Resolved (if the House of Representatives concur), That a Committee of three on the part of the Senate be appointed to act with a similar commitee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor, to the Hall of the House to address the Members of the General Assembly in Joint Session, Tuesday, December 5, 1933, at four o'clock in the afternoon, pursuant to a resolution already adopted by the Senate and House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS INTRODUCED

Mr. GELDER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER read in his place and presented to the Chair Senate Bill No. 89, entitled:

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects; providing for the payment of damages by counties and townships as a result of relocating, widening or constructing said highways or bridges; and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities.

Which was committed to the Committee on Public Roads and Highways.

Mr. TRAINER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objcetion? The Chair hears none.

Mr. TRAINER read in his place and presented to the Chair Senate Bill No. 90, entitled:

An Act relating to advertising by holders of licenses to sell liquors or malt liquors for consumption on the premises.

Which was committed to the Committee on Law and Order.

HOUSE MESSAGE

ESCORT COMMITTEE

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House as concurred in resolution from the Senate as follows:

In the Senate, December 5, 1933.

Resolved (if the House of Representatives concur), That a Committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency the Governor to the Hall of the House to address the Members of the General Assembly in Joint Session, Tuesday, December 5, 1933, at four o'clock in the afternoon, pursuant to a resolution already adopted by the Senate and House of Representatives.

And has appointed as such committee on the part of the House Messrs. Williams, Long, and Andrews.

The PRESIDENT. On behalf of the President Pro Tempore, The Chair appoints as said committee on the part of the Senate the Senator from Bucks, Mr. Buckman, the Senator from Allegheny, Mr. Harris, and the Senator from Adams, Mr. Rice.

SENATE PROCEEDS TO HOUSE TO HEAR GOVERNOR'S ADDRESS

The hour of 4 P. M. having arrived Messrs. Heffernan and Heffner, a committee from the House of Representatives, being introduced informed the Senate that the House of Representatives was ready for the reception of the President and Members of the Senate for the purpose of listening to the address of His Excellency the Governor.

Whereupon,

The President and Members of the Senate proceeded to the Hall of the House of Representatives.

SENATE RETURNS FROM HOUSE

After some time the President and Senators returned to the Senate Chamber.

REPORT FROM COMMITTEE

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with favorable recommendation the fol-

lowing nominations made by His Excellency the Governor of the Commonwealth, which were laid upon the table:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

MEMBER OF THE WASHINGTON CROSSING PARK COMMISSION

Louis H. Hitchler, Oxford, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF THE MOTHERS ASSISTANCE FUND OF CHESTER COUNTY

(Mrs.) Christine I. Passmore, Nottingham, from July 28, 1933 until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Virginia T. Galt, Glen Moore, from August 11, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBER STATE BOARD OF OSTEOPATHIC EXAMINERS

E. Clair Jones, Lancaster, from May 6, 1933, for the term of four years.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF LANCASTER COUNTY

(Mrs.) Agnes S. Hostetter, Lancaster, from August 29, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary Malone Zimmerman, Lancaster, from September 5, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBERS OF THE WASHINGTON CROSSING PARK COMMISSION

(Mrs.) Jean Macbeth Huber, Macungie, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF LEHIGH COUNTY

(Mrs.) Lillie C. Steckel, Slatington, from August 18, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Carrie A. Miller, Allentown, from August 22, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

Miss Josepha Kutzki, Nanticoke, from May 6, 1933, for the term of four years and until her successor is qualified.

Charles Wright, Glen Lyon, from May 6, 1933, for the term of four years, and until his successor is qualified.

A. G. Lewandowski, Nanticoke, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBER OF THE BOARD OF TRUSTEES OF HAZLETON STATE HOSPITAL

T. E. Snyder, Hazleton, from May 6, 1933, for the term of four years and until his successor is qualified.

Charles F. Johnson, Kis-Lyn, from May 6, 1933, for the term of four years and until his successor is qualified.

Sefellen E. Stofflett, Hazleton from May 6, 1933, for the term of four years and until his successor is qualified.

Thomas Kennedy, Hazleton, from May 6, 1933, for the term of four years and until his successor is qualified.

George B. Markle, Jr., Hazleton, from May 6, 1933, for the term of four years and until his successor is qualified.

R. Emerson Buckley, Hazleton, from May 6, 1933, for the term of four years and until his successor is qualified.

Joseph G. Saricks, Freeland, from May 6, 1933, for the term of four years and until his successor is qualified.

H. M. Neale, Upper Lehigh, from May 6, 1933, for the term of four years, and until his successor is qualified.

Leo J. Kroner, Hazleton, from May 6, 1933, for the term of four years and until his successor is qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF LUZERNE COUNTY

(Mrs.) Bessie W. Bryant, Nanticoke, from May 6, 1933, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Edna R. Girard, Hazleton, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Cora M. Davenport, West Pittston, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Patterson, Wilkes-Barre, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Marya A. Porwit, Wilkes-Barre, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Laura H. Montz, Kingston, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Anna B. O'Malley, Wilkes-Barre, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

MEMBER OF THE STATE WELFARE COMMISSION

Thomas Kennedy, Hazleton, from May 6, 1933, until the Third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBER OF THE STATE ATHLETIC COMMISSION

Harry T. Farrell, Wilkes-Barre, from July 10, 1933, for the term of two years.

MEMBER OF THE BOARD OF TRUSTEES OF EASTERN STATE PENITENTIARY

Henry G. Brock, Muncy, from May 6, 1933, for the term of four years and until his successor is qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF COLUMBIA COUNTY

(Mrs.) Wilhelmina W. Moyer, Bloomsburg, from October 4, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF LYCOMING COUNTY

(Mrs.) Louise N. Brown, Williamsport, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Blanche S. Wood, Muncy, from July 24, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Burgwin Brock, Muncy, from July 26, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF MONTOUR COUNTY

(Mrs.) Charella Myers, Danville, from August 9, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary J. Murray, Danville, from August 10, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF WESTMORELAND COUNTY

(Mrs.) Lydia Irwin, Altman, from June 5, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Anna McAfee Stoner, Mt. Pleasant, from June 5,

1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF CAMBRIA COUNTY

(Mrs.) Catharine A. Monteith, Patton, from July 5, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Minnie Walker, Johnstown, from July 5, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Anna Seigh, Johnstown, from July 5, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

MEMBER OF STATE WELFARE COMMISSION

Paul N. Schaeffer, Reading, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBER OF THE STATE ATHLETIC COMMISSION

Robert J. Nelson, Reading, from May 6, 1933, for the term of two years.

MEMBERS OF THE MOTHERS ASSISTANCE FUND OF BERKS COUNTY

(Mrs. Matilda C. Greenawald, Boyertown, from August 3, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs. Mary B. Nelson, Reading, from August 4, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBERS OF THE WASHINGTON CROSSING PARK COMMISION

Thomas Scott, Bristol, from May 6, 1933, until the third Tuesday of January, 1925, or until his successor shall have been appointed and qualified.

C. Wilson Roberts, Southampton, from May 6, 1933, until the third Tuesday of January, 1935 or until his successor shall have been appointed and qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF BUCKS COUNTY

Miss Laura C. Haines, Doylestown, from August 6, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mabel R. Briggs, Yardley, from August 18, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBER OF THE STATE MILITARY RESERVATION COMMISSION

C. V. Homer, Greenville, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBER OF THE BOARD OF DIRECTORS OF MOTHERS ASSISTANCE FUND OF CRAWFORD COUNTY

(Mrs.) Clara M. Allison, Cochranton, from August 28, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBER OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF MERCER COUNTY

Miss Myrtle L. Allen, Sharon, from August 18, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Sylva Yeager Taylor, Stoneboro, from August 29, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

(Mrs.) Dora A. Miller, Huntingdon, from May 6, 1933, for the term of four years, and until her successor is qualified.

MEMBER OF STATE BOARD OF OSTEOPATHIC EXAMINERS

L. S. Irwin, Washington, from May 6, 1933, for the term of four years.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF GREENE COUNTY

Miss Mary W. Denny, Waynesburg, from August 22, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Eva K. Bowlby, Waynesburg, from August 23, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF WASHINGTON COUNTY

(Mrs.) Jane D. Dickson, McDonald, from July 31, 1933 until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary D. Farquhar, California, from July 31, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBER OF BOARD OF FISH COMMISSIONERS

Kenneth A. Reid, Connellsville, from May 6, 1933, for the term of six years.

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

Louis F. Arensberg, East Millsboro, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF FAYETTE COUNTY

(Mrs.) Ada C. Crow, Uniontown, from August 16, 1933, until June 1 1939, and until her successor is duly appointed and qualified.

(Mrs.) Clara L. McCormick, Uniontown, from August 16, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

MEMBERS OF BOARD OF MOTHERS' ASSISTANCE FUND OF BLAIR COUNTY

(Mrs.) Clara S. Bobb, Roaring Spring, from May 6, 1933, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Marguerite L. Giles, Tyrone, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) May M. Sawtelle, Altoona, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Julia S. Scheeline, Hollidaysburg, from May 6, 1933, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Lydia F. Woodcock, Hollidaysburg, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Nellie Whittaker, Williamsburg, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Annie C. Wolf, Altoona, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF HUNTINGDON COUNTY

(Mrs.) Matilda C. Longacre, Mount Union, from August 3, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary A. Kyper, Mount Union, from August 7, 1933, until June 1, 1933, and until her successor is duly appointed and qualified.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Ralph H. Ewers, Indianola.
John Maccarone, Pittsburgh, 1253 Columbus Avenue.

NORTHAMPTON COUNTY

Oliver F. Evans, Easton.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 4, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation.

LACKAWANNA COUNTY

Miss Maude S. Dawkins, Scranton

LEHIGH COUNTY

Richard H. Clauss, Allentown

LEHIGH COUNTY

Nevin P. Fegely, Cementon
Mrs. Estella K. Knappenberger, Allentown

LYCOMING COUNTY

Jay H. Campbell, Williamsport

MONTGOMERY COUNTY

Mrs. Eleanor S. Cadmus, Pottstown

PHILADELPHIA COUNTY

Albert J. Lashner, Philadelphia, 1602 Pine Street

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 5, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BERKS

Miss Beatrice Crowell, Reading.
Paul A. Holzman, Tulpehocken.

BLAIR

William F. Neugebauer, Tyrone.

BUTLER

J. S. Spence, Evans City.

LANCASTER

Miss F. Ethel Adams. Lancaster.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law I have the honor to nominate for the advice and consent of the Senate, the following:

MEMBER OF THE BOARD OF TRUSTEES OF STATE INDUSTRIAL HOME FOR WOMEN

Miss Helen L. McFarland, of Harrisburg, Dauphin County, vice P. M. Newman, deceased, for the term of four years, and until her successor is qualified.

ALDERMEN

J. L. Madden, Jr., of Harrisburg, Dauphin County, as Alderman of the 2nd Ward of the City of Harrisburg, Dauphin County, vice William H. Charters, deceased, until the first Monday in January, 1934.

C. H. Stuck, of Oil City, Venango County, as Alderman of the 3rd Ward of the City of Oil City, Venango County, vice William J. Brown, resigned, until the first Monday in January, 1936.

GIFFORD PINCHOT.

MEMBER BOARD OF TRUSTEES OF THE EASTERN STATE PENITENTIARY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 22, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

Doctor Louis N. Robinson, of Swarthmore, Delaware County, as a member of the Board of Trustees of the Eastern State Penitentiary, vice Henry N. Woolman, removed from office November 20, 1933, for the term of four years, and until his successor is qualified.

GIFFORD PINCHOT.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's office, Harrisburg, November 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

Claude Dankel, of Summit Hill, Carbon County, as Justice of the Peace in the Borough of Summit Hill, Carbon County, vice James A. Cunningham, deceased, until the first Monday in January, 1936.

GIFFORD PINCHOT.

MEMBER STATE ATHLETIC COMMISSION ALLEGHENY COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following:

Dr. William D. McClelland, of Pittsburg, Allegheny County, as a member of the State Athletic Commission, vice Havey J. Boyle, whose term expired, for the term of two years.

GIFFORD PINCHOT.

BILLS INTRODUCED

Mr. SNYDER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 91, entitled:

An Act relating to housing authorities defining and providing for the formation of such authorities for the purpose

of reconstructing slum areas providing for the supervision and regulation of the activities of such corporations by the State Board of Housing in the Department of Property and Supplies providing for the protection of such authorities and the parties dealing with them prescribing defining and limiting the powers and duties of such authorities conferring upon such authorities and limiting their use of the power of eminent domain

Which was committed to the Committee on Public Health and Sanitation.

Mr. SALUS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 92, entitled:

An Act establishing an additional State penitentiary for the imprisonment of persons convicted of crimes of violence; and making an appropriation therefor.

Which was committed to the Committee on Appropriations.

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER read in his place and presented to the Chair Senate Bill No. 93, entitled:

An Act to amend section ten of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 284), entitled "An act imposing a State tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties"; regulating the refund of taxes paid on malt liquors.

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEES

Mr. ARMSTRONG. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARMSTRONG, from the Committee on Appropriations, reported as committed, Senate Bill No. 88 (House Bill No. 88), entitled:

An Act making an appropriation out of the General Fund to the Pennsylvania Liquor Control Board for the administration and enforcement of the Pennsylvania Liquor Control Act including the establishment operation maintenance and equipment of Pennsylvania Liquor Stores and places for the storing and testing of liquors and providing for the partial reimbursement of the General Fund by making an appropriation from The State Stores Fund to be transferred in installments to the General Fund.

Mr. NORTON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. NORTON, from the Committee on Appropriations, reported as committed, Senate Bill No. 84 (House Bill No. 41), entitled:

An Act making an appropriation for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills have passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 13, entitled:

An Act to amend certain sections of the act, approved the fifth day of May, one thousand nine hundred thirty-three (Act number one hundred four), entitled: "An act imposing a State Tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties," by restricting the provisions of the act to malt liquors, as defined therein.

House Bill No. 8, entitled:

An Act imposing States taxes, payable by those herein defined as manufacturers and importers, on the privilege of manufacturing, selling or using in this Commonwealth certain spirituous and vinous liquors, providing for the collection of the taxes and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and Departments, and upon manufacturers, importers and upon those using or engaging in the sale of spirituous and vinous liquors and providing certain penalties.

House Bill No. 17, entitled:

An Act to amend the title and certain sections of the act approved the nineteenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws'; providing for the registering of federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture productiondistillation development use and manufacture denaturization authorizing the inspection of the records of permittees and the age by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchaser of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by making the act

consistent with the repeal of the Eighteenth Amendment changing definitions and exemptions bringing rectifiers within this act providing for the abatement of nuisances and increasing fees

Senate Bill No. 29, entitled:

An Act to amend paragraph (a) of section nine of article three of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the Commission, its officers, counsels, and employes; prescribng and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said Commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals; and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" by authorizing the Commission in special cases to grant relief to common carriers from the long and short haul and the aggregate of intermediate rates provisions.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon), in the presence of the Senate signed the same

NOMINATIONS RECOMMENDED

Mr. PARKINSON. Mr. President, I move that the nominations reported from committee at today's session be recommitted to the Committee on Executive Nominations.

Mr. FRAZIER. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF CONCURRENCE IN HOUSE AMENDMENTS TO SENATE BILL No. 7

Mr. SALUS. Mr. President, I move to reconsider the vote by which the Senate concurred in the amendments made by the House to Senate Bill No. 7, entitled:

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class.

The PRESIDENT. How did the Senator vote?

Mr. SALUS. Mr. President, I voted "aye."

Mr. BUCKMAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

NAYS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

YEAS— 0

A majority of all the Senators having voted "no" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

NEW EQUIPMENT REQUIRED FOR FRANKFORD ARSENAL

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Federal Relations:

In the House of Representatives, November 22, 1933.

Whereas, The work of the United States Government in the Frankford Arsenal at Philadelphia is of such a nature as to require modern machine tools and equipment to cost approximately seven hundred and fifty thousand dollars ($750,000), more properly and economically to manufacture and perfect those items of ordinance material as may best serve the United States by their use as manufactured or as models for manufacture; therefore be it

Resolved (if the Senate concur), That the attention of the Representatives of Congress from Pennsylvania be hereby invited to the need for said modern machine tools and equipment and, that said Representatives are hereby respectfully urged to divert the necessary funds from moneys now appropriated or to secure the appropriation of funds at the forthcoming session of Congress for the procurement of such modern or up-to-date machine tools and equipment for Frankford Arsenal as may be recommended by the Secretary of War;

Resolved, That the Federal Emergency Administrator of Public Works be urged to allocate the necessary funds to Frankford Arsenal as authorized by Section 202 of the National Industrial Recovery Act, which states, "provision for

original equipment for the mechanization or motorization of such army tactical units as he (the President) may designate;"

Resolved, That a copy of this resolution be furnished the President, the Secretary of War, the Assistant Secretary of War, the Federal Emergency Administrator of Public Works, each Senator and Representative in Congress from Pennsylvania, the Chief of Staff, U. S. Army, and the Chief of Ordnance, U. S. Army.

CONGRESS MEMORIALIZED TO EQUALIZE TAXATION BETWEEN RIVER AND RAILROAD TRANS PORTATION.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Federal Relations:

In the House of Representatives, November 27, 1933.

Whereas, In many cases boats on rivers are operated in open competition with railroad transportation and

Whereas, Boats so operated are not compelled to maintain rights of way in the manner required of railroads and as a consequence can offer lower rates for transportation and

Whereas, The belief prevails that river transportation is not subjected to a burden of Federal and State taxation equal to that imposed on railroads and

Whereas, Railroad transportation is essential to the development of the commerce and business of the United States and

Whereas, River transportation is in most instances a matter of interstate commerce over which the Federal Government has control therefore be it

Resolved (if the Senate concur), That the General Assembly memoralize Congress of the United States to enact legislation which will equalize the burden of taxation between river and railroad transportation in order to enable railroads to secure a fair share of the business

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the House of Representatives to the President of the Senate and Speaker of the House of Represntatives of the United States.

STATE EMERGENCY RELIEF BOARD TO CONTRIBUTE AND COOPERATE WITH POLITICAL SUBDIVISIONS IN SECURING HELP FROM FEDERAL CIVIL WORKS ADMINISTRATION

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Municipal Affairs:

In the House of Representatives, November 28th, 1933.

Whereas, Under the general rules and regulations issued by the Federal Civil Works Administration of Pennsylvania (No. 1, issued November 20, 1933), it is made clear that local and State Governments are expected to cooperate and contribute to the projects to be carried on under the Federal Civil Works Administration, it being specifically stated in such rules and regulations, paragraph 6, as follows:

"The greater the contribution the local government makes in supplying materials and supervision, the more speedily will this program be put in operation, * * *" and

Whereas, Many local governments in communities in which the need is greatest, are not in a position financially to make any contributions to such projects; and

Whereas, It is of paramount importance that projects be instituted in such communities with the greatest possible speed; and

Whereas, The amount of contributions desired by the Federal agency seems to be about ten per centum of the amount to be expended; therefore be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania urge and suggest to the State Emergency Relief Board that said board:

(a) Ascertain from the proper Federal authorities the amount of money intended to be spent in the Commonwealth of Pennsylvania through the Federal Civil Works Administration;

(b) Ascertain from such authorities the corresponding amount which will be expected to be expended by State and local governments;

(c) Set aside from the funds for relief purposes in the possession, or to come into the possession, of the board, sufficient moneys to enable expected contributions to be made for local relief projects by the State Emergency Relief Board in worthy cases;

(d) Immediately establish and put into effect a system whereby political and municipal subdivisions of this Commonwealth may apply to the State Emergency Relief Board or such agencies as may be established or designated by the board for State assistance to such political and municipal subdivisions in order that they may cooperate with the Federal Civil Works Administration in local civil works projects; and be it further.

Resolved, That since the program for Federal Civil Works is intended to expire of February fifteenth, one thousand nine hundred and thirty-four, the General Assembly urges upon the Board the necessity for haste; and be it further

Resolved, That copies of this resolution shall immediately upon adoption be furnished the members of the State Emergency Relief Board.

RESOLUTION MEMORIALIZING THE PRESIDENT AND SENATORS TO COMPLETE THE ALLEGHENY RIVER PROJECT

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Canals and Inland Navigation.

In the House of Representatives, December 4, 1933.

Whereas The Roosevelt New Deal contemplates the carrying forward of the internal waterways system of the United States toward the ideals conceived by the forward looking statesmen of the Nation during the past quarter century and

Whereas The Mississippi River and its tributaries have been made available for the navigation of vessels to East Brady via the Allegheny River a 9,000 mile waterway that is now in use carrying thousands of tons of freight and

Whereas The Congress of the United States has authorized the further development of the Allegheny River to at least Oil City with ten miles of the unfinished project already provided for and

Whereas Available engineering reports and regional economic surveys indicate the feasibility of a canal running from Franklin Pennsylvania to Lake Erie at the City of Erie and terminating in the Harbor of Presque Isle which is Pennsylvania's only lake and

Whereas The completion of such an All-Pennsylvania waterway as the Northern limit of the Mississippi-Ohio-Allegheny waterway would provide western Pennsylvania with a new artery of traffic for the interchange of the mineral and agricultural products of the great northwest and the mineral and manufactured products of the Commonwealth of Pennsylvania and exchange of our mineral and agricultural products with the agricultural products of the great South and

Whereas The actual construction of a waterway from Franklin Pennsylvania to Erie Pennsylvania during the period of construction would provide employment for thousands of presently unemployed Pennsylvanians and

Whereas Permanent benefits and wealth would be added to Pennsylvania by reason of the existence and operation of such a waterway and

Whereas The said All-Pennsylvania route may be constructed at a cost of less than fifty per centum of the cost of constructing any other proposed alternate route and

Whereas The All-Pennsylvania canal is the shortest route of any of those proposed by at least fifty miles and

Whereas The selection of any other route connecting the Mississippi Valley with the Great Lakes would involve the building of a harbor on Lake Erie at a tremendous and needless outlay of Federal money and

Whereas There is at Erie a natural landlocked harbor now available and affording complete terminal facilities for any volume of commerce which may desire to utilize said proposed Pennsylvania canal and

Whereas The said route would utilize Pennsylvania waters in Pennsylvania and

Whereas These several other routes proposed depend entirely

upon Pennsylvania watersheds to make these several projects navigable and

Whereas Under the National Industrial Recovery Act the Public Works Administration is in control of funds for the purpose and is desirous of expending funds for such purposes as the development of inland waterways and

Whereas It is apparently the desire of His Excellency the President of the United States and the Honorable Harold L. Ickes Public Works Administrator to speed the use of funds appropriated to the Public Works Administration for purposes of this character and

Whereas Pennsylvania pays the second largest amount of taxes into the Federal Treasury and should be rightfully considered in the development of this project as proposed therefore be it

Resolved (if the Senate concur) That the General Assembly of the Commonwealth of Pennsylvania do respectfully petition His Excellency the Honorable Franklin D Roosevelt President of the United States to authorize the completion of the Allegheny River project and the building of a canal from Franklin Pennsylvania to the City of Erie on Lake Erie in Pennsylvania and be it further

Resolved That the General Assembly further memorialize United States Senators from Pennsylvania and the Congressmen from Pennsylvania to use their best offices to bring about the immediate approval of this All-Pennsylvania project

BILLS INTRODUCED

Mr. HARRIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 94, entitled:

An Act requiring Return Courts, Judges and Boards sitting to record, compute and certify the returns of any primary, general municipal or special election to take cognizance of the number of registered or enrolled voters, by parties, of each election district and the number of persons who voted at said election and the number of ballots cast thereat, whether said election was conducted by the use of voting machines or paper ballots; providing that any excess of votes returned over registered or enrolled voters or over the number of voters or the number of ballots cast shall be deemed a discrepancy and palpable error requiring investigation; defining the scope and extent of such investigation and providing for an appeal from the decision thereon; prescribing the effect of such excess; imposing duties on Courts of Common Pleas and Judges thereof, County Commissioners, County Comptrollers, County Treasurers, Prothonotaries, Registration Commission and other public officers, and repealing inconsistent legislation.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 95, entitled:

An Act to amend the fourth, fifth and tenth sections of the act approved the twenty-fifth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand forty-three) entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences; fixing the compensation of assessors and registry assessors for mmaking said registration and enrollment; and prescribing penalties for false registration or enrollment, and for voters voting or attempting to vote, and for election officers wilfully permitting or conspiring to permit them to vote, at a primary, by or in any other than their own party ticket, the said fourth section of said act having been amended by section one of the act approved the seventh day of April, one thousand nine hundred thirty-three (P. L. twenty-five), entitled "An act to amend sections four and seven of the act approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. one thousand forty-three), entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences; fixing the compensation of the assessors and registry assessors for making said registration and enrollment; and prescribing penalties of false registration or enrollment. and for voters voting or attempting to vote, and for election officers wilfully permitting or conspiring to permit them to vote, at a primary; by or any other than their own party ticket,' eliminating one of the days required of the assessors and registry assessors sitting at the polling place.

Which was committed to the Committee on Elections.

Also read in his place and presented to the chair Senate Bill No. 96, entitled:

An Act authorizing the Boards of County Commissioners of the several counties of the Commonwealth to organize and conduct school of instruction for election officers, to pay such officers for attendance thereupon out of the general county fund, and making the right to receive payment conditional upon service as such election officer.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 97, entitled:

An Act to amend sections one, two and three of the act approved the thirtieth day of January, one thousand eight hundred seventy-four (Pamphlet Laws, thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth," as variously amended.

Which was committed to the Committee on Elections.

Also read in is place and presented to the Chair Senate Bill No. 98, entitled:

An Act to amend sections ten and fourteen of the act approved the twelfth day of July, one thousand nine hundred thirteen (Pamphlet Laws, seven hundred nineteen), entitled "An act regulating certain political parties: providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National Party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expense of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as variously amended, by substituting additional copies of the general return sheet for the triplicate party return sheets in the preparation for, conduct of, and returning, canvassing and computing the vote cast at primary elections, regulating the form of the numbered lists of voters, regulating the duties of election officers in calling and tabulating the votes, and regulating return board procedure.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 99, entitled:

An Act to amend section three of the act approved the tenth day of June, one thousand eight hundred and ninety-three (Pamphlet Laws, four hundred nineteen) entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended, by prescribing a cash deposit as a condition precedent to the validity and effectiveness of a nomination paper, prescribing the amount of such deposit and the officer with whom it is to be made in each case, providing that it shall either be returned to the political body making the same, or shall be allocated among and retained by the counties interested, depending upon the number of votes polled by the nominee or the most successful nominee presented by such political body, imposing duties upon the State Treasurer, the Secretary of the Commonwealth, County Treasurers, and County Return Judges and Return Boards, fixing the date when the act shall become effective and repealing inconsistent legislation.

Which was committed to the Committee on Elections.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No. 100, entitled:

Supplement to an Act approved the Seventh Day of March One Thousand Nine Hundred and One (Pamphlet Laws 20) entitled "An Act for the government of cities of the second class" creating the position of Solicitor for the Department of City Comptroller.

Which was committed to the Committee on Municipal Affairs.

REPORTS FROM COMMITTEES

Mr. NORTON. Mr. President. I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. NORTON, from the Committee on Appropriations, reported as committed, Senate Bill No. 85 (House Bill No. 55), entitled:

An Act making an appropriation out the State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments.

Mr. TRAINER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TRAINER, from the Committee on Law and Order reported as committed, Senate Bill No. 90, entitled:

An act relating to advertising by holders of licenses to sell liquors or malt liquors for consumption on the premises.

Mr. MILLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MILLER, from the Committee on Military Affairs, rereported as amended Senate Bill No. 50 (House Bill No. 39), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the Veterans' Compensation fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds.

Mr. WILLIAMSON. Mr. President, I ask unanimous consenat to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WILLIAMSON, from the Committee on Military Affairs, re-reported as amended Senate Bill No. 57 (House Bill No. 40), entitled:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation and providing penalties.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 89, entitled:

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects; providing for the payment of damages by counties and townships as a result of relocating, widening or constructing said highways or bridges; and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities.

MOTION TO READ BILLS FOR THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. PARKINSON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 84 (House Bill No. 41), entitled:

An Act making an appropriation for the payment of preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 85 (House Bill No. 55), entitled:

An Act making an appropriation out of the State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 88 (House Bill No. 88), entitled:

An Act making an appropriation out of the General Fund to the Pennsylvania Liquor Control Board for the administration and enforcement of the Pennsylvania Liquor Control Act including the establishment operation maintenance and equipment of Pennsylvania Liquor Stores and places for the storing and testing of liquors and providing for the partial reimbursement of the General Fund by making an appropriation from The State Stores Fund to be transferred in installments to the General Fund.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 89, entitled:

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects; providing for the payment of damages by counties and townships as a result of relocating, widening or constructing said highways or bridges; and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 90, entitled:

An act relating to advertising by holders of licenses to sell liquors or malt liquors for consumption on the premises.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The PRESIDENT PRO TEMPORE (Mr. Harry B. Scott) in the Chair.

HOUSE INSISTS UPON ITS AMENDMENTS TO SENATE BILL No. 7

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 7, entitled:

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class.

SENATE RECEDES FROM ITS NON-CONCURRENCE IN HOUSE AMENDMENTS TO SENATE BILL No. 7

Mr. SALUS. Mr. President, I move that the Senate recedes from its non-concurrence in the amendments made by the House of Representatives to Senate Bill No. 7, entitled:

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN HOUSE AMENDMENTS TO SENATE BILL No. 7

Mr. SALUS. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 7.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Einstein,	Mansfield,	Salus,
Aron,	Fay,	Miller,	Shapiro,
Batchelor,	Frazier,	Norton,	Snyder,
Baumer,	Gelder,	Owlett,	Sones,
Bell,	Graff,	Parkinson,	Sordoni,
Bennett,	Harris,	Pethick,	Staudenmeier,
Boyd,	Harvey,	Pierson,	Thompson,
Brandt,	Homsher,	Prince,	Trainer,
Buckman,	Howell,	Quigley,	Williamson,
Chapman,	Hunsicker,	Reed,	Ziesenheim,
Clark,	Krause,	Rice,	Scott,
Coyne,	Lanius,	Roberts,	Pres. Pro Tem.
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE

Mr. MANSFIELD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD, from the Committee on Municipal affairs re-reported as amended, Senate Bill No. 53, entitled:

An Act providing for the creation of public "Authorities" in counties of the second class; authorizing such "Authorities" to enter into agreements with the Government of the United States, particularly as they relate to the National Industrial Recovery Act and any amendments and supplements thereto, the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others; defining and providing for the organization and dissolution of such "Authorities;" conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions upon which such "Authorities" may exercise their powers; endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds; authorizing such "Authorities" to make and receive appropriations; repealing certain acts and parts of acts inconsistent herewith; and for other purposes.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorow morning at 10:30 o'clock.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:56 P. M. until Wednesday morning, December 6, 1933, at 10:30 o'clock, A. M.

HOUSE OF REPRESENTATIVES

TUESDAY, December 5, 1933

The House met at 11.00 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

O God, Thou hast folded back the mantle of the night, and clothed the earth in the golden glow of the day. We thank Thee for this new day with its opportunities for service. If there is any vestige of darkness and gloom remaining in our hearts or minds, may Thy gracious spirit illumine us. Grant to the Speaker and members of the House, vision, courage and power commensurate with their responsibilities.

Keep us true to the traditions of this House,—old fashioned in principles, up to date in information and ideas, and ahead of our times in ideals. For Thy glory. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. Duffy, the further reading was dispensed with and the Journal approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor which was read as follows:

REQUEST TO ADDRESS GENERAL ASSEMBLY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 5, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the Members in Joint Session at four o'clock this afternoon.

GIFFORD PINCHOT.

Mr. SHREINER. Mr. Speaker, I move that his Excellency, the Governor, be invited to address the General Assembly this afternoon at 4 o'clock.

The motion was agreed to.

RESOLUTION

COMMITTEE TO ESCORT SENATE TO HALL OF HOUSE.

Mr. HEFFERNAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, December 5, 1933.

Resolved, That the Chair appoint a Committee of two to escort the Members of the Senate to the Hall of the House, Tuesday, December 5, 1933, at four o'clock in the afternoon, for the purpose of attending a Joint Session of the General Assembly.

COMMITTEE APPOINTED TO ESCORT SENATE TO HALL OF HOUSE

The SPEAKER. The Chair appoints as a Committee on the part of the House to wait upon the Senate and escort that body to the Hall of the House Messrs. Heffernan and Heffner.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of te Senate which were laid upon the table.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follow:

HOUSE BILL No. 13.

An Act to amend certain sections of the act approved the fifth day of May one thousand nine hundred thirty-three (Act number one hundred four) entitled "An act imposing a State Tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" by restricting the provisions of the act to malt liquors as defined therein and clarifying certain provisions of the act

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mr. GRIFFITH, from the Committee on Counties, reported as committed, House Bill No. 85, entitled:

An Act to amend section one hundred and seventy-one of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," as amended; by decreasing and limiting the compensation of the members of the board of viewers in counties of the fourth class.

Mr. SHETTEL, from the Committee on Counties, reported as committed, House Bill No. 107, entitled:

An Act to amend the act, approved the thirty-first day of May, one thousand nine hundred and thirty-three (P. L. 1134), entitled "An act adjourning county treasurers sales of seated and unseated lands in counties of the fourth class to be held in the year one thousand nine hundred thirty-three until the time fixed by law for such sales in the year one thousand nine hundred and thirty-four or any later date to which such sales may be adjourned; and suspending existing laws;" providing for the adjournment of such tax sales in the year one thousand nine hundred and thirty-four.

RESOLUTION NO. 6.

Mr. HABBYSHAW. Mr. Speaker, I desire to call up at this time Resolution No. 6, Printer's No. 33.

The resolution was read by the Clerk as follows:

In the House of Representatives, November 27, 1933.

Whereas Under the general rules and regulations issued by the Federal Civil Works Administration of Pennsylvania (Number one issued November twentieth one thousand nine hundred and thirty-three) it is made clear that local and State Governments are expected to cooperate and contribute to the projects to be carried on under the Federal Civil Works Administration it being specifically stated in such rules and reglations paragraph six as follows

"The greater the contribution the local government makes in supplying materials and supervision the more speedily will this program be put in operation * * *" and

Whereas Many local governments in communities in which the need is greatest are not in a position financially to make any contributions to such projects and

Whereas It is of paramount importance that projects be instituted in such communities with the greatest possible speed and

Whereas The amount of contributions desired by the Federal agency seems to be about ten per centum of the amount to be expended therefore be it

Resolved (if the Senate concur) That the General Assembly of the Commonwealth of Pennsylvania urge and suggest to the State Emergency Relief Board that said board

(a) Ascertain from the proper Federal authorities the amount of money intended to be spent in the Commonwealth of Pennsylvania through the Federal Civil Works Administration

(b) Ascertain from such authorities the corresponding amount which will be expected to be expended by State and local governments

(c) Set aside from the funds for relief purposes in the possession or to come into the possession of the board sufficient moneys to enable expected contributions to be made for local relief projects by the State Emergency Relief Board in worthy cases

(d) Immediately establish and put into effect a system whereby political and municipal subdivisions of this Commonwealth may apply to the State Emergency Relief Board or such agencies as may be established or designated by the board for State assistance to such political and municipal subdivisions in order that they may cooperate with the Federal Civil Works Administration in local civil works projects and be it further

Resolved That since the program for Federal Civil Works is intended to expire of February fifteenth one thousand nine hundred and thirty-four the General Assembly urges upon the Board the necessity for haste and be it further

Resolved That copies of this resolution shall immediately upon adoption be furnished the members of the State Emergency Relief Board

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION NO. 3.

Miss BRANCATO. Mr. Speaker, I desire to call up at this time Resolution No. 3, Printer's No. 19.

The resolution was read by the Clerk as follows:

In the House of Representatives, November 22, 1933.

Whereas The work of the United States Government in the Frankford Arsenal at Philadelphia is of such a nature as to require modern machine tools and equipment to cost approximately seven hundred and fifty thousand dollars ($750,000) more properly and economically to manufacture and perfect those items of ordnance material as may best serve the United States by their use as manufactured or as models for manufacture therefore be it

Resolved (if the Senate concur) That the attention of the Representatives of Congress from Pennsylvania be hereby invited to the need for said modern machine tools and equipment and that said Representatives are hereby respectfully urged to divert the necessary funds from moneys now appropriated or to secure the appropriation of funds at the forthcoming session of Congress for the procurement of such modern or up-to-date machine tools and equipment for Frankford Arsenal as may be recommended by the Secretary of War

Resolved That the Federal Emergency Administrator of Public Works be urged to allocate the necessary funds to Frankford Arsenal as authorized by Section two hundred and two of the National Industrial Recovery Act which states "provision for original equipment for the merchanization or motorization of such army tactical units as he (the President) may designate"

Resolved That a copy of this resolution be furnished the President the Secretary of War the Assistant Secretary of War the Federal Emergency Administrator of Public Works each Senator and Representative in Congress from Pennsylvania the Chief of Staff United States Army and the Chief of Ordnance United States Army

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

MODIFYING QUALIFICATIONS FOR POSITIONS IN LIQUOR STORES

Mr. QUINN offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, December 5, 1933.

Whereas, A knowledge of trigonometry, ability to explain the formation of an archipelago, define etymology or evolution is not essential in selling liquor, and

Whereas, The requirements of a college or high school education as a necessary qualification to a position in Pennsylvania State Liquor Stores eliminates a vast number of men who by training, experience and practical business knowledge makes them desirable for such positions,

Therefore, Be It Resolved, That a grade school education be sufficient qualification for positions in Pennsylvania Liquor Stores, and all other educational tests be waived by the examining board.

REQUESTING INFORMATION FROM DEPARTMENT OF BANKING

Mr. SARIG offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, December 5, 1933.

Whereas, Many thousands of depositors in closed State banks in Pennsylvania have suffered great losses and the liquidation of these closed institutions has dragged on slowly over a period of many months, and meanwhile heavy administration costs have added further to the losses suffered by depositors; and

Whereas, A sum said to exceed $250,000,000, the distribution of which would help relieve the financial stringency suffered by thousands of depositors, is held in closed State banks; and

Whereas, The Federal Government has available and stands ready to advance immediately a loan of $100,000,000 to aid in the distribution of the funds due depositors in closed banks; therefore be it

Resolved, That the House of Representatives of the General Assembly of Pennsylvania, in Special Session assembled, demand that the Secretary of the Department of Banking be required to furnish forthwith to the House an explanation of the delay by the Department of Banking in liquidating closed banks and the failure of the Department to take advantage of the offer of the Federal Government.

COMMITTEE TO INVESTIGATE EASTERN PENITENTIARY

Mr. BALDI offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, December 5, 1933.

Whereas, Several serious outbreaks have occurred recently at the Eastern Penitentiary in Philadelphia; and

Whereas, The public is entitled to know whether such outbreaks are the result of negligence in the management of said institution, and due to conditions which have existed for some time, or whether they were unavoidable and due to the character of prisoners detained in said institution; therefore be it

Resolved (if the Senate concur), That the Speaker of the House of Representatives shall appoint three members, and the President Pro Tempore shall appoint two Senators, who together shall constitute a joint legislative committee whose duty it shall be to make a searching and impartial investigation of conditions existing at the Eastern Penitentiary, and to determine the causes of the recent outbreaks among the prisoners in said institution and to make report of its findings and recommendations to the General Assembly not later than February 1st, 1935;

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

RESOLUTION NO. 8.

Mr. JOHN E. BROWN. Mr. Speaker, I desire to call up at this time Resolution No. 8, Printer's No. 54.

The resolution was read by the Clerk as follows:

In the House of Representatives, December 4, 1933.

Whereas, His Excellency the Governor cognizant of the needs of the people of the Commonwealth has called the General Assembly into extraordinary session to consider legislation set forth in thirteen items in his proclamation and covering many subjects of needed legislation and

Whereas, The Members of the House of Representatives fully recognize their responsibility like Israel Putman of old their plows are in the furrows and they stand ready to do their part and

Whereas, Various standing committees are taking little or no action on bills referred to them thereby throttling needful legislation having time for deliberation and consideration of this legislation Shall we like Nero fiddle while Rome burns therefore be it

Resolved, That this House shall not consider the fixing of a day for final adjournment of this Extraordinary Session until all bills introduced are reported to the House for its action and until all the purposes for which this session has been called have been accomplished

On the question,

Will the House adopt the resolution?

RESOLUTION COMMITTED.

Mr. HUTTON. Mr. Speaker, I move that this Resolution be committed to the Committee on Rules.

The motion was agreed to.

RESOLUTION NO. 4.

Mr. LANE. Mr. Speaker, I desire to call up at this time Resolution No. 4, Printer's No. 21.

The resolution was read by the Clerk as follows:

In the House of Representatives, November 27, 1933.

Whereas, In many cases boats on rivers are operated in open competition with railroad transportation and

Whereas, Boats so operated are not compelled to maintain rights of way in the manner required of railroads and as a consequence can offer lower rates for transportation and

Whereas, The belief prevails that river transportation is not subjected to a burden of Federal and State taxation equal to that imposed on railroads and

Whereas, Railroad transportation is essential to the development of the commerce and business of the United States and

Whereas, River transportation is in most instances a matter of interstate commerce over which the Federal Government has control therefore be it

Resolved (if the Senate concur), That the General Assembly memoralize Congress of the United States to enact legislation which will equalize the burden of taxation between river and railroad transportation in order to enable railroads to secrue a fair share of the business

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the House of Representatives to the President of the Senate and Speaker of the House of Representatives of the United States

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION NO. 9.

Mr. FITZGERALD. Mr. Speaker I desire to call up at this time Resolution No. 9, Printer's No. 55.

The resolution was read by the Clerk as follows:

In the House of Representatives, December 4, 1933.

Whereas The Roosevelt New Deal contemplates the carrying forward of the internal waterways system of the United States toward the ideals conceived by the forward looking statesmen of the Nation during the past quarter century and

Whereas The Mississippi River and its tributaries have been made available for the navigation of vessels to East Brady via the Allegheny River a 9,000 mile waterway that is now in use carrying thousands of tons of freight and

Whereas The Congress of the United States has authorized the further development of the Allegheny River to at least Oil City with ten miles of the unfinished project already provided for and

Whereas Available engineering reports and regional economic surveys indicate the feasibility of a canal running from Franklin Pennsylvania to Lake Erie at the City of Erie and terminating in the Harbor of Presque Isle which is Pennsylvania's only lake port and

Whereas The completion of such an All-Pennsylvania waterway as the Northern limit of the Mississippi-Ohio-Allegheny waterway would provide western Pennsylvania with a new artery of traffic for the interchange of the mineral and agricultural products of the great northwest and the mineral and manufactured products of the Commonwealth of Pennsylvania and exchange of our mineral and agricultural products with the agricultural products of the great South and

Whereas The actual construction of a waterway from Franklin Pennsylvania to Erie Pennsylvania during the period of construction would provide employment for thousands of presently unemployed Pennsylvanians and

Whereas Permanent benefits and wealth would be added to Pennsylvania by reason of the existence and operation of such a waterway and

Whereas The said All-Pennsylvania route may be constructed at a cost of less than fifty per centum of the cost of constructing any other proposed alternate route and

Whereas The All-Pennsylvania canal is the shortest route of any of those proposed by at least fifty miles and

Whereas The selection of any other route connecting the Mississippi Valley with the Great Lakes would involve the building of a harbor on Lake Erie at a tremendous and needless outlay of Federal money and

Whereas There is at Erie a natural landlocked harbor now available and affording complete terminal facilities for any volume of commerce which may desire to utilize said proposed Pennsylvania canal and

Whereas The said route would utilize Pennsylvania waters in Pennsylvania and

Whereas These several other routes proposed depend entirely upon Pennsylvania watersheds to make these several projects navigable and

Whereas Under the National Industrial Recovery Act the Public Works Administration is in control of funds for the purpose and is desirous of expending funds for such purposes as the development of inland waterways and

Whereas It is apparently the desire of His Excellency the President of the United States and the Honorable Harold L Ickes Public Works Administrator to speed the use of funds appropriated to the Public Works Administration for purposes of this character and

Whereas Pennsylvania pays the second largest amount of taxes into the Federal Treasury and should be rightfully considered in the development of this project as proposed therefore be it

Resolved (if the Senate concur) That the General Assembly of the Commonwealth of Pennsylvania do respectfully petition His Excellency the Honorable Franklin D Roosevelt President of the United States to authorize the completion of the Allegheny River project and the building of a canal from Franklin Pennsylvania to the City of Erie on Lake Erie in Pennsylvania and be it further

Resolved That the General Assembly further memorialize United States Senators from Pennsylvania and the Congressmen from Pennsylvania to use their best offices to bring about the immediate approval of this All-Pennsylvania project

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 8

An Act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 3, page 6, line 2, by striking out at the beginning of the line the word "Every" and inserting in lieu thereof the following: "except as otherwise in this act provided every"; also in line 25, by inserting after the word "of" the words "manufacturing or."

Amend section 3, page 7, by inserting after line 4 the following paragraph:

"Provided however that the rate of tax on the privilege of manufacturing producing or distilling in this Commonwealth distilled spirits or wines until January first one thousand nine hundred thirty-four shall be two dollars on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon and that until January first one thousand nine hundred thirty-four the tax of thirty cents ($.30) per proof gallon or wine gallon when below proof shall not be imposed for the privilege of rectifying spirits"

Also at the beginning of line 5 by striking out the word "Every" and inserting in lieu thereof the following: "except as otherwise in this act provided every"; also in section 3, page 8, line 6, by inserting after the word "gallon" the following:

"Unless a floor tax shall have been paid upon such distilled spirits rectified spirits or wines under the provisions of Act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties

"Also provided that the tax imposed by this clause shall not be payable on any distilled spirits and wines used by the importer in this Commonwealth in the manufacture of rectified spirits which are exempt from tax under the provisions of this act"

Amend section 4, page 9, line 19, by striking out after the word "taxes" the word "made."

Amend section 6, line 26, page 11, by inserting after the word "and" the words "until January first one thousand nine hundred and thirty-four"; also in line 28, by inserting after the word "and" the words "unless such spirits or wines are tax exempt."

Amend section 7, page 12, line 11, by inserting after the word "Commonwealth" the following: "unless a label has already been affixed to such container evidencing the payment of the floor tax imposed by Act No. 1 approved November 22 1933."

Amend section 13, page 16, line 4, by inserting after the word "act" the following: "or of Act number one approved November twenty-two one thousand nine hundred thirty-three."

Amend section 19, page 19, line 3, by striking out after the word "any" the word "scientific"; also in lines 4 and 5 by striking out the words "for use of"; also in line 5, by striking out after the word "hospital" the word "or"; also same line by inserting after the word "sanatorium" the word "or."

Amend section 21, page 19, line 24, by inserting after the word "of" the word "producing"; also in line 25, by striking out after the word "manufacturing" the words "alcohol or liquor" and inserting in lieu thereof the words "distilling rectifying or compounding distilled spirits rectified spirits or wines"; also same line by striking out after the word "to" the words "a dealer in another" and inserting in lieu thereof the words "dealers outside of this"; also in line 28 by inserting after the word "the" the word "same"; also same line by striking out after the word "privilege" the words "of manufacturing"; also in line 29 by inserting after the word "state" the following: "or insular possession of the United States; also in same line by striking out after the word "which" the words "the Board finds to be" and inserting in lieu thereof the word "is"; also page 20, line 1, by inserting after the word "the" the word "production"; also same line by inserting after the word "manufacture" the words "distilling rectifying or compounding"; also in lines 1 and 2 by striking out the words "alcohol or liquor" and inserting in lieu thereof the following: "distilling rectifying or compounding distilled spirits rectified spirits or wines"; also in line 2 by inserting before the word "manufacturing" the word "producing"; also in line 3 by inserting after the word "state" the words "or insular possession"; also in lines 4 and 5 by striking out the words "the manufacture of such alcohol or liquor when" and inserting in lieu thereof the words "such privilege when the product is"; also in line 5 by inserting after the word "state" the words "or possession"; also in line 7 by striking out the following: "after the Board has found that any state is in competition as hereinbefore set forth and the facts which would warrant a refund under the preceding clause it may certify such facts to the Department" and inserting in lieu thereof the following:

"Any producer manufacturer distiller rectifier or compounder of distilled spirits rectified spirits or wines may at any time file with the Board a petition setting forth the same facts which would be necessary to sustain a claim for refund under clause (a) hereof and requesting the Board to certify its findings to the department If the Board shall find that any state is in competition as alleged in the petition it shall immediately certify its finding to the department together with such facts as are pertinent"

Also on same page, by inserting after line 22 the following paragraph:

"(d) Upon the refusal of the Board to grant refunds or certify findings and facts to the department any person aggrieved thereby may institute mandamus proceedings in the Court of Common Pleas of Dauphin County"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—193

Andrews,	Habbyshaw,	McCreary,	Sheffer,
Baker,	Haines,	McElwee,	Shellenberger,
Baldi,	Hamilton,	McGinnis,	Shenkel,
Barnhardt,	Harmuth,	McGregor,	Shettel,
Bechtel,	Harris,	McHenry,	Shortz,
Beech,	Hart,	McKay,	Shreiner,
Bennett,	Hartman,	McKinney,	Simon,
Bernhard,	Heffernan,	Meredith,	Sinwell,
Blumberg,	Hefferon,	Merrell,	Snyder,
Boyd,	Heffner,	Mohn,	Spann,
Brancato,	Hermansen,	Mumford,	Stank,
Brennan,	Hester,	Munley,	Steedle
Brown, J. E.,	Hewitt,	Murphy,	Sterling, P.,
Brown, W. L.,	Himes, H. E.,	Negley,	Sterling, R. B.,
Brownfield,	Himes, L. R.,	Nothnagle,	Stevens,
Cannon,	Hoffman,	O'Connor,	Stevenson,
Caputo,	Holmes, J. B.,	O'Keefe,	Stiteler,
Carey,	Holmes, J. L.,	O'Neill,	Storb,
Carson,	Hoopes,	O'Rourke,	Stott,
Chervenak,	Horst,	Patterson,	Surface,
Cohen,	Hough,	Peelor,	Tahl,
Cooke,	Howard,	Pennock,	Terry,
Cordier,	Hutton,	Perry, D. R.,	Trout,
Craig,	Jaffe,	Perry, J. J.,	Turner,
Cramer,	Jones,	Peters,	Wade,
Dane,	Kane, J. J.,	Powell,	Wagner,
DeFrehn,	Kane, L. P.,	Powers,	Walker, G. E.,
Denning,	King,	Price,	Walker, W. A.,
Downey, G. E.,	Kinney,	Quinn,	Wall,
Duffy,	Labar,	Raub,	Wasserman,
Dunmire,	Lane,	Rectenwald,	Way,
Ederer,	Laubach,	Reed,	Weidemann,
Emhardt,	Lenahan,	Reilly,	Welsh,
Eroe,	Lewis,	Rhodes,	Westrick,
Evans,	Long,	Rice,	White,
Fitzgerald,	Lord,	Roan,	Wike,
Flanagan,	Lose,	Root,	Williams, G. W.,
Fleisher,	Lovett, J. E.,	Roth,	Williams, J. J.,
Flinchbaugh,	Lovett, W. S.,	Royle,	Wilson, L. M.,
Flynn, J. M.,	Lynch, J. R.,	Ruby,	Wilson, T. B.,
Flynn, J. W.,	Lynch, M.,	Ruth,	Witkin,
Forrest,	Male,	Sarig,	Wood,
Furman,	Malina,	Sautter,	Woodside,
Gallagher, T. J.,	Maloney,	Schrock,	Wright,
Gallagher, W. J.,	Marcks,	Schrope,	Yeakel,
Gartner,	Mason,	Schwab,	Zimmerman,
Gillette,	McBride,	Schwartz,	Talbot,
Gorman,	McCandless,	Scorza,	Speaker.
Griffith,	McClure,	Scott,	

NAYS—7

Conner,	Melchiorre,	Myers,	Sowers,
Greenstein,	Moore,	Shugarts,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 17

An Act to amend the title and certain sections of the act approved the nineteenth day of February, one thousand nine hundred twenty-six (Pamphlet Laws, sixteen), entitled "A supplement to the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, thirty-four), entitled 'An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws'; providing for the registering of federal permits; also regulating, under permits, through a Pennsylvania Alcohol Permit Board created in the Department of Welfare, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, recovery, reuse, holding in bond, holding in storage by bailees for hire, sale at wholesale, and transportation for hire, of any alcohol or alcoholic liquid, by certain persons; also providing for fees and the disposition thereof; also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act," by providing that the act shall be administered by the Pennsylvania Liquor Control Board; making the act consistent with the repeal of the Eighteenth Amendment, changing definitions and exemptions, bringing rectifiers and blenders within the act, allowing appeals to the courts providing for the abatement of nuisances, and increasing fees.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 2, page 11, line 25, by inserting after the word "liquid" the following: "or the sale of any alcohol or alcoholic liquid for use in the manufacture or compounding of preparations unfit for beverage purposes"; also in line 26 by striking out after the word "used" the following: "or the sale of any alcohol or alcoholic liquid for use in the manufacture or compounding of preparations unfit for beverage purposes."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Andrews,	Habbyshaw,	McGinnis,	Shenkel,
Baker,	Haines,	McGrail,	Shettel,
Baldi,	Hamilton,	McGregor,	Shortz,
Leichardt,	Hammith,	McHenry,	Shreiner,
Bechtel,	Harris,	McKay,	Shugarts,
Beech,	Hart,	McKinney,	Simon,
Bennett,	Hartman,	Melchiorre,	Sinwell,
Bernhard,	Heffernan,	Meredith,	Snyder,
Blumberg,	Hefferon,	Merrell,	Spann,
Boyd,	Heffner,	Mohn,	Stank,
Brancato,	Hermansen	Mumford,	Steedle,
Brown, J. E.,	Hester,	Munley,	Sterling, P.,
Brown, W. L.,	Hewitt,	Murphy,	Sterling, R. B.,
Brownfield,	Himes, H. E.,	Negley,	Stevens,
Cannon,	Hoffman,	Nothnagle,	Stevenson,
Caputo,	Holmes, J. B.,	O'Keefe,	Stiteler,
Carey,	Holmes, J. L.,	O'Neill,	Stone,
Carson,	Hoopes,	O'Rourke,	Storb,
Chervenak,	Horst,	Patterson,	Stott,
Cohen,	Hough,	Peelor,	Surface,
Cooke,	Howard,	Pennock,	Terry,
Cordier,	Hutton,	Perry, D. R.,	Trout,
Craig,	Jaffe,	Perry, J. J.,	Turner,
Cramer,	Jones,	Peters,	Wade,
Dane,	Kane, J. J.,	Powell,	Wagner,
Davies,	Kane, L. P.,	Powers,	Walker, G. E.,
Denning,	King,	Price,	Walker, W. A.,
Downey, G. E.,	Kinney,	Raub,	Wall,
Downey, J. J.,	Labar,	Rectenwald,	Wasserman
Duffy,	Lane,	Reed,	Way,
Dunmire,	Laubach,	Reilly,	Wasserman,
Ederer,	Lenahan,	Rhodes,	Welsh,
Emhardt,	Lewis,	Roan,	Westrick,
Eroe,	Long,	Root,	White,
Evans,	Lose,	Roth,	Wise,
Fitzgerald,	Lovett, J. E.,	Royle,	Williams, G. W.,
Flanagan,	Lovett, W. S.,	Ruby,	Williams, J. J.,
Flinchbaugh,	Lynch, J. R.,	Ruth,	Wilson, L. M.,
Flynn, J. M.,	Lynch, P.,	Sarig,	Wilson, T. B.,
Flynn, J. W.,	Male,	Sautter,	Witkin,
Forrest,	Malina,	Schrock,	Wood,
Furman,	Maloney,	Schrope,	Woodside,
Gallagher, T. J.,	Marcks,	Schwab,	Wright,
Gallagher, W. J.,	Mason,	Schwartz,	Yeakel,
Gartner,	McBride,	Scorza,	Yourishin,
Gillette,	McCandless,	Scott,	Zimmerman,
Gorman,	McClure,	Sheffer,	Talbot,
Green,	McCreary,	Shellenberger,	Speaker.
Griffith,	McElwee,		

NAYS—6

Conner,	Moore,	Sowers,	Tohl,
Greenstein,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments are concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 62, entitled:

A Supplement to the act number three hundred-A approved the third day of June one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to certain administrative departments

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 73, entitled:

An Act to regulate the sale and delivery of coal coke petroleum coke briquettes and other solid fuels providing for the appointment of public weighmasters prescribing their powers and duties imposing certain duties on the Department of Internals Affairs and providing penaltics

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 128, entitled:

An Act to amend section one of article one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet aws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith as amended empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 129, entitled:

An Act to amend section three of article twenty-eight of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending the provisions of said act to all bituminous coal mines employing five or more persons and empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 113 (Senate Bill No. 16), entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," making an appropriation for the payment of certain expenses of the General Assembly convened in Extraordinary Session on the thirteenth day of November, one thousand nine hundred thirty-three.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 45, entitled:

An Act making home loan bonds issued by the United States Government legal investments for trust funds

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That executors administrators guardians and trustees are hereby authorized to exchange mortgages which are in default and which are in their possession or under their control for home loan bonds are hereby declared to be legal investments of bonds issued by the United States Government and such moneys by executors administrators guardians and other trustees for such purposes

On the question,

Will the House agree to the section?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, line 4, by striking out the word "and."

Amend Sec. 1, page 1, line 4, by inserting after the word "trustees" the following: "building and loan associations, banks, banks and trust companies, trust companies, insurance companies, associations and exchanges"

Amend Sec. 1, page 1, line 8, by inserting after the word "bonds" the following: "issued by the Federal Home Owners' Loan Corporation and such bonds"

Amend Sec. 1, page 1, line 9, by striking out the entire said line.

Amend Sec. 1, page 1, line 10, by striking out the words "and other."

Amend Sec. 1, page 1, line 11, by inserting after the word "trustees" the following: "building and loan associations, banks, banks and trust companies, trust companies, insurance companies, associations and exchanges"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections were separately read and agreed to as follows:

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

The title was read as follows:

An Act making home loan bonds issued by the United States Government legal investments for trust funds

On the question,

Will the House agree to the title?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, lines 1 and 2, by striking out the words "United States Government" and inserting in lieu thereof: "Federal Home Owners' Loan Corporation"

Amend title, page 1, line 2, by adding at the end thereof, after the word "funds" the following: "and other purposes in certain cases"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 125, entitled:

An Act for the protection of the health safety and welfare of women and minors in any occupation trade or industry ex-

cept domestic service in private homes and farm labor by regulating under the police power of the Commonwealth the minimum wage which shall be paid to such women and minors providing for wage boards their powers and the procedure to determine the necessity for and to establish the minimum wage standard in any industry where the health safety and welfare of women and minors is jeopardized by the payment of an oppressive and unreasonable wage creating powers and imposing duties on the Department of Labor and Industry the Secretary of Labor and Industry and such director as he may appoint to carry out this act imposing certain duties on employers and requiring certain records to be kept and information to be furnished by him permitting publication after hearing of the names of violators of minimum wage standards prohibiting contracts for and payment of less than the minimum wage standards and providing penalties

The first section was read as follows:

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

Section 1 The following terms shall be construed to have the following meaning except in those instances where the context clearly indicates otherwise

(a) "Secretary" shall mean the Secretary of Labor and Industry

(b) "Director" shall mean the director or any deputy director of the minimum wage division which shall be set us as a separate division in the Department of Labor and Industry by the Secretary with a director in charge and with such deputy directors and other assistants and employes as the Secretary may deem desirable

(c) "Wage Board" shall mean a board created as provided in section five of the act

(d) "Women" shall mean females of twenty-one years or over

(e) "Minor" shall mean a person of either sex under the age of twenty-one years

(f) "Occupation" shall mean an industry trade business or branch thereof or class of work therein in which women or minors are gainfully employed but shall not include domestic service in private homes or labor on a farm

(g) "An oppressive and unreasonable wage" shall mean a wage which is both less than the fair and reasonable value of the services rendered and less than sufficient to meet the minimum cost of living necessary for health

(h) "A fair wage" shall mean a wage fairly and reasonably commensurate with the value of the service or class of service rendered In establishing a minimum fair wage for any service or class of service under this act the Secretary and the wage board without being bound by any technical rules of evidence or procedure (1) may take into account all relevant circumstances affecting the value of the service or class of service rendered and (2) may be guided by like considerations as would guide a court in a suit for the reasonable value of services rendered where services are rendered at the request of an empoyer without contract as to the amount of the wage to be paid and (3) may consider the wages paid in the Commonwealth for work of like or comparable character by employers who voluntarily maintain minimum fair wage standards

(i) "A directory order" shall mean an order the non-observance of which may be published as provided in section nine of this act

(j) "A mandatory order" shall mean an order the violation of which shall be subject to the penalties prescribed in section fifteen (b) of this act

On the question,

Will the House agree to the section?

Mr. FITZGERALD. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 1, paragraph (f), on page 2, by inserting in line 26, after the word "farm," the following: "or newspaper boys lawfully engaged in the business of buying and selling exposing or offering for sale any newspaper magazine periodical or other publication"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Mr. EDERER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 3, line 20, by adding after the word "standards" the following: "but (4) in no case shall a fair wage established under the provision of this act be higher than the minimum wage paid for like work in a like industry in any other state of the United States"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 It is hereby declared to be against public policy for any employer to employ any woman or minor in an occupation in this Commonwealth at an oppressive and unreasonable wage as defined in section one of this act and any contract agreement or understanding for or in relation to such employment shall be null and void

On the question,

Will the House agree to the section?

Mr. FITZGERALD. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 2, page 4, by adding after line 3, the following:

"Provided: This section or any other provision of this statute shall not apply to newspaper boys lawfully engaged in the business of buying and selling exposing or offering for sale any newspaper magazine periodical or other publication"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third to the fifteenth sections inclusive were separately read and agreed to as follows:

Section 3 The Secretary or the director or any authorized representative of the director shall have full power and authority

(a) To investigate and ascertain the wages of women and minors employed in any occupation in the Commonwealth

(b) To enter the place of business or employment of any employer of women and minors in any occupation for the purpose of examining and inspecting any and all books registers payrolls and other records of any employer of women or minors that in any way appertain to or have a bearing upon the question of wages of any such women or minors and for the purpose of ascertaining whether the orders of the Secretary have been and are being complied with and

(c) To require from such employer full and correct statements in writing when the Secretary or the director or any

authorized representative of the director deems necessary of the wages paid to all women and minors in his employment

Section 4 The Secretary or the director shall have the power and it shall be the duty of the Secretary on the petition of fifty or more residents of the Commonwealth to cause an investigation to be made by the director or any authorized representative of the director of the wages being paid to women or minors in any occupation to ascertain whether any substantial number of women or minors and such occupation are receiving oppressive and unreasonable wages as defined in section one If on the basis of information in the possession of the Secretary or the director with or without a special investigation the Secretary is of the opinion that any substantial number of women or minors in any occupation or occupations are receiving oppressive and unreasonable wages as defined in section two he shall appoint a wage board to report upon the establishment of minimum fair wage rates for such women or minors in such occupation or occupations

Section 5 (a) A wage board shall be composed of not more than three representatives of the employers in any occupation or occupations an equal number of representatives of the employes in such occupation or occupations and of not more than three disinterested persons representing the public one of whom shall be designated as chairman The Secretary after conferring with the director shall appoint the members of such wage board the representatives of the employers and employes to be selected so far as practicable from nominations submitted by employers and employes in such occupation or occupations Two-thirds of the members of such wage board shall constitute a quorum and the recommendations or report of such wage board shall require a vote of not less than a majority of all its members Members of a wage board shall serve without pay but may be reimbursed for all necessary traveling expenses The Secretary after conferring with the director shall make and establish from time to time rules and regulations governing the selection of a wage board and its mode of procedure not inconsistent with this act

(b) A wage board shall have power to adminster oaths and to require by subpoena the attendance and testimony of witnesses the production of all books records and other evidence relative to any matters under investigation Such subpoenas shall be signed and issued by the chairman of the wage board and shall be served and have the same effect as if issued out of a court of common pleas A wage board shall have power to cause depositions of witnesses residing within or without the Commonwealth to be taken in the manner prescribed for in like depositions in civil actions in the courts of common pleas

(c) The Secretary or the director shall present to a wage board promptly upon its organization all the evidence and information in the possession of the Secretary or director relating to the wages of women and minor workers in the occupation or occupations for which the wage board was appointed and all other information which the Secretary or the director deems relevant to the establishment of a minimum fair wage for such women and minors and shall cause to be brought before the committee any witnesses whom the Secretary or the director deems material A wage board may summon other witnesses or call upon the Secretary or the director to furnish additional information to aid it in its deliberations

All witnesses subpoened by the wage board shall be paid the fees and mileage fixed by law in civil cases In case of failure on the part of any person to comply with any subpoena of the wage board or upon the refusal of any witness to testify to any matter regarding which he may lawfully be interrogated before any wage board it shall be the duty of the Court of Common Pleas of Dauphin County on the application of the chairman of the wage board to compel obedience in the same manner that such obedience would be compelled by contempt proceedings or otherwise in a proceeding pending before said court

(d) Within sixty days of its organization a wage board shall submit a report including its recommendations as to minimum fair wage standards for the women or minors in the occupation or occupations the wage standards of which the wage board was appointed to investigate If its report is not submitted within such time the Secretary may constitute a new wage board

(e) A wage board may recommend a suitable scale of rates for learners and apprentices in any occupation or occupations which scale of learners' and apprentices' rates may be less than the regular minimum fair wage rates recommended for experienced women or minor workers in such occupation or occupations

Section 6 A report from a wage board shall be submitted to the Secretary who shall within ten days confer with the director and accept or reject such report If the report is rejected the Secretary shall resubmit the matter to the same wage board or to a new wage board with a statement of the reasons for the resubmission If the report is accepted it shall be published together with such proposed administrative regulations as the Secretary after conferring with the director may deem appropriate to implement the report of the wage board and to safeguard the minimum fair wage standards to be established and notice shall be given of a public hearing to be held by the Secretary or the director not less than fifteen nor more than thirty days after such publication at which all persons in favor of or opposed to the recommendations contained in such report or in such proposed regulations may be heard

Section 7 Within ten days after such hearing the Secretary shall confer with the director and approve or disapprove the report of the wage board If the report is disapproved the Secretary may resubmit the matter to the same wage board or to a new wage board If the report is approved the Secretary shall make a directory order which shall define minimum fair wage rates in the occupation or occupations as recommended in the report of the wage board and which shall include such proposed administrative regulations as the Secretary may deem appropriate to implement the report of the wage board and to safeguard the minimum fair wage standards established Such administrative regulations may include among other things regulations defining and governing learners and apprentices their rates piece rates or their relations to time rates overtime or part-time rates bonuses or special pay for special or extra work deductions for board lodging apparel or other items or services supplied by the employer and other special conditions or circumstances In view of the diversities and complexities of different occupations and the dangers of evasion and nullification the Secretary may provide in such regulations without departing from the basic minimum rates recommended by the wage board such modifications or reductions of or addition to such rates in or for such special cases or classes of cases as those herein enumerated as the Secretary may find appropriate to safeguard the basic minimum rates established

Section 8 For any occupation for which minimum fair wage rates have been established the Secretary or the director may cause to be issued to a woman or minor including a learner or apprentice whose earning capacity is impaired by age or physical or mental deficiency or injury a special license authorizing employment at such wages less than such minimum fair wage rates and for such period of time as shall be fixed by the Secretary or the director and stated in the license

Section 9 If the Secretary or the director or any authorized representative of the director has reason to believe that any employer is not observing the provisions of any order made by him under section seven of this act the Secretary or the director may on fifteen days' notice summon such employer to appear before the Secretary or the director to show cause why the name of such employer should not be published as having failed to observe the provisions of such order After such hearing and the finding by the Secretary or the director of nonobservance the Secretary may cause to be published in a newspaper or newspapers circulating within the Commonwealth of Pennsylvania or in such other manner as the Secretary may deem appropriate the name of any such employer or employers as having failed in the respects stated to observe the provisions of the director order of the Secretary Neither the Secretary nor any authorized representative of the Secretary nor any newspaper publisher proprietor editor nor employe thereof shall be liable to an action for damages for publishing the name of any employer as provided for in this act unless guilty of some wilful misrepresentation

Section 10 If at any time after a directory minimum fair wage order has been in effect for two months the Secretary is of the opinion after conferring with the director that the persistent nonobservance of such order by one or more employers is a threat to the maintenance of fair minimum wage standards in any occupation or occupations the Secretary or the director may give notice of the intention of the Secretary to

make such order mandatory and of a public hearing to be held not less than fifteen nor more than thirty days after such publication At such hearing all persons in favor of or opposed to a mandatory order may be heard by the Secretary or the director After such hearing the Secretary if he adheres to his opinion may make the previous directory order or any part thereof mandatory and so publish it

Section 11 At any time after a minimum fair wage order has been in effect for one year or more whether during such period it has been directory or mandatory the Secretary may on his own motion after conferring with the director and shall on petition of fifty or more residents of the Commonwealth reconsider the minimum fair wage rates set therein and reconvene the same wage board or appoint a new wage board to recommend whether or not the rate or rates contained in such order should be modified The report of such wage board shall be dealt with in the manner prescribed in sections six and seven of this act provided that if the order under reconsideration has theretofore been made mandatory in whole or in part by the Secretary under section ten then the Secretary in making any new order or confirming any old order shall have power to declare to what extent such order shall be directory and to what extent mandatory

Section 12 The Secretary may at any time and from time to time after conference with the director propose such modifications of or additions to any administrative regulations included in any directory or mandatory order of the Secretary without reference to a wage board as the Secretary may deem appropriate to effectuate the purposes of the act provided such proposed modification or additions could legally have been included in the original order and notice shall be given of a public hearing to be held by the Secretary or director not less than fifteen days after such publication at which all persons in favor of or opposed to such proposed modifications or additions may be heard After such hearing the Secretary may make an order putting into effect such proposed modifications of or additions to the administrative regulations as he deems appropriate If the order of which the administrative regulations form a part has theretofore been made mandatory in whole or in part by the Secretary under section ten then the Secretary in making any new order shall have the power to declare to what extent such order shall be directory and to what extent mandatory

Section 13 All questions of fact arising under this act except as otherwise provided shall be decided by the Secretary or the director and there shall be no appeal from the decision of the Secretary or the director on any such question of fact but any person firm or corporation aggrieved shall have the right to appeal to the Court of Common Pleas of Dauphin County from any ruling or holding on a question of law included or embodied in any decision or order of the Secretary or the director

Section 14 Every employer of women and minor workers shall keep a true and accurate record of the hours worked by each the wages paid by him to each and shall furnish to the Secretary or the director or the authorized representative of the director upon demand a sworn statement of the same Such records shall be open to inspection by the Secretary or the director or any authorized representative of the director at any reasonable time. Every employer subject to a minimum fair wage order whether directory or mandatory shall keep a copy of such order posted in a conspicuous place in every room in which women or minors are employed Employers shall be furnished copies of orders on request without charge

Section 15 (a) Any employer and his agent or the officer or agent of any corporation who discharges or in any other manner discriminates against any employe because such employe has served or is about to serve on a wage board or has testified or is about to testify before any wage board or in any other investigation or proceeding under or related to this act or because such employer believes that said employe may serve on any wage board or may testify before any wage board or in any investigation or proceeding under this act shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00)

(b) Any employer or the officer or agent of any corporation who pays or agrees to pay to any woman or minor employe less than the rates applicable to such woman or minor under a mandatory minimum fair wage order shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00) or by imprisonment of not less than ten nor more than ninety days or by both such fine and imprisonment Each week in any day of which such employe is paid less than the rate applicable to him under a mandatory minimum fair wage order and each employe so paid less shall constitute a separate offense

(c) Any employer or the officer or agent of any corporation who fails to keep the records required under this act or to furnish such records to the Secretary or the director or any authorized representative of the director upon request shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than twenty-five dollars ($2500) nor more than one hundred dollars ($100.000) Each day of each failure to keep the records requested under this act or to furnish same to the Secretary or the director or any authorized representative of the director shall constitute a separate offense

The sixteenth section was read as follows:

Section 16 If any woman or minor worker is paid by his employer less than the minimum fair wage to which he is entitled under or by virtue of a mandatory minimum fair wage order he may recover in a civil action the full amount of such minimum wage less any amount actually paid to him by the employer together with costs and such reasonable attorney's fees as may be allowed by the court Any agreement between him and his employer to work for less than such mandatory minimum fair wage shall be no offense to such action

On the question,

Will the House agree to the section?

Mr. FITZGERALD. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 16, page 15, line 3, by inserting at the end of the line after the word "action" the following new sentence: "At the request of any woman or minor worker paid less than the minimum wage to which he was entitled under a mandatory order the Secretary may take an assignment of such wage claim in trust for the assigning employe and may bring any legal action necessary to collect such claim and the employer shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventeenth and eighteenth sections were separately read and agreed to as follows:

Section 17 If any provisions of this act or the application thereof to any person or circumstances is held invalid the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby

Section 18 This act shall take effect immediately upon its approval by the Governor

The title was read as follows:

An Act for the protection of the health safety and welfare of women and minors in any occupation trade or industry except domestic service in private homes and farm labor by regulating under the police power of the Commonwealth the minimum wage which shall be paid to such women and minors providing for wage boards their powers and the procedure to determine the necessity for and to establish the minimum wage standard in any industry where the health safety and welfare of women and minors is jeopardized by the payment of an oppressive and unreasonable wage creating powers and imposing duties on the Department of Labor and Industry the Secretary of Labor and Industry and such director as he may appoint to carry out this act imposing certain duties on employers and requiring certain records to

be kept and information to be furnished by him permitting publication after hearing of the names of violators of minimum wage standards prohibiting contracts for and payments of less than the minimum wage standards and providing penalties

On the question,

Will the House agree to the title?

Mr. FITZGERALD. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend the title on page 1 by striking out of line 3 the word "and," thus: "[and]"

Amend the title on page 1 by inserting in line 4, after the word "labor," thus: "and newspaper boys"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 120, as follows:

An Act in aid of unemployment relief for the citizens of this Commonwealth by providing for providing for preference to citizens of this Commonwealth in employment upon public works of this Commonwealth conferring certain duties on the Department of Labor and Industry and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assmbly met and it is hereby enacted by the authority of the same That in aid of unemployment relief to the citizens of this Commonwealth it is hereby provided that in the erection construction enlargement or improvement of any public building or public works by the Commonwealth or by persons firms associations or corporations contracting with the Commonwealth preference in employment shall be given to citizens of the Commonwealth Persons other than citizens of the Commonwealth may be employed when citizens are not available In each contract for such erection construction enlargement or improvement a provision shall be inserted that if this act is wilfully violated the contractor shall be liable to a penalty in the nature of liquidated damages to be fixed by the State agency letting the contract

Section 2 The person or persons who may be by law empowered to enter into a contract for the erection enlargement or improvement of any public building or public work shall insert in such a contract a stipulation or covenant that that the provisions of section one of this act will be fully complied with

Section 3 Each contractor or sub-contractor shall keep a file of all employes showing the citizenship of each such employe which files shall be open at all times to the inspection of any duly authorized representative of the Department of Labor and Industry

Section 4 The Department of Labor and Industry shall be charged with the enforcement of this act and shall in the event that any contractor or sub-contractor fails to comply with or evades the provisions hereof bring such fact to the attention of the contracting agency of the State and the Department of Justice for proper action on said contract

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. History today is in the making in Pennsylvania, because at 12:00 o'clock noon the delegates elected to the constitutional convention for the repeal of the Eighteenth Amendment will meet at that hour in the Senate chamber.

If it is the will of this House, the Chair will be glad to declare a recess of sufficient length of time to permit the members to proceed to the chamber of the Senate for the purpose of attending the proceedings.

RECESS

Mr. STEEDLE. Mr. Speaker, I move that this House do now take a recess until 1:00 o'clock P. M. so that all of the members may participate by attendance in the exercises in the Senate chamber.

The motion was agreed to, and (at 11:45 o'clock A. M.) a recess was declared until 1:00 o'clock P. M.

AFTER RECESS

The House reconvened at 1:00 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PERMISSION GRANTED COMMITTEE TO SIT DURING SESSION OF HOUSE.

Mr. STEEDLE asked and obtained unanimous consent for the members of the Appropriation Committee together with the sponsors of House Bills Nos. 134 and 193, to attend a public hearing in the House Caucus Room on those bills.

RESOLUTION

COMMITTEE TO ASCERTAIN COST OF MANUFACTURE AND IMPORTATION OF ALCOHOLIC BEVERAGES.

Mr. GARTNER asked and obtained unanimous consent to offer the following resolution which was twice read and laid over under the rules:

In the House of Representatives, December 5, 1933.

Whereas, The General Assembly of this Commonwealth has enacted or will hereafter enact certain measures imposing taxes on distilled and rectified spirits and wines; and

Whereas, The General Assembly intended to fix the tax at such a point that the Commonwealth could receive necessary revenue, and legitimate dealers in alcoholic beverages could dispense them at a price which would eliminate bootleggers, racketeers and moonshiners by making their trade unprofitable; and

Whereas, It now appears that the price of legal liquors and wines to the consumer is going to be higher than that charged by illegal dispensers of such products; and

Whereas, It was the intention of this Legislature to make alcoholic beverages available to those who want them at a price which would stop illegal trading in them; and

Whereas, The Twenty-first Amendment to the Federal Constitution imposes on the States, meaning the Legislatures and Governors of the separate States, the power to control and regulate the handling of alcoholic beverages; therefore be it

Resolved (if the Senate concur), That a Joint Legislative Committee is hereby created to consist of three Members of the House to be appointed by the Speaker of the House, and two Senators to be appointed by the President Pro Tempore of the Senate, for the purpose of determining the exact cost of the manufacture and importation of spirituous alcoholic beverages and the price at which such beverages should be sold in order to make unprofitable the trade of those unlawfully engaged in the sale thereof.

The said committee shall organize immediately after the appointment of the members thereof, and shall make a report to the General Assembly as expeditiously as possible, and shall accompany the same with such suggestions as they may decide will effectualy discourage and prevent the illegal manufacture and sale of alcohol beverages; and be it further

Resolved. That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved. That the members of such committee shall be reimbursed for amounts actually expended for railroad fare and hotel accommodations, and shall have the power to appoint and fix the compensation of necessary stenographers, payments for which expenses and compensation shall be made out of an item to be inserted in an amendment to the General Appropriation Bill of 1933.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 8.

An Act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing, selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers, importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties.

HOUSE BILL No. 17.

An Act to amend the title and certain sections of the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws sixteen), entitled "A supplement to the act approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four), entitled 'An act concerning alcoholic liquors prohibiting the manufacture, advertising, furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties, forfeitures and the abatement of nuisances and depealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permits through a Pennsylvania Alcohol Pemit Board created in the Department of Welfare the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, recovery, reuse, holding in bond, holding in storage by bailees, for hire, sale at wholesale and transportation for hire of any alcohol or alcoholis liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid, also declaring certain places nuisances and providing for their abatement, also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by providing that the act shall be administered by the Pennsylvania Liquor Control Board making the act consistent with the repeal of the Eighteenth Amendment changing definitions and exemptions, bringing rectifiers and blenders within the act allowing appeals to the courts providing for the abatement of nuisances and increasing fees.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 102, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That pursuant to the adoption by the people at the municipal election held in November one thousand nine hundred and thirty-three of an amendment to article nine of the Constitution of Pennsylvania which reads as follows

"Section 16 In addition to the purposes stated in article nine section four of this Constitution the General Assembly may provide by law for the issue of bonds to the amount of ten millions of dollars for the purpose of acquiring toll bridges and may by law provide that upon the acquisition of any such bridge tolls may be charged for the use thereof sufficient to pay the interest and sinking fund charges on such bonds and the cost of the maintenance of such bridges until the bonds issued have been retired and such bridges are freed of tolls"

the Governor the Auditor General and the State Treasurer in accordance with the provisions thereof and on behalf of the Commonwealth of Pennsylvania are hereby authorized and directed from time to time to borrow such sum or sums of money not exceeding in the aggregate the sum of ten million dollars ($10,000,000) as may be deemed necessary for the purpose of acquiring toll bridges over streams and rivers wholly within the Commonwealth

On the question,

Will the House agree to the section?

Mr. RICE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 2, line 12, by striking out the word "behalf" and insert in lieu thereof "the credit"

Amend sec. 1, page 2, line 17, by striking out the words "over streams and rivers"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second to the fifth sections inclusive were separately read and agreed to as follows:

Section 2 Bonds Issue Maturity Interest et cetera

(a) As evidence of the indebtedness herein authorized bonds of the Commonwealth of Pennsylvania shall be issued from time to time for such total amounts in such form in such denominations and subject to such terms and conditions of issue redemption and maturity rate of interest not to exceed six per centum per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall direct

(b) All bonds issued under the authority of this act shall bear the facsimile signatures of the Governor Auditor General and State Treasurer and a facsimile of the great seal

of the Commonwealth of Pennsylvania and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agent of the Commonwealth

(c) The principal and interest of such bonds shall be payable in lawful money of the United States All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes

(d) Such bonds may be issued with or without interest coupons attached In case interest coupons are attached they shall contain facsimile signatures of the State Treasurer and the Auditor General

(e) The Governor the Auditor General and the State Treasurer shall proceed to have the necessary bonds prepared and printed The bonds as soon as they are prepared and printed shall be forthwith deposited with the duly authorized loan and transfer agent of the Commonwealth there to remain until sold in accordance with the provisions of this act

Section 3 Sale of Bonds Whenever bonds are so issued they shall be offered for sale at not less than par and accrued interest and shall be sold by the Governor the Auditor General and State Treasurer to the highest and best bidder or bidders after due public advertisement on such terms and conditions and upon such open competitive bidding as the Governor Auditor General and State Treasurer shall direct The manner and character of such advertisement and the times of advertising shall be prescribed by the Governor the Auditor General and the State Treasurer

Any portion of any bond issue so offered and not sold or subscribed for may be disposed of by private sale by the Governor the Auditor General and the State Treasurer in such manner and at such prices not less than par and accrued interest as the Governor shall direct No commission shall be allowed or paid for the sale of any bonds issued under the authority of this act

Section 4 Disposition and Use of Proceeds The Proceeds realized from the sale of bonds under the provisions of this act shall be paid into the State Treasury and deposited in a special fund to be known as the Toll Bridge Fund which is hereby created and shall be used for the payment of the cost of acquiring toll bridges and any necessary expenses connected therewith

Section 5 Registration of Bonds The Auditor General shall prepare the necessary registry books to be kept in the office of the duly authorized loan and transfer agent of the Commonwealth for the registration of any bonds at the request of owners thereof All bonds which are issued without interest coupons attached shall be registered in the registry bocks kept by the duly authorized loan and transfer agent of the Commonwealth

The sixth section was read as follows:

Section 6 Information to General Assembly It shall be the duty of the Governor to include in every biennial budget submitted to the General Assembly full information relating to the issuance of bonds under the provisions of this act to enable the General Assembly to provide by appropriation any moneys necessary for the sinking fund of the Commonwealth for the payment of the interest on said bonds and the principal thereof at maturity in case the tolls collected on any bridge or bridges so acquired are insufficient for interest and sinking fund purposes

On the question,

Will the House agree to the section?

Mr. RICE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 6, page 4, lines 24 and 25, by striking out the words "to include in every biennial budget submitted" and insert in lieu thereof "during the biennial sessions of the General Assembly to give"

Amend sec. 6, page 5, line 1, by striking out the words "in case the"

Amend sec. 6, page 5, lines 2 and 3, by striking out both of said lines.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh section was read as follows:

Section 7 Sinking Fund Investments Redemption of Bonds All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from the sinking fund which shall be maintained from tolls charged for the use of any bridge or bridges so acquired or from appropriations by the Legislature in case tool collections are insufficient For specific purpose of redeeming said bonds at maturity and paying all interest thereon the General Assembly shall provide for the charging of tolls for the use of any bridge or bridges so acquired sufficient to pay the interest on said bonds and the principal thereof at maturity All moneys so required to be appropriated and all tolls received after first deducting cost of maintenance of any such bridge or bridges shall be paid into the sinking fund by the State Treasurer All of such moneys not necessary to pay accruing interest shall be invested by the Board of Finance and Revenue in such securities as are provided by law for the investment of the sinking fund of the Commonwealth

The investments and such moneys and the accumulations thereon in the sinking fund shall be devoted to and be used exclusively for the payment of the interest accruing on such bonds and their deremption at maturity Provided however That the Board of Finance and Revenue is authorized at any time to use any of such funds for the purchase and retirement of all or any part of the bonds issued under the authority of this act In the event that all or any part of said bonds shall be purchased by the Board of Finance and Revenue they shall be canceled and returned to the State Treasurer as canceled and paid bonds and thereafter all payments of interest thereon shall cease and the canceled bonds and coupons shall be destroyed within two years after cancellation in the presence of the Governor the Auditor General and the State Treasurer A certificate evidencing the destruction satisfactory to the duly authorized loan and transfer agent of the Commonwealth shall be furnished to it All canceled bonds and coupons shall be so marked as to make the canceled bonds and coupons non-negotiable

On the question,

Will the House agree to the section?

Mr. RICE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 7, page 5, lines 8, 9, 10 and 11, by striking out the following: "which shall be maintained from tolls charged for the use of any bridge or bridges so acquired or from appropriations by the Legislature in case toll collections are insufficient"

Amend Sec. 7, page 5, line 11, by inserting after the word "For" the following: "the"

Amend Sec. 7, page 5, lines 13, 14 and 15, by striking out the following: "provide for the charging of tolls for the use of any bridge or bridges so acquired sufficient" and insert in lieu thereof: "appropriate biennially the moneys necessary"

Amend Sec. 7, page 5, lines 16, 17 and 18, by striking out the following: "required to be appropriated and all tolls received after first deducting cost of maintenance of any such bridge or bridges" and insert in lieu there of: "appropriated"

Amend Sec. 7, page 6, line 14, by inserting after the word "non-negotiable" the following section:

Section 8. The Board of Finance and Revenue shall determine the amount of money necessary for the sinking fund for the period between the date of issue of the bonds herein provided for and the end of the current biennium in which they are so issued, and the times and amounts which are to be paid into the sinking fund for such purposes; and the sums so determined shall be transferred to the sinking fund from the Motor License Fund by the State Treasurer, and, for such pur-

poses. so much money as may be necessary is hereby specifically appropriated out of the Motor License Fund.

On the question,
Will the House agree to the amendments?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The eighth section was read as follows:

Section 8 Quorum Whenever in this act any action is to be taken or decision made by the Governor the Audtior General and the State Treasurer and the three officers shall not be able unanimously to agree the action or decision of the Governor and either the Auditor General or State Treasurer shall be binding and final except that it shall be the mandatory duty of the Governor the Auditor General and the State Treasurer to issue bonds to provide funds for the acquisition of any bridge or bridges acquired by the Secretary of Highways with the approval of the Governor

On the question,
Will the House agree to the section?
Mr. RICE. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend Sec. 8, page 6, line 15, by striking out the figure "8" and insert in lieu thereof: "9"
Amend Sec. 8, page 6, line 24, by striking out the words "acquired by" and insert in lieu thereof: "when"
Amend Sec. 8, page 6, line 25, by inserting after the word "Governor" the following: "shall decide to do so"

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The ninth section was read as follows:

Section 9 Appropriation The sum of twenty-five thousand dollars or so much thereof as may be necessary is hereby specifically appropriated for the purpose of providing such bonds for the payment of the cost of advertising the same and for all other costs and expenses in connection with the issue of said sale and registration of said bonds Payments from said appropriation shall be made by requisition of the Auditor General after approval of vouchers by the Governor Auditor General and State Treasurer

On the question,
Will the House agree to the section?
Mr. RICE. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend Sec. 9, page 6, line 26, by striking out the figure "9" and insert in lieu thereof: "10"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The tenth section was read as follows:

Section 10 Effective Date This act shall become effective immediately upon final enactment

On the question,
Will the House agree to the section?
Mr. RICE. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend Sec. 10, page 7, line 7, by striking out the figure "10" and insert in lieu thereof: "11"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read and agreed to as follows:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges defining the powers and duties of the Governor the Auditor General and State Treasurer and the Board of Finance and Revenue in relation thereto providing fo the payment of interest on and the redemption of such bonds and making an appropriation

And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 94, as follows:

An Act to repeal the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws"
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws" is hereby repealed
Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 20, entitled:

An Act authorizing cities to acquire lands and provide for the erection thereon of dwellings for rental to its citizens and appropriate money and issue bonds therefor

The first, second and third sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the council of any city may by ordinance provided for the acquisition by gift or by purchase or by the right of eminent domain of any ground with or without the city for the erection thereon of dwellings for the renting of such dwellings to citizens of such city and for the maintenance management and operation thereof

Section 2 The proceedings for the condemnation of land under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be taken in the manner provided by law for the condemnation of land for public purposes by any such city

Section 3 The construction of dwellings under the provisions of this act shall be for the purpose of making homes in accord with proper standards of sanitation and safety available at fair rentals for citizens of such cities and to promote their health morals comfort convenience and safety

Section 4 For the purposes of this act such cities may appropriate money or issue bonds based upon the faith and credit of the city and upon the rentals of such dwellings in such sums as may be from time to time required not to exceed the cost of such land and dwellings and the interest thereon Such bonds shall bear interest at a rate not to exceed six per centum per annum payable semiannually

The rental received from such dwellings shall be paid into the city treasury and placed to the credit of the sinking fund for the redemption of said bonds and the payment of the interest thereon as the same shall become due The method of redemption shall be provided for in the ordinance authorizing the issue of such bonds

On the question,

Will the House agree to the section?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 4, page 2, line 6 by adding after the word "money" the following: "enter into arrangements with the Reconstruction Finance Corporation, the Federal Emergency Administrator of Public Works or any other Federal agency, now existing or hereafter created for the advancement of any grant of funds necessary"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read and agreed to as follows:

Section 5 This act shall become effective immediately upon its final enactment

The title was read as follows:

An Act authorizing cities to acquire lands and provide for the erection thereon of dwellings for rental to its citizens and appropriate money and issue bonds therefor

On the question,

Will the House agree to the title?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 3 by adding after the word "money" the following: "secure advancements of money from certain Federal agencies"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 103, entitled:

An Act to amend sections one two nine and eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred ninety-five) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" extending the provisions thereof to all toll bridges wholly within the Commonwealth and providing for the payment of the cost of acquiring such bridges out of the Toll Bridge Fund.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one two nine and eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred ninety-five) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" are hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "bridge" as used in this act shall mean any bridge whereon toll is charged [and being a part of the route of a State Highway or connecting two State highways or a State highway and a street in any city borough or town] over any stream or river and shall include the actual bridge the approaches thereto and all real and personal property including the franchise belonging to the owner or owners of such bridge and used in the operation and maintenance of the same

Section 2 The Secretary of Highways is hereby authorized to acquire on behalf of the Commonwealth toll bridges as defined in this act located wholly within the State of Pennsylvania [Provided That no bridge shall be acquired under the provisions of this act until road bond funds authorized by a Constitutional amendment shall become available to the Department of Highways for the improving and rebuilding of the highways of the Commonwealth]

The acquisition of said toll bridges may be either by purchase or by condemnation proceedings as the Secretary of Highways may deem expedient The cost of acquiring said bridges shall be paid by the Commonwealth from moneys in the [Motor License Fund] Toll Bridge Fund and for such purposes the moneys in such [Motor License Fund] Toll Bridge Fund are hereby specifically appropriated

Section 9 As soon as the Secretary of Highways and said owners shall have agreed upon the price of any such bridge or as soon as the Secretary of Highways shall have determined to acquire any such bridge by condemnation proceedings the Secretary of Highways if funds sufficient for the purchase of the bridge are available in the Toll Bridge Fund shall at once take possession of such bridge in the name of the Commonwealth of Pennsylvania

The purchase price agreed upon for any such bridge or the amount of any award or verdict under condemnation proceeding for the acquisition of any such bridge shall be paid

out of moneys in the Toll Bridge Fund by the State Treasurer upon requisition of the Secretary of Highways

Section 11 The Secretary of Highways upon acquiring any such toll bridge is hereby directed to continue the collection of tolls and charges on such bridge until the Commonwealth has been reimbursed to the full extent of the cost of acquiring such bridge with interest thereon at the rate [of four] not exceeding six per centum The tolls and charges collected on any such bridge shall also be used for the repair and maintenance of said bridge until such time as said bridge shall be freed as hereinafter provided [All] Out of all tolls and charges collected by the Secretary of Highways there shall be paid into the Motor License Fund such amount as shall be sufficient for the payment of the cost of repair and maintenance of such bridge including compenastion of toll collectors and the balance thereof shall be paid into the sinking fund of the Commonwealth and shall be used for the redemption of bonds issued by the Commonwealth for the acquisition of such bridge and the payment of interest thereon and for such purposes such moneys in the Motor License Fund and in the Sinking Fund are hereby specifically appropriated

Whenever the tolls collected shall have become sufficient to pay the cost of acquiring any such bridge with interest thereon as aforesaid then such bridge shall become and be thereafter a free bridge and such bridge shall thereafter remain in the charge and be under the control of the Department of Highways and shall be thereafter maintained and kept in repair and be rebuilt if destroyed by the Commonwealth but the Department of Highways may continue to charge tolls or require payments from public service corporations using any such bridge The cost of such maintenance and repair of said bridge after the same has been freed shall be paid out of moneys appropriated to the Department of Highways for the construction reconstruction and improvement of State highways and for such purposes all moneys in the treasury of the Commonwealth appropriated for State highway purposes are hereby specifically reappropriated

On the question,

Will the House agree to the section?

Mr. RICE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 2, line 12, by removing the bracket before the word "and"

Amend sec. 1, page 2, lines 14 and 15, by striking out the following: "]over any stream or river"

Amend sec. 1, page 3, line 23, by inserting after the word "bridge" the following: "or bridges or reconstructed bridges"

Amend sec. 1, page 3, line 25, by inserting before the word "cost" the following: "original"

Amend Sec. 1, page 3, line 25, by striking out with light-faced brackets the words "such bridge" and insert in lieu thereof: "any and all of such bridges"

Amend Sec. 1, page 3, line 26, by inserting a light-faced bracket before the word "The" thus: "["

Amend Sec. 1, page 3, line 29, by inserting a light-faced bracket after the word "provided" thus: "]"

Amend Sec. 1, page 4, line 1, by striking out the following: "[All] Out of all" and insert in lieu thereof: "and the cost of compensation of toll collectors. All"

Amend Sec. 1, page 4, line 2, by striking out the word "there"

Amend Sec. 1, page 4, line 3, by striking out the words "such amount as shall be sufficient for the"

Amend Sec. 1, page 4, lines 4 to 12, by striking out all of said lines, both inclusive, and insert in lieu thereof: "The Department of Highways shall reconstruct, maintain and repair such bridges in the manner provided by law relating to State highways and bridges. In case of the reconstruction of any such bridge, the Secretary of Highways with the approval of the Governor, may reconstruct such bridge on the same location or on a location within one mile thereof."

Amend Sec. 1, page 4, line 13, by inserting after the word "collected" the following: "from all of such bridges after deduction of all moneys expended by the Department for the cost of compensation of toll collectors."

Amend Sec. 1, page 4, line 14, by striking out with light-faced brackets the following: "pay the cost of acquiring any such bridge" and insert in lieu thereof: "reimburse the Commonwealth in full for the cost of acquiring all of such bridges."

Amend Section 1, page 4, line 15, by striking out with light-faced brackets the following: "such bridge" and insert in lieu thereof "all of such bridges."

Amend Section 1, page 4, line 16, by striking out with light-faced brackets the following: "a free bridge and such bridge" and insert in lieu thereof "free bridges Such"

Amend Section 1, page 4, line 19, by striking out with light-faced brackets the following: 'if destroyed"

Amend Section 1, page 4, line 20, by inserting after the word "Commonwealth" the following: "in accordance with the laws relating to State highways and bridges"

Amend Section 1, page 4, line 21, by striking out with light-faced brackets the following: "tolls or require payments from"

Amend Section 1, page 4, line 28, by striking out with light-faced brackets the following: "such bridge" and insert in lieu thereof "of such bridges in accordance with law"

Amend Section 1, page 4, line 23, by inserting after the word "such" the following: "reconstruction,"

Amend Section 1, page 4, line 23, by striking out with light-faced brackets the word "bridge" and insert in lieu thereof "bridges."

Amend Section 1, page 4, line 24, by striking out with light-faced brackets the word "has" and insert in lieu thereof "have."

Amend Section 1, page 4, line 26, by striking out with light-faced brackets the following: "and for."

Amend Section 1, page 4, line 29, by inserting after said line a light-faced bracket, thus "]."

On the question,

Will the House agree to the amendments?

They are agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The section section was read and agreed to as follows:

Section 2 This act shall become effective immediately upon final enactment

The title was read as follows:

An Act to amend sections one two nine and eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred ninty-five) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" extending the provisions thereof to all toll bridges wholly within the Commonwealth and providing for the payment of the cost of acquiring such bridges out of the Toll Bridge Fund

On the question,

Will the House agree to the title?

Mr. RICE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 9, by striking out the words "extending the provisions thereof to all" and insert in lieu thereof "by providing for the purchase of such."

Amend title, page 1, lines 10, 11 and 12, by striking out the following: "and providing for the payment of the cost of acquiring such bridges."

Amend title, page 1, line 12, by inserting after the word "Fund" the following: "the construction, maintenance and repair of such bridges by the Department of Highways, and further regulating the collection of tolls and reimbursing the Commonwealth for the cost of acquiring such bridges and making an appropriation."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 114 (Senate Bill No. 19), as follows:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties

SHORT TITLE CITATION

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Permanent Registration Act in Cities of the Second Class "A"

Section 2 Definitions a The word "Commission" shall mean any registration commission having jurisdiction in any city of the second class A

b "Commissioner" shall mean a member of a registration commission

c "Oath" shall include affirmation and "Swear" shall include affirm

d "Election" shall mean any general special or municipal election unless otherwise specified

e "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

f "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

g "November election" shall mean either the general or the municipal election or both according to the context

h "Party" shall mean any political party or body of electors one of whose candidates either at the last general or at the last municipal election shall have polled at least five per centum of the largest entire vote cast for any elected candidate in any city of the second class A although such percentage of said vote may not have been attained in any particular election district thereof

i "Body of electors" shall mean any political body not recognized as a political party but entitled to make nominations of candidates for any public office by nomination papers on whose behalf proper affidavits shall have been filed with the prothonotary or elsewhere as required by law to obtain the exclusive right to use a party name or appellation for any election or primary

j "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

k "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commissions as hereinafter provided

l "County" shall mean any county of this Commonwealth within which is located a city of the second class A

m "City" shall mean only a city of the second class A

n All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the second class A or to those of any county within which such city is located or to any school district within such city

o "Public office" shall mean and include any national state judicial county city schools district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

p Wherever a term in the masculine form is used in this act it shall refer alike to men and women

Section 3 Registration Commission Membership Bipartisan Term of Office Vacancies Removal Compensation Oath of Office Organization Chairman Secretary Action by Vote of Majority of Members Record of Proceedings Annual Report a Three shall be a registration commission in and for each city of the second class A which commission shall have jurisdiction over the registration of electors of such city under the provisions of this act

b The registration commission shall consist of four commissioners who shall be qualified electors of the city not more than two of whom shall be enrolled members of the same political party who shall be appointed by the Governor with the advice and consent of the Senate and shall hold office for terms of four years or until their successors qualify unless sooner removed or otherwise disqualified Provided however That the terms of office of the commissioners first appointed by the Governor under this act shall commence on the first day of February one thousand nine hundred thirty-four and shall expire on the first Monday of January one thousand nine hundred thirty-eight Upon the appointment by the Goveronor of the registration commission for any such city the terms of office of the existing registration commission or commissioners of any such city shall terminate

c The Governor shall fill any vacancy in any such commission within ten days after the vacancy shall occur by appointing a qualified elector of the city to hold office during the remainder of the term of the commissioner whose place shall have become vacant

d The Governor may at any time remove any commissioner for cause and may appoint a duly qualified elector of the city as his successor for the remainder of his term

e Each commissioner shall receive compensation at the rate of three thousand dollars per annum

f As soon after their appointment or election as may be the members of each commission shall take the oath of office required by the Constitution of this Commonwealth and shall organize by selection from their number a chairman and a secretary who shall not be members of the same party

g All actions of a commission shall be decided by a majority vote of all members except as may be otherwise provided herein

h Each commission shall keep a record in permanent form of all its proceedings and shall make an annual written report to the Goveronor

Section 4 Powers of Commission Regulations Enforcement correction of Errors or Irregularities Cancellation of Registration Powers of Commissioners a The commission may make regulations not inconsitent with this act or the laws of this Commonwealth (1) to govern the public sessions of such commission and (2) for the performance of the duties imposed by this act and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the court of common pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

b The commission shall have the power to correct any error or any irregularity in registration and to cancel the regis-

tration of any person whom it may find to be improperly registered subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration is cancelled

c The commission and any commissioner shall have power on its or his own motion (1) to summon and interrogate any person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses (4) to require the production of any relevant books and papers

d Each commissioner shall have power to administer oaths and affirmations Each person testifying before a commission shall be first duly sworn or affirmed

Section 5 Employes Registrars Inspectors of Registration Duties Appointment Appointment of Clerks or Secretaries as Registrars Incompatible Officers a The commission shall have power to appoint such assistants and employes as from time to time it may deem necessary to carry out the provisions of this act and may at any time remove the same The number and compensation of all such assistants and employes shall be fixed by the salary board of the county The commission may with the consent of the county commissioners appoint employes of the county commissioners to act as such for the registration commission without any additional compensation as such

b The employes to be appointed by the commission shall include (1) registrars who shall be empowered to register the qualified electors of such cities and in so doing to administer oaths and affirmations and (2) inspectors of resignation who shall have and may exercise the powers conferred upon them by this act

c Registrars and inspectors of registration shall be qualified electors of the city An election officer may be appointed as a registrar or inspector of registration but no other person who holds or is a candidate for public or party office shall be appointed to or hold any office or employment under any commission except as otherwise provided by this act Registrars and inspectors of registration shall receive such compensation either on a per diem basis for time actually employed or on the basis of work actually done by them as shall be fixed by the salary board of the county

d No registrar or inspector of registration shall exercise any power of his office until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and address the date of his appointment and the length of time for which he shall have been appointed

e Each commission may appoint a chief clerk who shall have authority to administer oaths and to sign vouchers

f Any inspector of registration on his own motion or on complaint of any person known to him may and when directed by the commission shall

(1) Investigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling building inn lodging-house or hotel within such city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment

(2) Inspect in like manner and copy any register of lodgers in any lodging-house in or hotel relating to or affecting the right of any person to vote or to be registered in such city

(3) Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

(4) Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest

Section 6 Counsel Compensation Duties The commisison may employ special counsel at a compensation not exceeding two thousand dollars per annum Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent the commission on all appeals taken from its decisions or orders to a court of common pleas as herein provided

Section 7 Appropriations by County Commissioners Unexpended Balances of Appropriations Heretofore Made Additional Appropriations a The county commissioners shall appropriate annually and from time to time the funds that shall be necessary for the maintenance and operation of the commission and the carrying out of the provisions of this act therein including the payment of the compensation of the commissioners registrars inspectors of registration counsel and other assistants and employes and the fees of witnesses as herein provided and likewise for preparing in accordance with the direction of the commission securing and distributing or receiving and preserving all street lists registration cards affidavits vouchers notices account books stationery and other supplies which the commission shall consider necessary for the purpose of this act and for all other necessary expenses

b The county commissioners shall provide the commission with suitable and adequate offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties

c Any unexpended balances of any appropriations heretofore made by the county commissioners for the purpose of carrying out any provision of any existing registration act or the amendments thereto shall be transferred to and made available for the commission hereby created or constituted for the expenses of carrying out the provisions of this act immediately after the passage of this act All moneys required in addition to any original appropriation in the current year or any other year shall be appropriated from time to time as soon as it shall appear what extra sums are needed.

Section 8 Acts of Employes Any insertion or removal of names or other information in registers or the amending of any records done by any employe of the commission by order of the commission shall be construed to have been done by the commission itself which shall likewise be responsible for the correction of any errors in the doing thereof

Section 9 Commissioners may act as Registrars and Inspectors A commissioner may act at any time as registrar or inspector of registration and when so acting shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with law upon registrars and inspectors of registration respectively

Section 10 Immunity from Arrest Commissioners registrars and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrant of a court of record or judge therefor for felony for wanton breach of the peace or for a criminal violation of this act

Section 11 Acts to be done on Legal Holidays and Sundays No part of any day fixed for the performance of any duties by any person or official under this act shall be deemed a Sunday or a legal holiday so as to affect the legality of any work done for the purpose of carrying out the provisions hereof or the right of any person to any compensation herein provided for rendering any service required hereby or so as to relieve any person from doing on such day whatever is necessary for such purposes and such services are hereby declared to be necessary public services

Section 12 Records and Documents to be open to Public Inspection The records of such commission and all district registers street lists lists of voters voter's certificates affidavits petitions appeals witness lists accounts contracts reports and other document in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the county during ordinary business hours at any time when they are not necessarily being used by the commission or its employes having duties to perform in reference thereto Such public inspection thereof shall only be in the presence of a commissioner or authorized employe of a commission, and shall be subject to proper regulation for safe-keeping of the records and documents and subject to the further provisions of this act

Section 13 Watchers at Places of Registration Privileges a Any party or body of electors which now is or hereafter may be entitled to have watchers at any election as well as any organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds may recommend not more than three electors to act as watchers without expense to the county at any place of registration during the time when it shall remain open for the registration of electors The commission shall appoint all such

persons as watchers and shall provide them with proper certificates stating their names and the party or policy or citizens' organization which they represent respectively unless any be shown to have previously been convicted of any crime

b Any watcher shall be entitled to remain at any place of registration during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registration and to interrogate or challenge any person regarding his right to be registered and to inspect any papers produced by such person The registrars commissions and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided That a registrar commission or commissioner may at any time require any watcher to show his certificate of appointment and Provided That not more than one watcher for any party or body of electors or citizens' organization represented shall be allowed in a place of registration at any one time

Section 14 Watchers or Attorneys at Sessions of Commission Any party or body of electors or body of citizens which now is or hereafter may be entitled to have watchers at any place of registration or at any election shall also be entitled to appoint any watchers who are qualified electors of the city or attorneys to represent such party or body of electors or body of citizens at any public session or sessions of the commission Such watchers or attorneys may exercise the same rights as watchers at places of registration but the number who may be present at any one time may be limited by the commission to not less than three for any party or body of electors

Section 15 Candidates may be Present at Proceedings Every candidate for nomination or election to any office shall be entitled to be present in person or by attorney in fact duly authorized and to participate in any proceeding before any commission whenever any matters which may affect his candidacy are being heard

Section 16 Days and hours of Registration Places of Registration Use of Polling Places Payments of Rentals Use of School Buildings Public Notice a From and after the first days of February one thousand nine hundred and thirty-four each commission or any commissioner or a registrar shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sunday holidays the day of each election and each primary the thirty days next preceeding each election and each primary and the five days next following each election and each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration Provided however That in the year one thousand nine hundred and thirty-four applications for personal registration may be received up to and including the fifth day of May anything in this section to the contrary nothwithstanding and Provided further That in the year one thousand nine hundred and thirty-four each commission shall arrange to have a registrar present to receive applications for the personal registration of electors at the polling place or some other suitable place in each election district of the city on at least three separate days prior to May fifth (one of them being in March and another in May) and one day in the period beginning September twenty-fourth and ending October sixth

b The county commissioners shall cause any polling place to be open in proper order for use as a place of registration on each day when such polling place may be desired by the registration and the said county commissioners shall provide for the payment of all rentals for such polling places upon proper vouchers by the treasurer of the county

c The board of school directors of each school district shall furnish a room or rooms in any public school building under its jurisdiction or control and shall cause the room or rooms to be open and in proper order for use as a place of registration on each day when such room or rooms may be desired by the registration commission for use as a place of registration Provided That such use shall not interfere with instruction for the conduct of which such board of school directors shall be responsible

d The proper city authorities shall furnish a room or rooms in the city hall or other municipal building under their jurisdiction or control and shall cause the room or rooms to be opened and in proper order for use as a place of registration on each day when such room or rooms may be desired by the commission for use as a place of registration Provided That such use shall not interfere with the use for which such room or rooms is primarily designed

e The commission shall publicly announce the address of each place of registration other than the office of the commission and the days and hours when the place shall be open for the registration of electors by posting a notice thereof at its office and at least one placard or notice thereof in a conspicuous place in the neighborhood of such place of registration at least three days prior to the date when the place shall be so open and by such newspaper publication as it deems desirable

Section 17 Registration Cards Preparation and Distribution a For the purpose of registering the qualified electors of each county the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section eighteen of this act and the following affidavit

REGISTRATION AFFIDAVIT

State of Pennsylvania } ss:
County of }

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before
me this day of 19

.....
Signature of Voter

.....
Signature of Registrar

b Subject to the foregoing provisions of this section the Secretary of the Commonwealth shall prescribe the form of such registration cards

c Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate for each applicant for registration The commission shall provide suitable binders for filing and indexing the registration cards

d The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar

e Before 10 o'clock ante meridian on the day following the last day for registration before an election or primary and at such other times as the commission may prescribe each registrar shall return to the commission at its office all registration cards used or unused in his possession and shall account fully in writing for each missing card

f Unused registration cards may be reissued by the commission but the commission shall preserve all other papers records and memoranda as a part of its record

Section 18 Manner of Registration a Every person claiming the right to be registered as an elector must appear in person before the commission or a commissioner or a registrar at the office of the commission or at such other place as the commission shall have designated and answer the questions required to be asked in accordance with this act

b He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with other information herein required shall be recorded in his presence by the registrar or commissioner in permanent writing or typewriting in duplicate in the proper spaces on the registration cards as follows

c (1) The surname of the apllicant (2) his Christian name or names (3) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the rooms apartment flat or floor which he occupies (6 date his residence in the district began (7) his residence address when he last registered and the year of such registration (8) the sex of the applicant (9) the

color of the applicant (10) the state or territory of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of the naturalization certificate (12) if not naturalized personally the name of father or husband through whom naturalized (13) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance at the ensuing election and if so his declaration of that fact and his statement of the exact nature of such disability (14) the designation of the political party of the elector for the purpose of voting at primaries (15) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar and dated by him If the elector is unable to sign his name there shall also be recorded on the registration card (16) his height in feet and inches (17) the color of his hair (18) the color of his eyes and (19) the date of his birth Each registration card shall also have a sufficient number of spaces thereon for the insertion of (20) the ward and election district in which the elector resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal (21) the date of each election and primary at which the elector votes and (22) the signature or initials of the election officer who enters the record of voting on the card

d The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed for the whole city the registration affidavits will be known as the General Registers when filed by election districts as the District Registers

e If the applicant shall allege inability to sign his name the registrar shall require him to present the affidavits subscribed in person before a registrar or commissioner of two electors who are personally acquainted with the applicant and who know his qualifications as an elector Each of said two electors shall state in his affidavit the applicant's residence his own residence his knowledge of the statements made by the applicant under oath or affirmation in applying for registration and his belief that they are true Upon the filing thereof the applicant shall be permitted to subscribe to his oath or affirmation by making his mark except that if the applicants inability to sign his name is not due to some apparent physical infirmity he shall first also be required to make and file with the registrar an affidavit of his inability to sign his name Every affidavit required because of an applicant's inability to sign his name shall be filed with the duplicate registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

f When the registration of an elector has been completed the registrar or commissioner shall deliver to the registered elector upon his request a written statement signed by such registrar or commissioner setting forth the name and address of the elector the fact of registration and the date thereof

Section 19 Who May Register Who May Vote Electors Need Register Only Once Exception Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered as herein provided From and after the fifth day of May one thousand nine hundred and thirty-four no person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered except by order of a court of common pleas as hereinafter provided and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address unless his registration is cancelled by reason of his failure to vote during a period of four years as hereinafter provided

Section 20 Applicants to Register May be Challenged Procedure Challenge Affidavit a Any person claiming the right to register may be challenged by a registrar or by any commissioner or by a qualified elector of the city Any person so challenged shall answer the questions of the challenge affidavit as herein specified and after his answers have been recorded he shall subscribe to them his signature or mark and swear to their truth

b The affidavits of all persons so registered shall be filed with the duplicate registration affidavits and shall be returned with them to the office of the registration commission

c The challenge affidavit shall be in form prescribed by the Secretary of the Commonwealth and shall contain spaces for the following information (1) serial number (2) place and date of execution (3) full name of challenged applicant (4) whether he is married or single (5) if married where his family resides (6) if single where his parents reside (7) where applicant actually resided immediately before he took up his present residence (8) his residences for the four months immediately preceding date of execution (9) the name of his present employer (10) the street and number of his place of business (11) the name of his last employer and the year in which he left his employ (12) the city street and number of said last employer's place of business (13) sex of the applicant (14) his color (15) the date of his birth and (16) such distinguishing marks peculiarties and further information for identification as the commission shall prescribe

d The challenged applicant shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his residence in the election district and shall produce such of the evidence as may be required to satisfy the registrar or commissioner as to his qualifications as an elector If such challenged applicant shall establish his right to be registered as required by this act to the satisfaction of the registrar or commissioner he shall be permitted to be registered

e Any person making application to be enrolled as a member of a political party for the purpose of voting at primaries may be challenged by any qualified elector of the city Any person so challenged shall be enrolled as a member of such party if he shall make and subscribe an affidavit that at the last election at which he voted he voted for a majority of the candidates of such party all of the candidates of a party for presidential elector being counted as two candidates but if he is unable or unwilling to make such affidavit he shall be denied enrollment as a member of such party but he shall not be deemed to be guilty of any violation or attempted violation of any law by reason thereof

Section 21 Naturalized Applicants Applicants whose Fathers or Husbands were Naturalized All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certified copy thereof before they shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father during his minority may be registered either by the production of his father's original papers or a certified copy thereof or by making affidavit that his father was naturalized at a time when he the applicant was less than twenty-one years of age and that he is unable to produce his father's papers or a certified copy thereof and Provided further That any woman claiming citizenship by reason of her marriage pior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturalized prior to their marriage or (b) by the production of evidence that her husband was a native born citizen of the United States Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

Section 22 Incomplete or Rejected Applications to be Recorded The registrar or commissioner shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filed in the registration card or cards shall be marked "Applicant Rejected" and the registrar or commissioner shall note thereon the reason for the rejection and shall sign his name thereto All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 23 Appeal of Rejected Application Any person whose application to be registered has been denied by a registrar or by a commissioner may file a petition with the commission not later than the fifteenth day prior to an

election or primary setting forth the ground of his complaint under oath and praying to be registered The commission shall fix a time for a public hearing thereof at its office not later than the tenth day prior to the election or primary At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar or commissioner who rejected the petitioner's application for registration The commission if satisfied that the petitioner is entitled to be registered shall direct a registrar or commissioner to register him in the usual manner and shall amend accordingly the records affected but any registrar or inspector of registration or qualified elector of the county may appear and show cause why the petitioner should not be registered

Section 24 General Register The duplicate registration affidavits shall be placed in exact alphabetical order and shall be indexed for the entire city and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded These affidavits shall constitute the General Register of such city and shall not be removed from the office of the commission except upon order of the court of common pleas of the county

Section 25 District Registers The original registration affidavits shall be filed by election districts and within each election district in exact alphabetical order and indexed The affidavits so filed for each election district shall constitute the District Register for such district The district register shall be kept at the office of the commission except as herein provided and shall be open at all times subject to reasonable safeguards rules and regulations to public inspection

Section 26 Removal Notices The commission shall provide removal notives which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elctors shall write (1) the street and number of his present residence and the specific location thereof including the number of the room apartment flat or floor if his residence is a portion of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present address and (4) space wherein the elector shall sign his name The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring sixty days or more after the receipt of the notice at the office of the commission Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission with the elector's signature in the general and district register

Section 27 Transfer of Registration a Upon receipt of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration affidavit of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the general and district registers and if the removal shall have been from one election district to another in the same city shall transfer the registration affidavits of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence.

b When a request for transfer believed authentic by the commission is received at the office of the commission within the period of sixty days next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary In any case the commission shall advise the elector promptly in writing of its action

c If the commission shall doubt that the request for transfer is authentic it shall without transferring the registration of the elector notify the elector that it will be necessary for him to apply in person at the office of the commission for the transfer of his registration.

d No elector who is unable to write his name shall be permitted to apply for transfer of registration by use of a written removal notice but each such elector must apply in person at the office of the commission establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar or a commissioner who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice

Section 28 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation a At any time prior to the tenth day next preceding a primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar or commissioner and state in writing over his signature the political party in which he desires to be enrolled and the registrar or commissioner shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made

b At any time not later than the fifth day preceding any primary any qualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is no longer a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at least twenty-four hours prior to presentation of the same by delivering a copy of the petition to him personally or by leaving it with an adult member of his family with whom he resides If at the hearing of any such petition the elector against whom the petition is filed appears and swears or affirms that at the last election at which he voted he voted for a majority of the candidates of the party with which he was then enrolled all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise the party enrollment of such elector shall be forthwith cancelled

c Any elector who has since the time of registration suffered a physical disability which renders him unable to see or mark the ballot or prepare the voting machine or to enter the voting compartment or voting machine booth without assistance shall at least ten days prior to the next succeeding primary or election personally make written application under oath to the commission or a registrar to have such fact entered on his registration affidavit together with the exact nature of his physical disability which entry shall be made accordingly

d When the commission shall ascertain that any elector who has declared his need for assistance no longer suffers from the disability stated by him or has voted without assistance it shall forthwith cancel on his registration affidavit the entry relating to physical disability which authorized him to have assistance

Section 29 Reports of Deaths from Registrars of Vital Statistics Cancelling Registration Correction If Person is Falsely Reported Deceased Reports of Removals from Municipal Officers Departments and Bureaus and Real Estate Brokers and Rental Agents Notice a The Registrar of vital statistics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the deaths of residents of the city except residents less than twenty years of age The commission shall forthwith cancel the registration of each registered elector so reported

b Any person falsely reported deceased may appear in person before a registrar or commissioner at the office of the commission in such city and prove his identity and the commission thereupon shall correct its records accordingly

c All municipal officers departments or bureaus furnishing electricity gas water steam or other service to householders in any city shall report in writing from time to time to the registration commission upon the request of the commission all cases of discontinuance of their service to residences together with the names of the persons who contracted for such service and the addresses to which such persons have removed if known to them All real estate brokers and rental agents shall report in writing from time to time to the commission upon

the request of the commission all cases of residence property managed by them which have been vacated by the tenants thereof together with the names of such tenants and the addresses to which they have removed if known to them The commission shall forthwith send to each such person who is found to be registerd as an elector from the address given in said report and to all the members of his family and household who are electors registered from the same address the notice provided for by section thirty of this act and shall proceed thereupon in accordance with the provisions of that section

Section 30 Mail Check-up of Registers a At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon At least once in each year the commission shall send such notice by mail to each registered elector in the city.

b Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee can not be found there the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-one of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector

Section 31 Canvass of Registered Voters as The commission may at any time by individual commissioners or by inspectors of registration verify the registration in any election district of the county by visiting each building from which an elector is registered and such other buildings as the commission may deem necessary and shall make a record of the name and address of each person registered who shall not be found to reside at the address from which he is registered or who for any other reason shall appear to be not qualified to vote in the election district from which he is registered and shall leave at the address of each such person a notice requiring him to appear personally at the office of the commission in such county on or before a date and hour which the notice shall appoint and which shall be not later than the fifth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector and the commission shall cause a confirmation of each such notice to be sent by mail promptly to such person at the address from which he is registered

b At the expiration of the time specified in the notice the commission shall cancel the registration of each such person who has not personally appeared and proved his qualifications as an elector

c For the purpose of facilitating any such canvass the commission may when necessary appoint special inspectors of registration in number not exceeding double the number of election districts which the commission shall determine to canvass Police officers may be so appointed with the consent of the head of the police department of the city

d Such special inspectors shall have and may exercise the powers conferred by this act upon inspectors of registration They shall be qualified electors of the city and shall be appointed without reference to residence in election districts or to their political affiliations or beliefs

e The commission shall instruct each special inspector in his duties

Section 32 Comparison and Correction of Registers Preliminary Street Lists a Thirty days prior to each election or primary the commission shall compare and correct the general and district registers

b Three months after each municipal election and seven months after each general election the commission shall prepare for each election district a preliminary street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers

c The commission shall cause to be made a sufficient number of exact copies of each such list and as soon as possible and not later than the first day of March in each even numbered year and the first day of July in each odd numbered year shall distribute the same among the inspectors and special inspectors of registration and the officials concerned with the conduct of primaries and elections and among the parties bodies of electors candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the county committee of each political party or body of electors upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 33 Corrected Street Lists Posting Distribution Not later than the thirtieth day prior to each primary and election the commission shall prepare for each election district a corrected street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers The commission shall cause to be made a sufficient number of exact copies of each such list which may be made by correcting and supplementing exact copies of the preliminary street lists Two complete sets of such lists shall be kept on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 34 Petitions to Strike Off Names At any time not later than the fifth day preceding any election or primary any qualified elector of the city including any watcher and any registrar or inspector of registration may petition the commission to cancel the registration of any registered elector of such city setting forth under oath supported by the affidavits of at least two adult persons sufficient grounds for such cancellation and also setting forth that due notice of the time and place when said petition would be presented and heard had been given to the person so registered personally at least twenty-four hours prior to the presentation of the same or that he could not be found at the place given in the district register as his residence and that the person in charge thereof to be mentioned by name in said petition had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them or that no person is residing at the address given whereupon the commission shall forthwith cancel the registration of such elector and amend accordingly the general and district registers and the other records affected unless the person so registered shall appear and show cause why the same should not be done

Section 35 Delivery of District Registers to County Commissioners a Not later than noon of the second day preceding an election or primary the commission shall deliver to the county commissioners of the proper county the district register accurately corrected to date for each election district in order that the same may be delivered to the election officers with other election materials for use on election day in the manner in which the county commissioners now are or hereafter may be required to deliver the same Provided That the registration commission shall not deliver to the county commissioners the registration card for use at the polls on election day of any person who has removed from one election district to another within sixty days of any general municipal primary or special election The registration commission shall withdraw from the district registers the cards of all such persons before the registers are delivered to the county commissioners.

b District registers when so delivered to the county commissioners shall be contained in suitable binders so con-

structed that the name address voting record and other data on each card may be visible and that entries may be made on each card but that the cards may not be removed by the election officers Said binders shall have printed or written thereon the words "District Register of Voters" and the name of the district

Section 36 Persons Registered are Entitled to Vote at General or Municipal Elections if Identified by Signature Proviso Evidence of Registration Discrepancies Persons Registered and Enrolled May Vote at Primaries if Identified by Signtures Proviso Persons Not Registered are Not Entitled to Vote Challenging of Persons Registered Voters' Certificates List of Voters Elections and Primaries Counting Et Cetra of Names Checked as Having Voted Sealing of Registers and Lists of Voters Return of Lists of Voters and Registers a Any person whose name is in the district register of any election district and who upon applying o vote shall have signed his name to a voter's certificate in the form hereinafter provided for as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and viw of the watchers with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers shall be entitld to vote in such district at any general municipal or special election unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from he district since registration or that he has violated any law of this Commonwealth prohibiting betting or bribery at elections.

b No elector shall be required to sign a voter's certificate as a means of identification if he shall have been unable to sign his name when registered or if having been able to sign his name when registered he subsequently shall have lost his sight or lost the hand with which he was accustomed to sign his name or shall have been otherwise rendered by disease or accident unable to sign his name when he applies to vote but each elector shall establish his identity to the satisfaction of the election officers and in such case a voter's certificate shall be prepared for him by one of the election officers upon which the facts as to such disability shall be noted and attested by the signature of such election officer

c No person who applies to vote shall be permitted by any election officer or clerk or other person to see the signature recorded as his in the district register until after he shall have signed his name to the voter's certificate

d Any person who is registered and also enrolled as a member of a political party and who upon applying to vote shall have established his identity by signing his name or otherwise as herein required at elections and is otherwise qualified may vote as a member of said party at any primary succeeding such registration without being subject to any challenge regarding his party membership No elector registered and enrolled as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party at any primary election and any qualified elector registered although not enrolled as aforesaid shall be permitted to vote a non-partisan ballot according to any law providing for same at any primary election

e No one except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by the authority of this Commonwealth shall be entitled to vote at any election or primary without being personally registered as an elector in the election district in which he offers to vote except by order of the court of common pleas as herein provided regarding appealed cases Any person although personally registered may be challenged by any qualified elector watcher overseer or election officer at any election or primary as to his identity as to his continued residence in the election district or as to any alleged violation of the laws of this Commonwealth prohibiting betting or bribery at elections and if challenged as to identity or residence he shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his identity or continued residence in the election district and shall produce such other evidence as may be required to satisfy the election officers of his identity or continued residence in the election district.

f The county commissioners shall cause to be printed for each election district a suitable number of Voter's Certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows

VOTER'S CERTIFICATE

Primary (Election) ..... 19....

I hereby certify that I am qualified to vote at this (primary) (election)

Signature .....

Address .....

..... Pennsylvania

Approved .....

Number of stub of ballot issued (or number of admission to voting machines).....

(and party at primary) .....

The voter's certificates shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the county commissioners After a voter's certificate has been presented by an elector and has been compared withe his signature in the district register and approved or in the case of an elector who is unable to write the notations hereinabove required have been made thereon one of the election officers who made the comparison shall sign his name or initials thereon and if the elector's signature is not readily legible shall print such elector's name over his signature After the elector has been admitted to vote the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at primaries a letter or abbreviation designating the party in whose primary he votes shall be entered on his voter's certificate and the same shall thereupon be inserted in the file or binder One such file or binder shall be furnished for each election district for each primary and election and shall have been printed or written thereon the words "List or Voters" and the name of the district and date of the primary or election The voter's certificates so bound shall constitute the numbered list of voters heretofore required by law to be kept in duplicate by the clerks or inspectors of election All voter's certificates prepared by persons applying to vote whose applications to vote are refused by the election officers shall be carefully preserved and returned to the commission with the list of voters

g The district register hereby provided for shall be used at each election and primary by the election officers in the place of the two registers known as the ballot check list and voting check list heretofore required by law As each voter is found to be qualified and votes the election officer in charge of the district register shall write or stamp the date of the election or primary and sign his name or initials in the proper space on the registration affidavit of such voter contained in the district register After the polls are closed the names of all electors on the district register marked or stamped as having voted shall be immediately counted and the result compared with the number of persons voting shown by the list of voters and announced and the cause of any difference ascertained if possible before the ballot-box or voting machine is opened The list of voters and the district register shall be immediately sealed in envelopes and shall be returned to the custody of the registration commission by the judge of election before noon on the day following the election or primary

Section 37 Entry of Information in General Registers Following Elections and Primaries Report of Indications of Fraud to District Attorney a Immediately following each election or primary the commission shall cause each district register to be examined and shall enter the date of the election or primary in the proper space on the registration affidavits in the general register of each elector whom the district register indicates as having voted

b In the case of any elector whom the election ofifcers shall have recorded as removed deceased or challenged and prevented from voting the commission shall ascertain the facts and shall correct the general and district registers in accordance therewith

c The commission specifically shall compare the signature of each elector on each voter's certificate with his signature in the district register and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of voter's certificates and registers hereby prescribed

Section 38 Cancellation of Registration upon Failure to Vote within Four Years Request for Reinstatement Within

three months after the general election held in the year one thousand nine hundred and thirty-eight and within three months after each general and municipal election thereafter the registration commission shall cause all of the district registers to be examined and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of four years immediately preceding the commission shall send to such elector by mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has not voted within a period of four years and that his resignation will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his resignation setting forth his place of residence and signed by him At the expiration of the time specified in the notice and after publication of the information contained in the notice mailed as aforesaid at least one time in at least one newspaper of general circulation published in the city the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote within a period of four years shall not affect the right of any such elector to subsequently register by personal application to the commission or a commissioner or a registrar in the manner provided by this act

Section 39 Cancellation Removal and Preservation of Registration Affidavits Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration affidavits of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such affidavit shall be kept for five years after which the commission may destroy it

Section 40 Appeals to Court Time of Fee Time of Hearing Notice Postponement Hearing Decision of Court Costs and Fees a Any person whose claim for registration has been denied by the commission or whose name although previously registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of any county whose rights are impaired by any general order made by the commission not including registration of particular names by the commission or personal application made to it as aforesaid or refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper court of comon pleas not later than the fourth day preceding any election or primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief Such appelant shall pay the prothonotary a fee of three dollars for filing such appeal Thereupon any judge of the court may fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the counsel for the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court Proof of notice or the waiver thereof must be filed therein

b Any judge of the court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary At the time so fixed the court or any judge thereof assigned for the purpose shall hear all the witnesses and other evidence that may be offered unless the issue can be decided in some other manner by agreement of the parties concerned

c If after any such public hearing the court shall find that an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed

d The court may compel the appellant or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner

Section 41 Production of Documents Et Cetera At Appeals At the written request of any person taking an appeal from any action or order of a commission as aforesaid the commission shall produce at the hearing thereof any petition register or other record in its custody relevant to the issue involved but the commission shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so

Section 42 Subpoenas and Witness Fees a Any person filing any petition of any kind with a commission or opposing same shall have the privilege of having subpoenas issued by the commission to compel the attendance of witnesses upon condition that all witnesses so subpoenaed shall be paid two dollars and fifty cents each per day as witness fees in the manner here provided

b The commission on its own motion may subpoena witnesses including registrars each of whom shall also be entitled to daily witness fees at the rate aforesaid to be paid out of any money to be provided for the purpose to the commission by the county commissioners in the same manner as other necessary expenses of such commission are to be provided for

c All subpoenas shall be in substantially the same form and shall have the same force and effect as subpoenas now issued by a court of common pleas The commission shall have the benefit of the process of said courts if necessary to enforce any subpoena issued by such commission

d No subpoena shall be issued for the benefit of any person other than the commission until he shall have paid the commission a fee of twenty-five cents for issuing the same and deposited with said commission one day's witness fees for each witness to be summoned thereby whose names shall be given to the commission and entered by it in such subpoena and among the records of the commission No such subpoena shall be of any virtue to require the further attendance of any witness after the day mentioned therein unless the hearing be postponed or continued by the commission and unless before four o'clock post meridian of said day the person for whose benefit it is issued shall have deposited with the commission an additional day's witness fees for each witness whose further attendance is desired As soon as convenient after any hearing is concluded (or postponed or continued) on any day the commission shall disburse the fees deposited with it by any person among those witnesses who have appeared in response to subpoenas issued and shall return to the person who deposited the same any fees deposited for others who did not attend and shall also pay like fees to any summoned by the commission taking their receipts therefor so long as there are sufficient funds available for such payments

e The commission shall pay over to the county treasurer all fees received for subpoenas The accounts of such commission respecting disbursements of witness fees out of appropriations made to such commission by the county commissioners shall be subject to audit from time to time by the county controller

Section 43 Crimes and enalties a Any person who wilfully disobeys a lawful order of the commission or refuses to obey its subpoenas duly issued and served under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500)

b Any wilful false statement made under oath or in writing stating that it is so made although such oath may not have actually been made by any person regarding any material matter or thing relating to any subject investigated heard or acted upon by any registrar commissioner judge watcher inspector of registration court or commission by virtue of this act shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

c Any registrar or commissioner who knowingly registers or permits to be registered a person not lawfully entitled to be registered or who without reasonable cause refuses to register a person entitled to be registered or knowingly assists in preventing such person from being registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

d Any person who applies for registration knowing or having reason to know that he is not entitled to be registered or who falsely personates another in an application for regis-

tration or who knowingly offers false naturalization papers to establish his claim to be registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

e Any registrar commissioner or assistant or employe of a commission who inserts or intentionally permits to be inserted a name or other entries in any registration card without a proper application in person on the part of the person registered or without requiring the proper evidence of the right of the applicant to be registered or who materially alters any registration card after the entries have been made except upon an order of the court of common pleas or of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than (5) years

f Any election officer who knowingly refuses the vote of a duly registered and qualified elector or who knowingly accepts the vote of a person not registered in accordance with the provisions of this act (except that of a person in actual military or naval service or a person having an order of court) or who knowingly receives a vote from a person falsely claiming to be a registered voter shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding on thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

g Any commissioner registrar inspector of registration or other officer assistant or employe upon whom a duty is laid by this act who shall wilfully neglect or refuse to perform such duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

h Any person who inserts or intentionally permits to be inserted any name or material entry in any registration card street list affidavit petition subpoena certificate report or other record authorized or required by this act to be made or prepared for any purpose herein mentioned except in accordance herewith or who materially alters or destroys an entry which has been duly made therein except as herein provided or who takes and removes any such book paper card or other record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspected or copied as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

i Any person who neglects or refuses to furnish to any commissioner or to any inspector of registration any information which he is herein authorized to obtain or to exhibit any records papers or documents herein authorized to be inspected by him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

j Any constable policeman sheriff or other peace or police officer or deputy or subordinate thereof who shall fail upon demand of any commissioner or inspector of registration to render such aid and assistance to him as he shall demand in the maintenance of peace and in the making of arrests without warrant as herein provided or who shall wilfully hinder or delay or attempt to hinder or delay any commissioner or inspector of registration in the performance of any duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

k Any person who intentionally interferes with hinders or delays any other person in the performance of any act or duty authorized or imposed herein shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500)

Section 44 Effective Date Partial Invalidity Legislative Intent a Except as otherwise provided therein this act shall be in force and take effect from and after the first day of February one thousand nine hundred thirty-four

b It is the intention of the General Assembly that if this act cannot take effect in is entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 45 Repeal of Prior Laws Proviso a The following acts of Assembly and parts of acts and any amendments and supplements thereto are hereby repealed absolutely in so far as they effect the personal registration and enrollment of voters in cities of the second class A

(1) Section fifty-nine of an act entitled "An act relating to the Elections of this Commonwealth" approved July second one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred nineteen)

(2) Sections one two three fifteen and nineteen of an act entitled "A further supplement to the act regulating elections in this Commonwealth" approved January thirtieth one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one)

(3) Section one of an act entitled "An act declaratory of and amending the act entitled 'A further supplement to the act regulating eletcions in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four" approved February thirteenth one thousand eight hundred and seventy-four (Pamphlet Laws forty-four)

(4) An act entitled "An act to amend sections one two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four changing the time and manner of making the registry of voters and the duties of registry assessors" approved May twenty-ninth one thousand eight hundred and ninety-one (Pamphlet Laws one hundred thirty-four)

(5) An act entitled "An act to authorize the election of assistant assessor for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" approved June sixteenth one thousand eight hundred and ninety-one (Pamphlet Laws two hunderd ninety-eight)

(6) An act entitled "An act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four as amended by the act of May twenty-ninth one thousand eight hundred and ninety-one fixing the place at which the assessors shall sit to perform the duties imposed upon them by the second section of the said supplement of May twenty-ninth one thousand eight hundred and ninety-one in all voting districts or precincts in this Commonwealth where temporary voting places are or may be established" approved June twelfth one thousand eight hundred and ninety-three (Phamplet Laws four hundred fifty-five)

(7) An act entitled "An act to amend sections two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the twenty-ninth day of May one thousand eight hundred and ninety-one changing the time and manner of making the registry of voters and duties of registry assessors" approved May sixteenth one thousand eight hundred and ninety-five (Pamphlet Laws seventy-five)

(8) An act entitled "An act supplementary to an act entitled 'An act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violations of its provisions approved the seventeenth day of February Anno Domini one thousand nine hundred and six providing for the continuance in office of the registration commissioners of consolidated cities" approved June third one thousand nine hundred and seven (Pamphlet Laws three hundred ninety-four)

(9) An act entitled "An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at

primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" approved July twenty-fourth one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven)

(10) An act entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of assessors and registry assessors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers wilfully permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket" approved July twenty-fifth one thousand nine hundred and thirteen (Pamphlet Laws one thousand and forty-three)

(11) An act entitled "An act to amend section six of an act entitled "An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' aproved the twenty-fourth day of July one thousand nine hundred and thirteen" approved May twenty-eighth one thousand nine hundred and fifteen (Pamphlet Laws five hundred and seventy-six)

(12) An act entitled "An act to amend sections fifteen and eighteen of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violtions of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July one thousand nine hundred and thirteen by providing for attendance of witnesses fees for subpoenas witness fees and the manner of payment of same and providing a penalty for disobedience to the lawful order of the commissioners or refusal to obey their subpoenas and by repealing inconsistent legislation" approved June eighteenth one thousand nine hundred and fifteen (Pamphlet Laws one thousand and twenty-seven)

(13) An act entitled "An act to amend the third section of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July Anno Domini one thousand nine hundred thirteen (Pamphlet Laws nine hundred seventy-seven) by regulating the compensation of the registration commissioners" approved July nineteenth one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred eight)

(14) An act entitled "A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" approved July twenty-first one thousand nine hundred and nineteen (Pamphlet Laws one thousand and sixty-five)

(15) An act entitled 'An act amending section sixteen of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved July twenty-four one thousand nine hundred and thirteen providing for a change in salaries of the employes of the registration commissioners" approved April twenty-first one thousand nine hundred and twenty-one (Pamphlet Laws two hundred thirty-nine)

(16) An Act entitled "An Act to amend section one of an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand sixty-five) entitled 'A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith'" approved June seventh one thousand nine hundred and twenty-three (Pamphlet Laws six hundred eighty)

(17) An Act entitled "An Act to amend part of section seven of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a poiltical party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith'" approved April twenty-third one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred seventy)

b All other acts or parts of acts of Assembly in conflict or inconsistent with this act or any part hereof are hereby repealed so far as they are inconsistent herewith

c The provisions of this act shall not affect any suit or prosecutions pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such acts so repealed respecting any act done or omitted prior to such repeal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 161, (Senate Bill No. 17), entitled:

An Act to amend section seventeen of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred seven), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by excluding interest bear-

ing accounts in any bank or banking institution, savings institution, or trust company from the provisions thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The SPEAKER. The Chair requests the gentleman from Franklin, Mr. Hutton, to approach the rostrum and preside over the deliberations of the body.

(MR. HUTTON IN THE CHAIR)

BILL RE-REFERRED

Mr. HEFFERNAN, returned from the Committee on Public Health and Sanitation with the recommendation that it be re-referred to the Committee on Insurance, House Bill No. 180, entitled:

A Supplement to an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder, "providing for the inclusion of occupational diseases within the scope thereof and providing definitions, provisions and procedure related to such diseases.

The SPEAKER. The bill is now re-referred to the Committee on Insurance.

BILL ON SECOND READING

Mr. McELWEE. Mr. Speaker, I desire to call up at this time House Bill No. 16, Printer's No. 40 on page 4, of today's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 16, entitled:

An Act to amend title Whereas clauses and sections one and four of the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred and twenty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title Whereas clauses and sections one and four of the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred and thirty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs" are hereby amended to read as follows

AN ACT

Authorizing courts of common pleas to stay writs of execution against and tax sales of [certain] real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs

Whereas The present economic emergency has brought increasing distress [to home owners and farmers] and

Whereas Foreclosures in this emergency work tremendous inequities to [such persons] debtors yield a minimum of satisfaction to execution creditors and deprive families of shelter and means of subsistence thus endangering the health safety welfare and morals of the public

Section 1 Definitions That when used in this act the following words and phrases shall have the meanings respectively ascribed to them by this section unless the context clearly requires a different meaning

"Writ of execution" shall mean any writ of fieri facias venditioni exponas levari facias or any other writ or form of execution for the sale of any [dwelling and the land appurtenant thereto or any farm where such dwelling or farm shall be occupied by an owner thereof as his or her residence] real property or any proceeding for the sale of real property [as herein defined] for failure to pay taxes

["Real property" shall mean any dwelling together with the land appurtenant thereto and any farm occupied by an owner of such dwelling or farm as a residence]

Section 4 The stay of any execution under this act shall continue the return day of the writ of execution to [the first] a future regular return day for such writs [which shall occur after a sale held under such writ] to be fixed by the court not later than the first Monday of June 1935 In the meantime the writ shall remain in full force and effect and sale may be made thereunder without the issuance of an alias or any other writ

This act as amended shall apply to all cases pending and not finally adjudicated at the date this act takes effect including cases pending in the Supreme and Superior Courts which shall be remitted to the court of common pleas from which the appeal was taken for further consideration

On the question,

Will the House agree to the section?

Mr. McELWEE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 1, page 1, line 4 by striking out the word "title."

Amend Section 1, page 1, line 4 by inserting after the word "one" the word: "two."

Amend Section 1, page 2, lines 4 to 9, inclusive, by striking out the whole of said lines.

Amend Section 1, page 2, line 13 by inserting after the word "debtors" the word: "and."

Amend Section 1, page 2, lines 14, 15 and 16, by striking out the words "and deprieve families of" in line 14, and the whole of lines 15 and 16, and inserting in lieu thereof: "and"

"Whereas, It is essential to the preservation of the health, welfare and morals of the public as well as to the safety of this Commonwealth that executions against realty should not deprive families of shelter and the means of subsistence."

Amend Section 1, page 2, line 27 by striking out the light-faced brackets in said line.

Amend Section 1, page 2, line 29 by striking out the light-faced brackets at the beginning and end of said line.

Amend Section 1, page 3, line 1 by striking out the light-faced bracket at the beginning of said line.

Amend Section 1, page 3, line 2 by strikng out the light-faced bracket at the end of said line, and inserting in lieu thereof: "or any other real property, a substantial portion of which is occupied by its owner in the pursuit of his livelihood."

Amend Section 1, page 3, by inserting between lines 2 and 3 the following:

"Section 2 Every court of common pleas of this Commonwealth shall have authority, under the conditions hereinafter set forth, to stay any writ of execution from time to time and for such periods as the court, in its discretion, may deem proper. Such stays shall be allowed only upon application of an owner, lienholder, or any other person in interest, and, unless the plaintiff consent thereto, only upon the applicant's showing to the court such facts, including his economic and social status, as the court may deem sufficient to warrant such relief. [In granting any such stay or continuance, the court may impose such condition as it deems proper as to payment of costs, taxes, accuring

interest, repairs, advertising and notice of sale, insurance, and any other pertinent matters.] If the petitioner is not the owner, the owner shall be brought in by writ of scire facias.

"In granting any such stay or continuance the court shall require that either the debtor or the petitioner pay for and carry fire insurance upon such property to an amount fixed by the court. The court shall also require that either the debtor or the petitioner undertake to pay and does pay all taxes, water rents, municipal assessments and other like charges, which have already been assessed against such property within six months from the date of the presentation of the petition. The court may also impose under the debtor such conditions as it deems proper as to the payment of costs, accuring interest, expense of maintenance, advertising, notice of sale and any other pertinent matters, taking into consideration the income derived from the property. If the petitioner, who is not the owner, has advanced any sum or sums of money in the fulfillment of the imposed conditions he shall have a right to reimbursement by the debtor on the first Monday of June, one thousand nine hundred and thirty five.

"If, after a stay is granted, any of the conditions imposed by the court are not fulfilled, the creditors may so state by petition and if the court so finds, it shall order execution of the writ, forthwith, notwithstanding a continuance granted therefor."

Amend Section 1, page 3, line 4 by inserting after the word "shall" the following: "from time to time."

Amend Section 1, page 3, lines 13 to 18, both inclusive, by striking out the whole of said lines, and inserting in lieu thereof the following:

"Section 2 Said act is hereby amended by adding thereto the following new sections:

"Section 8 This act as amended shall apply to all cases pending and not finally adjudicated at the date these amendments take effect including cases pending in the Supreme and Superior Court which shall be permitted to the court of common pleas for which the appeal was taken for further consideration, as well as to cases arising from mortgage or judgment obligations created thereafter.

"Section 9 The promisions of this act shall be severable, and if any of the provisions shall be held to be unconstitutional, such decision shall not affect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the section?

Mr. McELWEE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 2, page 3, line 19 by striking out the figure "2" and inserting in lieu thereof: "3."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend title Whereas clauses sections one and four of the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred and twenty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs"

On the question,

Will the House agree to the title?

Mr. McELWEE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 1 by striking out the word "title."

Amend title, page 1, line 1 by inserting after the word "one" the word: "two."

Amend title, page 1, line 2 by inserting after the words "four of" the following: "and to add sections eight and nine to."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 56, entitled:

An Act to amend sections one thousand seven hundred and seventy-six two thousand one hundred and twelve and two thousand one hundred and forty-one of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" lengthening the time for which assessment bonds for street and sewer improvements may be issued regulating notice where sewer-works are constructed without the limits of a borough

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Griffith,	McGinnis,	Shellenberger,
Baker,	Habbyshaw,	McGrail,	Shenkel,
Baldi,	Hamilton,	McGregor,	Shettel,
Barnhardt,	Harmuth,	McHenry,	Shortz,
Bechtel,	Harris,	McKay,	Shreiner,
Beech,	Hart,	McKinney,	Shugarts,
Bennett,	Hartman,	Melchiorre,	Simon,
Bernhard,	Heffernan,	Meredith,	Sinwell,
Blumberg,	Hefferon,	Merrell,	Snyder,
Boyd,	Heffner,	Mohn,	Sowers,
Brancato,	Hermansen,	Moore,	Spann,
Brown, J. E.,	Hester,	Mumford,	Stank,
Brown, W. L.,	Hewitt,	Munley,	Steedle,
Brownfield,	Himes, H. E.,	Murphy,	Sterling, R. B.,
Cannon,	Himes, L. R.,	Myers,	Stevens,
Caputo,	Holmes, J. B.,	Negley,	Stevenson,

Carson,	Holmes, J. L.,	O'Connor,	Stiteler,
Chervenak,	Hoopes,	O'Keefe,	Stone,
Cohen,	Horst,	O'Neill,	Storb,
Conner,	Hough,	O'Rourke,	Stott,
Cooke,	Howard,	Patterson,	Surface,
Cordier,	Hutton,	Peelor,	Tahl,
Craig,	Jaffe,	Pennock,	Terry,
Cramer,	Jones,	Perry, D. R.,	Trout,
Dane,	Kane, J. J.,	Perry, J. J.,	Turner,
Davies,	Kane, L. P.,	Peters,	Wade,
DeFrehn,	King,	Powell,	Walker, G. E.,
Denning,	Kinney,	Powers,	Walker, W. A.,
Downey, J. J.,	Labar,	Price,	Wall,
Duffy,	Lane,	Quinn,	Wasserman,
Dunmire,	Laubach,	Raub,	Way,
Ederer,	Lenahan,	Rectenwald,	Weidemann,
Emhardt,	Lewis,	Reed,	Welsh,
Eroe,	Long,	Reilly,	Westrick,
Evans,	Lord,	Rhodes,	White,
Fitzgerald,	Lose,	Rice,	Wike,
Flanagan,	Lovett, J. E.,	Roan,	Williams, G. W.
Fleisher,	Lovett, W. S.,	Roth,	Williams, J. J.,
Flinchbaugh,	Lynch, M.,	Royle,	Wilson, L. M.,
Flynn, J. W.,	Male,	Ruby,	Wilson, T. B.,
Forrest,	Malina,	Sarig,	Witkin,
Furman,	Maloney,	Sautter,	Wood,
Gallagher, T. J.,	Marcks,	Schrock,	Woodside,
Gallagher, W. J.	Mason,	Schrope,	Wright,
Gartner,	McBride,	Schwab,	Yeakel,
Gillette,	McCandless,	Schwartz,	Yourishin,
Gorman,	McClure,	Scorza,	Zimmerman,
Green,	McCreary,	Scott,	Talbot,
Greenstein,	McElwee,	Sheffer,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 41, entitled:

An Act making an appropriation for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Gorman,	McGinnis,	Shenkel,
Baker,	Green,	McGrail,	Shettel,
Baldi,	Griffith,	McGregor	Shortz,
Barnhardt,	Habbyshaw,	McHenry,	Shreiner,
Bechtel,	Haines,	McKay,	Shugarts,
Beech,	Hamilton,	McKinney,	Simon,
Bennett,	Harmuth,	Melchiorre,	Sinwell,
Bernhard,	Harris,	Meredith,	Snyder,
Blumberg,	Hartman,	Merrell,	Sowers,
Boyd,	Heffernan,	Mohn,	Spann,
Brancato,	Hefferon,	Moore,	Stank,
Brennan,	Heffner,	Mumford,	Steedle,
Brown, J. E.,	Hermansen,	Munley,	Sterling, P.,
Brown, W. L.,	Hester,	Murphy,	Sterling, R. B.,
Brownfield,	Hewitt,	Negley,	Stevens,
Cannon,	Himes, H. E.,	Nothnagle,	Stevenson,
Caputo,	Himes, L. R.,	O'Connor,	Stiteler,
Carey,	Hoffman,	O'Neill,	Stone,
Carson,	Holmes, J. B.,	O'Rourke,	Stott,
Chervenak,	Holmes, J. L.,	Patterson,	Surface,
Cohen,	Hoopes,	Peelor,	Tahl,
Conner,	Hough,	Pennock,	Terry,
Cooke,	Howard,	Perry, D. R.,	Trout,
Cordier,	Hutton,	Perry, J. J.,	Turner,
Craig,	Jaffe,	Peters,	Wade,
Cramer,	Jones,	Powell,	Wagner,
Dane,	Kane, L. P.,	Powers,	Walker, G. E.,
Davies,	King,	Price,	Walker, W. A.,
DeFrehn,	Kinney,	Raub,	Wall,
Denning,	Labar,	Rectenwald,	Wasserman,
Downey, G. E.,	Lane,	Reed,	Way,
Downey, J. J.,	Laubach,	Reilly	Weidemann,
Duffy,	Lenahan,	Rhodes,	Welsh,
Dunmire,	Lewis,	Rice,	Westrick,
Ederer,	Lord,	Roan,	White,
Emhardt,	Lose,	Root,	Wike,
Eroe,	Lovett, J E.,	Roth,	Williams, G. W.
Evans,	Lovett, W. S.,	Royle,	Williams, J. J.,
Flanagan,	Lynch, J R.,	Ruby,	Wilson, L. M.,
Fleisher,	Lynch, M.,	Sarig,	Wilson, T. B.,
Flinchbaugh,	Male,	Sautter,	Witkin,
Flynn, J. M.,	Maloney,	Schrock,	Wood,
Flynn, J. W.,	Marcks,	Schrope,	Woodside,
Forrest,	Mason,	Schwab,	Wright,
Furman,	McBride,	Schwartz,	Yeakel,
Gallagher, T. J.,	McCandless,	Scorza,	Yourishin,
Gallagher, W. J.,	McClure,	Scott,	Zimmerman,
Gartner,	McCreary,	Sheffer,	Talbot,
Gillette,	McElwee,	Shellenberger,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 88, as follows:

An Act making an appropriation out of the General Fund to the Pennsylvania Liquor Control Board for the administration and enforcement of the Pennsylvania Liquor Control Act including the establishment operation maintenance and equipment of Pennsylvania Liquor Stores and places for the storing and testing of liquors and providing for the partial reimbursement of the General Fund by making an appropriation from The State Stores Fund to be transferred in installments to the General Fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two million dollars ($2,000.000) or as much thereof as may be necessary is hereby appropriated out of the General Fund to the Pennsylvania Liquor Control Board for the two fiscal years ending the thirty-first day of May one thousand nine hundred thirty-five for the payment of salaries wages or other compensation of officers and employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment for the purchase of spirituous and vinous liquors supplies furniture automobiles and equipment for the payment of rentals for buildings and other accommodations for the payment of the cost of printing for the payment of the cost of granting liquor licenses to hotels restaurants clubs and public service companies and for the payment of any other expenses whatsoever necessary for the proper conduct of the work of the Board in administering and enforcing the Pennsylvania Liquor Control Act including the establishment operation maintenance and equipment of Pennsylvania Liquor Stores and places for the storing and testing of liquor

Section 2 In order to reimburse the General Fund for as much of the appropriation made by section one of this act as is used in the establishment operation maintenance and equipment of Pennsylvania Liquor Stores and places for the storing and testing of liquor the sum of two million dollars ($2,000,000) or as much thereof as may be necessary shall be transferred from The State Stores Fund before the thirty-first day of May one thousand nine hundred thirty-five in such amounts and at such times as the Pennsylvania Liquor Control Board with the approval of the Governor shall direct Such transfers shall be made by the State Treasurer upon warrants of the Auditor General upon requisitions of the

board The moneys in The State Stores Fund are hereby specifically appropriated to the board for transfer from time to time as provided in this section

Section 3 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Griffith,	McClure,	Shenkel,
Baker,	Habbyshaw,	McCreary,	Shortz,
Baldi,	Haines,	McElwee,	Shreiner,
Barnhardt,	Hamilton,	McGinnis,	Shugarts,
Bechtel,	Harmuth,	McGrail,	Simon,
Beech	Harris,	McGregor,	Sinwell,
Bennett,	Hart,	McHenry,	Snyder,
Bernhard,	Hartman,	McKay,	Spann,
Blumberg,	Heffernan,	McKinney,	Stank,
Boyd,	Hefferon,	Meredith,	Sterling, P.,
Brennan,	Heffner,	Merrell,	Sterling, R. B.,
Brown, J. E.	Hermansen,	Mohn,	Stevens,
Brown, W. L.,	Hester,	Mumford,	Stiteler,
Brownfield,	Hewitt,	Munley,	Stone,
Caputo,	Himes, H. E.	Murphy,	Storb,
Carey,	Himes, L. R.,	Myers,	Stott,
Carson,	Hoffman,	Negley,	Surface,
Chervenak	Holmes, J. B.,	Nothnagle,	Terry,
Cohen,	Holmes, J. L.,	O'Connor,	Trout,
Cooke,	Hoopes,	O'Neill	Turner,
Cordier,	Horst,	O'Rourke,	Wade,
Craig,	Hough,	Patterson,	Wagner,
Cramer,	Howard,	Peelor,	Walker, G. E.,
Dane,	Hutton,	Perry, D. R.,	Walker, W. A.,
Davies,	Jaffe,	Perry, J. J.,	Wall,
DeFrehn,	Jones,	Peters,	Wasserman,
Denning,	Kane, J. J.,	Powell,	Way,
Downey, G. E.,	Kane, L. P.	Price,	Weidemann,
Downey, J. J.,	King,	Quinn,	Welsh,
Duffy,	Kinney,	Raub,	Westrick,
Dunmire,	Lane,	Rectenwald,	White,
Ederer,	Laubach,	Reed,	Wike,
Eroe,	Lenahan,	Reilly,	Williams, G. W.
Evans,	Lewis,	Rhodes,	Williams, J. J.,
Fitzgerald,	Long,	Rice,	Wilson, L. M.,
Flanagan,	Lord,	Roan,	Wilson, T. B.
Fleisher,	Lose,	Roth,	Witkin,
Flinchbaugh,	Lovett, J. E.,	Royle,	Wood,
Flynn, J. W.	Lovett, W. S.	Sautter,	Woodside,
Forrest,	Lynch, J. R.	Schrock,	Wright,
Furman,	Lynch, M.,	Schrope,	Yeakel,
Gallagher, T. J.	Male,	Schwab,	Yourishin,
Gallagher, W. J.,	Maloney,	Schwartz,	Zimmerman,
Gartner,	Marcks,	Scorza,	Talbot,
Gillette,	Mason,	Scott,	Speaker.
Gorman,	McBride,	Sheffer,	
Greenstein,	McCandless,	Shellenberger,	

NAYS—9

Brancato,	Malina,	Moore,	Sarig,
Cannon,	Melchiorre,	Pennock,	Tahl,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 55 as follows:

An Act making an appropriation out of The State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That out of the moneys in The State Stores Fund which represent net profits from the operation of Pennsylvania Liquor Stores the sum of forty million dollars ($40,000,000) is hereby specifically appropriated to the State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinafter provided Such appropriation shall be paid over to the board during the period beginning April first one thousand nine hundred thirty-four and ending May thirty-first one thousand nine hundred and thirty-five but the moneys hereby appropriated may be used for the payment of bills contracted by or with the authority of the State Emergency Relief Board for work relief or direct relief prior to April first one thousand nine hundred thirty-four

The moneys appropriated shall be available from time to time as the Pennsylvania Alcohol Permit Board shall certify that profits are available and upon requisition of the State Emergency Relief Board

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the moneys appropriated to it among the several counties of this Commonwealth on the basis of need

Section 3 The moneys so allocated to a county shall be available for expenditure in that county for relief as the State Emergency Relief Board shall determine Whenever the State Emergency Relief Board has determined to expend any part of a county's allocation for work relief on State highways and bridges thereon it shall pay such part of the county's allocation into the Motor License Fund and it shall thereafter be expended in accordance with existing laws by the Department of Highways in such county in the construction and improvement of such State highways and bridges thereon as shall be designated by the State Emergency Relief Board and the labor employed by the department (other than that required for supervision engineering and in the operation of road machinery) in such construction work shall be furnished by residents of such county in need of employment to be selected in accordance with the rules and regulations of the State Emergency Relief Board

The Department of Highways may cumulate the respective amounts in the Motor License Fund credited to a county until such funds are available to undertake the construction work authorized by this section

Section 4 The amount available in any county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure for the purchase of food clothing fuel and shelter for the unemployed in such county through such public and private agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 5 Out of the appropriation made by this act the State Emergency Relief Board may allocate the sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary for printing the payment of the compensation and expenses of clerical and other assistants required for supervising the expenditure of the appropriation made by this act postage traveling expenses and all other incidental and necessary expenses incurred by the board in administering this act

Section 6 Out of the appropriation made by this act the State Emergency Relief Board may from time to time allocate to the State Veterans' Commission sums not exceeding an aggregate of three hundred thousand dollars ($300,000) for providing food clothing fuel or shelter for unemployed veterans who are without means of support

Section 7 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for investigation of applications for relief the cost of distributing food clothing fuel or shelter and the maintenance of proper records of receipts expenditures and other transactions of local relief distributing agencies

Section 8 This act shall become effective upon the first day of April one thousand nine hundred thirty-four

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188

Andrews,	Greenstein,	McCreary,	Shellenberger,
Baker,	Griffith,	McElwee,	Shenkel,
Baldi,	Habbyshaw,	McGinnis,	Shettel,
Barnhardt,	Haines,	McGrail,	Shortz,
Bechtel,	Hamilton,	McGregor,	Shreiner,
Beech,	Harmuth,	McKay,	Shugarts,
Bennett,	Harris,	McKinney,	Simon,
Bernhard,	Hart,	Melchiorre,	Sinwell,
Boyd,	Hartman,	Meredith,	Snyder,
Brancato,	Heffernan,	Merrell,	Sowers,
Brennan,	Hefferon,	Mohn,	Spann,
Brown, J. E.,	Heffner,	Moore,	Stank,
Brown, W. L.,	Hermansen,	Mumford,	Steedle,
Brownfield,	Hester,	Munley,	Sterling, P.,
Cannon,	Hewitt,	Murphy,	Sterling, R. B.,
Caputo,	Himes, H. E.,	Myers,	Stevens,
Carey,	Himes, L. R.,	Negley,	Stevenson,
Carson,	Hoffman,	O'Connor,	Stone,
Chervenak,	Holmes, J. B.,	O'Keefe,	Storb,
Cohen,	Holmes, J. L.,	O'Neill,	Stott,
Conner,	Hoopes,	O'Rourke,	Surface,
Cordier,	Horst,	Patterson,	Tahl,
Craig,	Hough,	Peelor,	Terry,
Cramer,	Howard,	Pennock,	Trout,
Dane,	Hutton,	Perry, D. R.,	Turner,
Davies,	Jaffe,	Perry, J. J.,	Wagner,
DeFrehn,	Jones,	Peters,	Walker, G. E.,
Denning,	Kane, J. J.,	Powell,	Walker, W. A.,
Downey, J.,	Kane, L. P.,	Price,	Wall,
Duffy,	King,	Quinn,	Wasserman,
Dunmire,	Kinney,	Raub,	Way,
Ederer,	Labar,	Reed,	Welsh,
Emhardt,	Lane,	Reilly,	Westrick,
Eroe,	Lenahan,	Rhodes,	White,
Evans,	Lewis,	Rice,	Wike,
Fitzgerald,	Long,	Roan,	Williams, G. W.,
Flanagan,	Lose,	Root,	Williams, J. J.,
Fleisher,	Lovett, J. E.,	Royle,	Wilson, L. M.,
Flinchbaugh,	Lovett, W. S.,	Ruby,	Wilson, T. B.,
Flynn, J. M.,	Lynch, J. R.,	Ruth,	Wood,
Flynn, J. W.,	Lynch, M.,	Sarig,	Woodside,
Forrest,	Male,	Sautter,	Wright,
Furman,	Malina,	Schrock,	Yeakel,
Gallagher, T. J.,	Maloney,	Schwab,	Yourishin,
Gallagher, W. J.,	Marcks,	Schwartz,	Zimmerman,
Gartner,	Mason,	Scorza,	Talbot,
Gillette,	McCandless,	Sheffer,	Speaker.
Green,	McClure,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 87, entitled:

An Act appropriating the moneys in the State Stores Fund

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SARIG. Mr. Speaker and members of the House, I have no desire to hold up these proceedings; I realize the futility of it, but I just do wish to call your attention to this particular bill now before us. To my way of thinking this bill represents the loosest method of parceling out the public money that I have seen since I have come to this Legislature. It is simply a blanket bill giving them permission to use as much of the money that is taken in from these liquor stores as they see fit to use.

In the first place, of course, you gave them the power to fix their salaries as they saw fit, you gave them blanket powers to spend as much as they saw fit. Now, here you give them blanket powers to spend unlimited amounts of money without any restraint and without any check whatever. You are simply handing over to this control board the power to dip their hands into this fund and do with it whatever they please.

I have never in all the years of my experience in this Legislature seen so loose and so careless a method of handing out public money as this bill proposes. For that reason I shall vote against it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. SARIG. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—77

Andrews,	Gallagher, T. J.,	McClure,	Ruby,
Baker,	Gallagher, W. J.,	McCreary,	Schwab,
Baldi,	Griffith,	McGinnis,	Scott,
Barnhardt,	Habbyshaw,	McKay,	Sheffer,
Bechtel,	Hamilton,	McKinney,	Shellenberger,
Beech,	Heffner,	Munley,	Shreiner,
Bernhard,	Hermansen,	Negley,	Simon,
Boyd,	Hewitt,	O'Keefe,	Spann,
Brown, W. L.,	Himes, H. E.,	O'Neill,	Stevens,
Brownfield,	Himes, L. R.,	O'Rourke,	Trout,
Caputo,	Hoopes,	Patterson,	Wade,
Chervenak,	Horst,	Peelor,	Wall,
Cramer,	Hutton,	Perry, D. R.,	Way,
Dane,	King,	Perry, J. J.,	White,
Davies,	Kinney,	Powers,	Wike,
DeFrehn,	Lord,	Quinn,	Wilson, L. M.,
Downey, G. E.,	Lovett, W. S.,	Reed,	Wright,
Dunmire,	Maloney,	Reilly,	Yeakel,
Emhardt,	McCandless,	Rhodes,	Yourishin,
Evans,			

NAYS—64

Bennett,	Harmuth,	Marcks,	Shenkel,
Brancato,	Hartman,	McElwee,	Shugarts,
Brown, J. E.,	Heffernan,	McGrail,	Sinwell,
Cannon,	Hester,	Melchiorre,	Sowers,
Carey,	Holmes, J. B.,	Mohn,	Stank,
Carson,	Howard,	Moore,	Sterling, R. B.,
Craig,	Jaffe,	Myers,	Storb,
Downey, J.,	Kane, J. J.,	O'Connor,	Tahl,
Ederer,	Lane,	Pennock,	Wagner,
Eroe,	Lenahan,	Price,	Walker, G. E.,
Flanagan,	Lewis,	Raub,	Walker, W. A.,
Flynn, J. W.,	Long,	Root,	Welsh,
Forrest,	Lovett, J. E.,	Roth,	Westrick,
Furman,	Lynch, M.,	Sarig,	Wilson, T. B.,
Gorman,	Male,	Sautter,	Woodside,
Green,	Malina,	Schrope,	Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 74, entitled:

A Supplement to act number three hundred-A approved the third day of June one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending

May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to the Executive and Judicial Departments of the Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128

Baker,	Greenstein,	McBride,	Roan,
Baldi,	Griffith,	McClure,	Royle,
Bechtel,	Haines,	McCreary,	Ruth,
Beech,	Hamilton,	McElwee,	Sarig,
Bennett,	Hartman,	McGrail,	Sautter,
Bernhard,	Heffernan,	McGregor,	Schrock,
Boyd,	Hefferon,	McKay,	Schwab,
Brancato,	Heffner,	McKinney,	Shellenberger,
Brennan,	Hermansen,	Melchiorre,	Shenkel,
Brown, W. L.,	Hester,	Merrell,	Shettel,
Brownfield,	Hewitt,	Moore,	Shreiner,
Cannon,	Himes, H. E.,	Mumford,	Simon,
Caputo,	Himes, L. R.,	Murphy,	Spann,
Cooke,	Holmes, J. B.,	Myers,	Sterling, P.,
Cordier,	Hoopes,	Negley,	Sterling, R. B.
Craig,	Horst,	Nothnagle,	Stevens,
Cramer,	Hough,	O'Keefe,	Tahl,
DeFrehn,	Howard,	O'Neill,	Trout,
Downey, G. E.,	Hutton,	O'Rourke,	Wade,
Downey, J. J.,	Jaffe,	Patterson,	Wagner,
Dunmire,	Kane, J. J.,	Peelor,	Walker, G. E.,
Ederer,	King,	Pennock,	Wasserman,
Emhardt,	Kinney,	Perry, J. J.,	Way,
Evans,	Laubach,	Peters,	Williams, G. W.,
Flanagan,	Lenahan,	Powell,	Wilson, L. M.,
Flinchbaugh,	Long,	Powers,	Wilson, T. B.,
Flynn, J. M.,	Lord,	Price,	Wood,
Flynn, J. W.,	Lovett, W. S.,	Quinn,	Woodside,
Furman,	Lynch, J. R.,	Rectenwald,	Wright,
Gallagher, T. J.,	Lynch, M.,	Reed,	Yeakel,
Gillette,	Malina,	Rhodes,	Zimmerman,
Green,	Mason,	Rice,	Talbot, Speaker.

NAYS—9

Andrews,	Lane,	O'Connor,	Sinwell,
Brown, J. E.,	Male,	Raub,	Stone,
Carson,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Orderer, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 115 (Senate Bill No. 29), entitled:

An Act to amend paragraph (a) of section nine of article three of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws one thousand three hundred seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved the twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" by authorizing the commission in special cases to grant relief to common carriers from the long and short haul and the aggregate of intermediate rates provisions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156

Andrews,	Harris,	McHenry,	Shugarts,
Baker,	Hart,	McKay,	Sinwell,
Baldi,	Hartman,	McKinney,	Snyder,
Bechtel,	Heffernan,	Melchiorre,	Sowers,
Bennett,	Hefferon,	Mohn,	Spann,
Bernhard,	Heffner,	Moore,	Stank,
Boyd,	Hermansen,	Mumford,	Sterling, P.,
Brancato,	Hester,	Munley,	Sterling, R. B.,
Brown, J. E.,	Hewitt,	Myers,	Stevens,
Brown, W. L.,	Himes, H. E.,	Negley,	Stevenson,
Caputo,	Himes, L. R.,	Nothnagle,	Stone,
Chervenak,	Hoffman,	O'Keefe,	Storb,
Cohen,	Holmes, J. B.,	O'Neill,	Surface,
Cordier,	Holmes, J. L.,	Patterson,	Tahl,
Cramer,	Hoopes,	Peelor,	Terry,
Dane,	Hough,	Pennock,	Turner,
Davies,	Howard,	Perry, D. R.,	Wade,
DeFrehn,	Hutton,	Peters,	Walker, G. E.,
Downey, G. E.,	Jones,	Powers,	Walker, W. A.,
Downey, J.,	Kane, J. J.,	Price,	Wall,
Duffy,	King,	Quinn,	Wasserman,
Dunmire,	Kinney,	Rectenwald,	Way,
Emhardt,	Lane,	Reed,	Weidemann,
Eroe,	Laubach,	Rhodes,	Welsh,
Evans,	Long,	Roan,	Westrick,
Fitzgerald,	Lose,	Roth,	White,
Flinchbaugh,	Lovett, J. E.,	Royle,	Williams, G. W.,
Flynn, J. M.,	Lynch, J. R.,	Ruby,	Williams, J. J.,

Flynn, J. W.,	Lynch, M.,	Sarig,	Wilson, L. M.,
Furman,	Male,	Sautter,	Wilson, T. B.,
Gallagher, T. J.,	Maloney,	Schrock,	Wood.
Gallagher, W. J.,	Marcks,	Schwartz,	Woodside,
Gartner,	McBride,	Scorza,	Wright,
Gorman,	McCandless,	Scott,	Yeakel,
Green,	McClure,	Sheffer,	Yourishin,
Griffith.	McCreary,	Shellenberger,	Zimmerman,
Habbyshaw,	McGinnis,	Shenkel,	Talbot,
Haines	McGrail,	Shettel,	Speaker.
Hamilton,	McGregor,	Shreiner,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 119, entitled:

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended construing the word "indebtedness" as used in said section and denying the right of the Commonwealth to collect taxes on deposits in banks banking institutions saving institutions and trust companies

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOOPES. Mr. Speaker, I desire to interrogate the gentleman from Union, Mr. Baker.

The SPEAKER. Will the gentleman from Union, Mr. Baker permit himself to be interrogated?

Mr. BAKER. Mr. Speaker, I will.

Mr. HOOPES. Mr. Speaker, will the sponsor of this measure state its purpose.

Mr. BAKER. Mr. Speaker and members of the House, the purpose of House Bill No. 119, Printer's No. 37, is to repeal the four mill tax on time deposits in banks.

Mr. HOOPES. Mr. Speaker, may I ask the gentleman if this measure will also deny to the State the right to collect any tax which has heretofore accrued, but which has not yet been collected?

Mr. BAKER. Mr. Speaker, this act will deny the State collecting the four mill tax on time deposit or savings accounts.

Mr. HOOPES. Whether it has accrued in the past or in the future; is that correct?

Mr. BAKER. Sir?

Mr. HOOPES. It applies also to taxes which have been accrued in the past but have not yet been collected, does it not?

Mr. BAKER. I would answer in this way, Mr. Speaker, that the intention of this act would be to relieve the banks of the four mill tax which prior to the last session of the Legislature was imposed on such deposits.

Mr. HOOPES. Mr. Speaker and members of the House, last evening we were told that the financial condition of the State was very precarious, that it was very doubtful whether the liquor revenue was going to be anything like as heavy as has been estimated.

A number of measures for relief of aged persons, the unemployed and various other groups of the needy in this State have been introduced. It has been suggested that we are going to have a great deal of difficulty in finding money to take care of these people. We now have before us a measure to repeal a tax which is already in existence. No tax is very popular with the people who have to pay. Everybody would like to shift their taxes to somebody else if it were at all possible. In this instance the banks would like to get out of paying the four mill tax on savings accounts. I don't believe that with the Commonwealth in its present financial condition it is desirable to repeal an existing tax on banks, at least until we are sure that we are in a position to take care of the unemployed, the needy, the mothers who need assistance, our hospitals and our schools, if you please, and other institutions.

I ask you to vote no upon this measure.

Mr. ANDREWS. Mr. Speaker and members of the House, this bill is identical in purpose with Senate Bill No. 17 on today's calendar. Both measures are a tribute to the power of money as distinguished from the woes that have been visited upon the owner of real estate in Pennsylvania.

The bill is ostensibly designed to protect those supposedly poor people who have small savings accounts when, as a matter of fact, we all know that the poor people who have had saving accounts have spent them long ago. There are no longer widows and orphans and Aunt Janes and Grandmas with saving accounts that this Legislature should protect from a four mill tax.

Our friends the bankers say that the four mill tax will take money out of the bank. I reply to that that the present rate of interest upon real estate will take people out of their homes.

We only have a limited number of ways of raising money, and when we excuse money we penalize the property—no other alternative.

I do not see why the man with twenty-five hundred dollars in cash, which he has saved, does not owe the same duty to the State that is owed by the man who has a twenty-five hundred dollar home, and I object to the tribute that is implied in this bill, with its bid to the power of money.

Mr. McCREARY. Mr. Speaker and members of the House, I wish also to raise my voice in protest against the passage of this bill. I acquiesce in every word that the gentleman from Cambria has just uttered. I want to say to that gentleman that I introduced a bill at the last session, which never got out of committee, taxing this intangible wealth,—a sweeping a bill, that would have made the collection of this tax automatic by requiring stamps to be placed on these intangibles. That did not cover, of course, any cash on deposit in a bank.

Let me give you this illustration: In Erie County a careful survey has shown that there are over forty-three million dollars on deposit in the banks in Erie County, scarcely one cent of which has paid this four mill tax, while the real estate in that same county was taxed from thirty to thirty-five mills on the dollar. The cash in banks was only taxed or assessed four mills and did not pay it.

It is just as this gentleman says: You are making a privileged class out of the people who have a little money in the bank and you are making saps out of the man that owes a little home. One of our officials in our county used this argu-

ment: how do you expect to tax a man with a deposit of two thousand or five thousand dollars in the bank and maybe that is all the money he has, but at the same time we have to tax a man with the two thousand dollar home at the rate of thirty-five mills and who has to pay it or be sold out, while the man with the money in the bank is only assessed four mills and he does not pay that.

I also want to emphasize the question raised by Mr. Hoopes as to the four mill tax that is in arrears. The law now stipulates you can go back five years, and they are going back five years on inheritance taxes, and this money in the banks that has been there for the last five years has paid no four mill tax, the law now stipulates you can go back five years and collect it, but why should you make fish out of one and fowl out of the other.

If you are trying to equalize taxation in the state, now is the time to do it. Gentlemen, and if you do not do it in this House of Representatives, where is the taxpayer to look for any assistance or for any help? I for one want to protest against the passage of this bill.

Mr. FLINCHBAUGH. Mr. Speaker, I think we all realize and appreciate the burden of the tax upon real estate, but the fact that the tax upon real estate is burdensome is reason why we should not have this measure and relieve the many depositors with comparatively small amounts in savings accounts.

I am informed by the cashier of a bank of considerable size that the savings deposits and the money on certificates of deposit in banks are generally placed there by comparatively poor people and the amounts are invariably small amounts from one hundred to five hundred dollars.

Two wrongs do not make a right. We do not rectify the situation by placing this burden upon the small investors. I know banks that have paid the small amount of three per cent on certificates of deposit and since the enactment of the Senate Bill last session, they have reduced that very insignificant amount to two and one half per cent.

I think, ladies and gentlemen of the House, that this is a meritorious bill. It is one way of giving relief to the burdened taxpayer, and I ask you ladies and gentlemen to support this measure.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. BAKER. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 111 (Senate Bill No. 7) as follows:

An Act authorizing the abtement of certain tax penalties and interest on city taxes in cities of the first class and on school taxes in school districts of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties and interest imposed on delinquent city and school taxes in cities of the first class and in school districts of the first class for the tax year one thousand nine hundred and thirty-one or any previous tax year may be abated by the council of any such city or by the Board of Public Education of such school district if Thirty-five and one third per centum of such taxes are paid in full on or before the thirty-first day of December one thousand nine hundred and thirty-three and thirty-three and one-third per centum of such taxes on or before the twenty-eighth day of February one thousand nine hundred thirty-four and the remaining thirty-three and one third per centum of such taxes on or before the first day of May one thousand nine hundred and thirty-four All penalties and other charges not including interest due on such delinquent city and school taxes for the year one thousand nine hundred and thirty-two may be abated by the council of any such city or by the Board of Public Education of any school district if such taxes and the interest due thereon are paid in full on or before the thirtieth day of September one thousand nine hundred and thirty-four

This act shall be construed to apply to all city and school taxes whether or not liens for such taxes have been filed in the office of the prothonotary of the county or any proceedings for the collection of such taxes have been instituted in any court in said county

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MALINA. Mr. Speaker, is there anyone in the House who can explain this bill to us?

The SPEAKER. The gentleman from Philadelphia asks if there is any member of the House who can explain the provisions of Senate Bill No. 7, House Bill No. 111, Printer's No. 40 now under consideration. Will any member assume that task?

Mr. MALINA. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Blumberg.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Blumberg, permit himself to be interrogated?

Mr. BLUMBERG. I will, Mr. Speaker.

Mr. MALINA. Mr. Speaker, will the gentleman from Philadelphia tell us the real story of the bill?

Mr. BLUMBERG. Mr. Speaker and members of the House, this bill is an attempt by the city of Philadelphia to collect a large portion of its delinquent taxes covering the last three years.

At the present time the city of Philadelphia is functioning on a very short budget due solely to the fact that approximately forty millions of dollars are tied up in delinquent taxes from very large real estate holders, such as corporations, as well as individual small home owners, and the city has been giving consideration to the proposition that if the penalties that have accrued on these delinquent taxes would be abated an opportunity would be given to the small home owner to pay his delinquent taxes.

So as to encourage the payment of these delinquent taxes both by the small home owner and the large realty holders, this method has been devised: that providing these delinquent taxes are paid in three equal installments, the first one-third by December 31 of this year, the second one-third by February 28 of next year and the balance by May first of next year these penalties and other charges will be abated. In this way it is hoped to collect a very large portion of these delinquent taxes.

This bill meets with the approval of those in Philadelphia who are trying to shape up its financial affairs.

For those reasons I would ask the members of the House to support this legislation.

Mr. MALINA. Mr. Speaker, will the gentleman from Philadelphia tell us whether there are any other amendments to this bill coming forth?

Mr. BLUMBERG. No, Mr. Speaker, in voting on this bill the members are voting on it now as amended.

Mr. MALINA. This is as amended, Mr. Speaker?

Mr. BLUMBERG. Yes, Mr. Speaker. Does the gentleman have Printer's No. 40 before him?

Mr. MALINA. That is, Printer's No. 4 on the file?

Mr. BLUMBERG. Mr. Speaker, Printer's No. 40 is the correct printer's number as it is amended.

The SPEAKER. The Chair desires to inform the gentleman from Philadelphia, Mr. Malina, that the printer's number now before this House is No. 40. Is the gentleman from Philadelphia now sufficiently informed?

Mr. MALINA. Mr. Speaker, I desire to further interrogate the gentleman from Philadelphia.

The SPEAKER. The gentleman will proceed.

Mr. MALINA. Mr. Speaker, may I ask the gentleman from Philadelphia if the people who paid their taxes last week will also have their taxes abated?

Mr. BLUMBERG. Because of the pendency of this bill, Mr. Speaker and members of the House, practically no taxes have been coming in to the city of Philadelphia during the past two months. In the month of November of last year there were paid four million dollars in delinquent taxes. During November of 1933 there were paid but six hundred thousand dollars of delinquent taxes because of this bill.

Mr. MALINA. Mr. Speaker and members of the House, inasmuch as it is a fact that in Philadelphia the home is away behind in taxes, I am firm in the belief that as much consideration to them as possible should be given.

In Philadelphia we have a condition where taxes have not been paid for three or four years and more on small residences, by small home owners. These people have been without work for two or three years or probably four years. This bill has been sponsored for the purpose of relieving these people to a certain extent.

However, I want to say that I have in mind that this bill is more or less for the large corporations likewise—it is for their benefit.

I am compelled to go along with this bill for the reason that the district that I represent is a district that is behind in taxes. If this House had in the past passed such legislation as social legislation, for the purpose of eliminating the slums, I believe that most of these taxes would have been paid up to date.

We have in the city of Philadelphia a man who is on the fence and pussyfooting. When it comes to any real honest to God legislation for the poor man, he find his way out.

We are faced with a problem in Philadelphia on the housing situation, namely, the elimination of the slums. If this program was pushed through this House and the Senate, it would give employment to at least sixty or seventy thousand people for a period of probably two years or more.

Ladies and gentlemen of the House, inasmuch as I am fully in accord with this bill, although I believe that it is likewise for the benefit of the big corporations and building owners, I am going to ask you to go along and pass the bills if for no other reason than the reason that the poor residents that I represent in the great northeast are behind in their tax payments.

Mr. LONG. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Blumberg.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Blumberg, permit himself to be interrogated?

Mr. BLUMBERG. Mr. Speaker, I will.

Mr. LONG. Mr. Speaker, may I ask the gentleman from Philadelphia whether he realizes that the bill in its original form as it was passed by the Senate was very much opposed by the Mayor of Philadelphia, the city Solicitor of Philadelphia and by Councils of Philadelphia?

Mr. BLUMBERG. Mr. Speaker, that is true, in its original form.

Mr. LONG. And may I ask, Mr. Speaker, whether this bill in its amended form has been approved by the Mayor, the City Solicitor and Councils of the city of Philadelphia?

Mr. BLUMBERG. Last week, Mr. Speaker and members of the House, the City Solicitor's department of Philadelphia was represented in a conference and following that the assistant city solicitor in charge of this bill came to Harrisburg and suggested an amendment whereby the delinquent taxes be paid in two installments instead of three, fifty per cent of the delinquent taxes to be paid by December thirty-first. That amendment was prepared and the Mayor, the City Solicitor's office and Councils were in favor of that amendment. Over the week-end it was felt that the small home owner might not be able to raise half of his taxes by December thirty-first, a matter of practically only two weeks, and it was then agreed that instead of fifty per cent it be made thirty-three and one-third per cent. So, I can say in its present form the bill meets with the approval of the constituted authorities of the city of Philadelphia.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175

Andrews,	Green,	McKay,	Shreiner,
Baker,	Greenstein,	McKinney,	Simon,
Baldi,	Griffith,	Melchiorre,	Sinwell,
Barnhardt,	Haines,	Meredith,	Snyder,
Bechtel,	Hamilton,	Mohn,	Sowers,
Beech,	Harmuth,	Moore,	Spann,
Bennett,	Harris,	Mumford,	Steedle,
Bernhard,	Hart,	Murphy,	Sterling, **P.,**
Blumberg,	Hartman,	Myers,	Stevens,
Boyd,	Heffernan,	Negley,	Stevenson,
Brancato,	Hefferon,	Nothnagle,	Stiteler,
Brennan,	Heffner,	O'Connor,	Storb,
Brown, J. E.,	Hermansen,	O'Neill,	Stott,
Brown, W. L.,	Hester,	O'Rourke,	Surface,
Brownfield,	Hewitt,	Patterson,	Tahl,
Cannon,	Himes, L. R.,	Peelor,	Terry,
Caputo,	Hoffman,	Pennock,	Trout,
Carson,	Holmes, J. B.,	Perry, D. R.,	Turner,
Chervenak,	Hoopes,	Perry, J. J.,	Wade,
Conner,	Hough,	Peters,	Wagner,
Cooke,	Howard,	Powell,	Walker, G. E.,
Cordier,	Hutton,	Powers,	Walker, W. A.,
Craig,	Jaffe,	Quinn,	Wall,
Cramer,	Kane, J. J.,	Raub,	Wasserman,
Dane,	Kane, L. P.,	Rectenwald,	Way,
Davies,	King,	Reed,	Weidemann,
DeFrehn,	Labar,	Reilly,	Welsh,
Denning,	Lane,	Rhodes,	Westrick,
Downey, G. E.,	Laubach,	Rice,	White,
Downey, J.,	Lenahan,	Roan,	Wike,
Duffy,	Lewis,	Root,	Williams, G. W.,
Dunmire,	Long,	Royle,	Williams, J. J.,
Ederer,	Lovett, J. E.,	Ruby,	Wilson, L. M.,
Emhardt,	Lovett, W. S.,	Ruth,	Wilson, T. B.,
Evans,	Malina,	Sarig,	Witkin,
Fitzgerald,	Maloney,	Sautter,	Wood,
Flanagan,	Mason,	Schrock,	Woodside,
Fleisher,	McCandless,	Schwartz,	Wright,
Flinchbaugh	McClure,	Scorza,	Yeakel,
Flynn, J. M.,	McCreary,	Scott,	Yourishin,
Furman,	McElwee,	Sheffer,	Zimmerman,
Gallagher, W. J.,	McGinnis,	Shellenberger,	Talbot,
Gartner,	McGregor,	Shenkel,	Speaker.
Gorman,	McHenry,	Shortz,	

NAYS—1

Kinney,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make a statement. After the reading of the announcements by the clerk, if there are no objections, the Chair will declare a recess of this House until 3.45 o'clock P. M. at which time it is requested that the members be in their seats in view of the fact that there will be a meeting of the Joint Assembly at four o'clock for the purpose of hearing a message from His Excellency the Governor of the Commonwealth.

RECESS

The Chair declares a recess (at 2:40 o'clock P. M.) until 3.45 o'clock P. M.

AFTER RECESS

The SPEAKER (Grover C. Talbot) in the Chair.

The SPEAKER. The time of recess having expired the House will be in order.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 5, 1933.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session Tuesday, December 5, 1933, at four o'clock in the afternoon in the Hall of the House for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 5, 1933.

Resolved (if the House of Representaives concur), That a Committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives, (if the House shall appoint such committee), to escort His Excellency, the Governor, to the Hall of the House to address the Members of the General Assembly in Joint Session, Tuesday, December 5, 1933, at four o'clock in the afternoon, pursuant to a resolution already adopted by the Senate and House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF COMMITTEE TO WAIT UPON THE GOVERNOR

The SPEAKER. The Chair appoints as a Committee on the part of the House to act with a similar committee on the part of the Senate to escort His Excellency the Governor of the Commonwealth to the Hall of the House, Messrs. George W. Williams, Long and Andrews.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 31. (HOUSE BILL No. 226.)

An Act authorizing the Department of Property and Supplies to act as purchasing agency for certain Federal agencies and making an appropriation of moneys received to reimburse the department for the cost of so acting.

Referred to the Committee on State Government.

SENATE BILL No. 34. (HOUSE BILL No. 227.)

An Act authorizing the State Treasurer to act as custodian of moneys and securities contributed to or deposited with the Commonwealth or officers, departments, boards, or commissions of the Commonwealth, prescribing the manner in which such moneys or securities shall be held and disbursed or delivered up, and making an appropriation to the Treasury Department for the cost of administering such moneys and securities.

Referred to the Committee on State Government.

SENATE BILL No. 42. (HOUSE BILL No. 228.)

A Joint Resolution creating a Liquor Control Investigation Commission, defining the powers and duties of said Commission; and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 52. (HOUSE BILL No. 229.)

An Act to amend the title and sections one, two, and three of the act approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand two hundred twenty-nine), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," as amended, by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health.

Referred to the Committee on Agriculture.

SENATE BILL No. 55. (HOUSE BILL No. 230.)

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction, and providing for the repayment of such moneys from the General Fund.

Referred to the Committee on Appropriations.

SENATE BILL No. 56. (HOUSE BILL No. 231.)

An Act authorizing counties, boroughs, towns, townships and school districts having moneys borrowed for one purpose to use the same for other purposes which will aid recovery from existing economic depression; and requiring in certain such cases the assent of the electors.

Referred to the Committee on Municipal Corporations.

REPORT AND DISCHARGE OF COMMITTEE

Mr. HEFFERNAN. Mr. Speaker, your committee appointed to escort the members of the Senate to the Hall of the House for the purpose of attending a Joint Session has performed that duty and the members of the Senate are now present.

The SPEAKER. The committee is discharged with the thanks of the House. The President of the Senate is invited to preside over the Joint Session of the General Assembly; the President Pro Tempore is invited to a seat on the rostrum and the members of the Senate will be seated in the chairs provided for them in the front of the House.

JOINT SESSION

LIEUTENANT-GOVERNOR SHANNON PRESIDING

The SERGEANT-AT-ARMS OF THE SENATE. Mr. President, I have the honor to present to you the committee appointed to escort the Governor of the Commonwealth to the Hall of the House to address the Joint Session of the General Assembly.

Mr. BUCKMAN. Mr. President, I have the honor to present to you His Excellency, the Governor of the Commonwealth, who will address the Joint Session.

LIEUTENANT-GOVERNOR SHANNON. Members of the General Assembly, the Chair has great honor in presenting His Excellency, the Governor of the Commonwealth, who will now address you.

ADDRESS OF THE GOVERNOR

GOVERNOR PINCHOT. Ladies and gentlemen of the General Assembly:

I congratulate you upon an unprecedented achievement. Pennsylvania Legislatures have often spent a month or two, or even longer, in preliminary skirmishes before getting down to the real business of a session. You have followed no such precedent. In three short weeks you have made a greater contribution to the welfare of the people than most legislatures have made in three months.

You have discussed and adopted what I believe to be in principle the best system of liquor control yet devised in America and have sent it to the Governor for his signature in ten working days.

Doubtless the Liquor Control Bill is not completely satisfactory to any one of us. Certainly it contains provisions I would change if I could. Nevertheless, and on the whole, it is good.

The unexampled speed and efficiency with which you have handled one of the most controversial questions that has ever come before a session of the General Assembly deserves high praise.

In three weeks you have not only disposed of the question of liquor control, but you have made notable progress in legislation dealing with recovery and other highly important matters, such as the soldiers' bonus.

Taken altogether, your record is without a parallel in any previous session of the General Assembly.

Our mutual cooperation so far in this session has had results of which you and I may both be proud. It is wise and right that we should continue to work together for the public good, as we have done so far.

I offer you all the help at my command in further efforts for the general welfare, and I hope most earnestly that our cooperation may go on, to the advantage of the people of our great Commonwealth.

The one thing above all others which makes your achievement a shining example for all future sessions is that you have given the mass of the people what they needed and what they wanted without allowing yourselves to be sidetracked by the selfish opposition of small interested minorities.

You declined to be turned from the line of your duty to the people by a liquor lobby of almost unprecedented size and activity. You refused its demand that the welfare of the people generally should give way to the desire of the liquor interests to save money or to make money at the expense of the public.

I ask now, and I am certain that I speak the will of our people in asking, that the same lofty spirit of public service, the same refusal to sacrifice the interest of the many to the profit of the few, the same readiness to cooperate in the public interest, shall mark your attitude toward social welfare legislation, toward legislation in the interest of the farmers, the miners, the workers, the home owners, and the masses of our people generally during the remainder of this session.

You and I cannot afford to let the people believe that the Executive and the Legislature fail to understand and sympathize with their problems and their troubles. Basing my judgment on what you have done already, I do not for one moment believe that the General Assembly of the Commonwealth of Pennsylvania will allow itself to be controlled or dominated by any special interest or combination of special interests. You have but to continue in the same attitude which you have already shown toward the liquor problem to convince the whole State that the Legislature and the people are working to the same ends.

As a body you have demonstrated conclusively that, as I said in my recent message, "the best politics for all of us is to play no politics at all, but simply do what the people want done." By standing squarely for the greatest good of the greatest number as against the profits of the few you have earned the respect and the gratitude of your constituents.

LEGISLATION FOR THE PEOPLE

Not a single subject was included in the call for this session of the General Assembly that is not for the benefit of the masses of our people. Opposition, if it comes, will originate in the pockets of the few.

The test of every item of legislation before you is whether or not it does in fact promote the greatest good of the greatest number. If it does, it should be passed. If it does not, it should be killed. You do not need my warning to to know that special interests of every sort will do their best to turn you aside from this strait and narrow path.

Above all others the people who should have the advantage of the New Deal, of which the legislation before you is a part, are those who have been wrongfully deprived of advantages under the old deal. The New Deal and the Square Deal are for the many. The old deal was for the few.

You and I are fortunate in the opportunity to help in equalizing inequalities, correcting injustices, and promoting the security, welfare, and happiness of the great mass of our people. Such a chance neither you nor I can afford to miss. But we cannot take advantage of it without treading on some new paths.

ANCIENT SLOGANS

When legislation clearly in the public interest is in question, it is no longer a sufficient answer to say that it is

new, or that the Fathers of the Republic never had it in mind, or that nothing like it has been done before, or that it would put the Government into business. The question is not whether this or that measure required by modern conditions is in accord with some ancient slogan. The question is whether the people need it. If they do need it, they ought to have it.

You will be judged not by whether you have conformed to some time worn shibboleth, but by whether you have shown a due and proper regard for the present-day needs and the present-day will of the mass of the people of Pennsylvania.

If you and I join together to follow the will of the people we shall deserve, and we shall receive, the commendation of the people, as you have deserved it and are reciving it for what the present session has already accomplished.

If you and I oppose the will of the people, we shall deserve the condemnation of the people, and without question we shall get it. You and I are responsible, and will properly be held responsible, for doing what the people want done. And it will not avail us to say that our eyes were shut to new facts, or our minds closed to new thoughts. We shall be judged by results.

TIMES CHANGE

The situation we face today is now. New conditions require new action. New remedies are necessary for new disorders. Physicians today do not apply even to old diseases, far less to new ones, the remedies used by their forefathers. Times change, and we must change with them or be left behind.

The people who are encouraging revolution in America today are not those who advocate new measures to meet new troubles. The best missionaries of disorder—the best preachers of Bolshevism and anarchy—are (next to certain big bankers) those who stubbornly refuse to admit that change has come upon us, those who insist that nothing shall be done that was not done a generation ago, those who close their eyes to the facts of modern social life, those who demand, as it were, that oxcart laws and oxcart points of view shall be applied to an automobile and airplane civilization.

They forget that damming the stream of progress always has produced great and destructive floods, and always will.

SOCIAL LEGISLATION

No subject mentioned in my call is more important than legislation to improve the condition of the great mass of our working people. I recommend to you no novel or untried social legislation. I merely urge you to catch up with the progress already made by many other States, and to put this Commonwealth in step with the times.

On every hand there is evidence that the public attitude toward social legislation has changed, and nowhere more clearly than in national legislation. That attitude is far different from what it was, both in Pennsylvania and in the Nation.

No party can safely blind itself to this change or refuse to give the people the social relief to which they know they are entitled. Social legislation is not socialism. On the contrary, social legislation is a strong defense against socialism.

When legislation to protect the workers is first proposed, it is almost always fought by employers. But when, after a long struggle, such legislation is enacted, it is found, with hardly an exception, that it benefits the employers as much as the employes. That is because justice is good for both sides.

When your ears are filled with prophecies of disaster if forward looking social laws are passed, think back a moment.

When the forerunners of these very laws were up for passage under Governor Brumbaugh, the air was filled with forecasts of blue ruin. The laws were passed, and then what happened? Instead of disaster, there followed about the most prosperous years the manufacturers of Pennsylvania have ever known.

If, as I urge most earnestly upon you, you pass legislation at this session for the protection of the workers, the miners, the farmers, and the great masses of our people generally, I predict that in no long time the very interests which have been fighting such legislation hardest will be found among its defenders.

Secretary Frances Perkins sent me this telegram two days ago:

"I have noted with appreciation the program of social legislation proposed in the special session of the Pennsylvania Legislature stop To many persons the enactment of industrial legislation seems unnecessary at the present time because of the progress made by the Federal Government under the National Recovery Act stop It is even asserted that State legislation will only duplicate Federal action stop. Through the codes there has been widespread agreement among employers as to standards of hours wages and conditions of work stop The enforcement machinery of the State Departments of Labor may well be utilized to uphold and implement the Federal codes while these are in effect stop Far from relaxing efforts now is the time for concerted action in the various states to embody the approved standards in permanent State legislation stop Then the emergency is over we must rely upon State laws to prevent a possible return to sweatshop conditions."

Remember that opposition to sound new social legislation is usually based at least as much on resentment against what is new as on reasoned antagonism to what is actually proposed.

OLD AGE ASSISTANCE

To give security to the worker is the most important thing that this or any other session of the General Assembly can do for him. A job now is most desirable, but it is of far less consequence than to secure working men or women against the misfortunes which may fall upon any of them in their old age.

The worker who has a job now may not be interested in getting another one. But every worker, in or out of a job, is vitally interested in knowing that whatever else may happen, that crowning misfortune—helpless poverty in old age—will not bring upon him the most pitiful of all misery—the misery of the aged without resources who can no longer work.

I urge upon you in the strongest terms the pressing necessity for passing the Old Age Assistance Bill. The need is clear, the money is available, and the Talbot Act decision of the Supreme Court assures its constitutionality.

There can be no argument against Old Age Assistance except from an outworn point of view still held by a small fraction of our people, and which the whole Nation is now casting aside.

CHILD LABOR

It is unfair to the children of Pennsylvania to let them work at a younger age than in other States, and thus deprive them of the education which is their right. It is equally unfair to let children take the jobs adults ought to have,

especially at a time when a million adult workers are desperately in need of work.

The nation and the Commonwealth are straining every nerve to find work for the unemployed and to care for those for whom work cannot be found. Child labor stands in the way. It should be taken out of the way.

Can we do less than uphold and perpetuate the standards of the NRA on child labor? If we can help bring back prosperity by temporarily ending child labor, why is not the permanent elimination of child labor a good thing?

There are those who believe in leaving the child labor problem to Washington and the NRA. To those I heartily recommend approval of the Federal Child Labor Amendment. If they have a sincere desire to have Washington handle the problem they will give Washington the power to do it.

My reasons for urging passage of the Child Labor Amendment are different. I want to establish a limit below which no state in the Union can fall in the protection of the children.

I recommend most earnestly the passage of legislation to prevent children under sixteen working during school hours.

No one can doubt that child labor legislation is in the interest of the many. Opposition to it can come only from personal interest and from the few.

SCHOOLS

I remind you that shrinkage of local school revenues is likely to lead to the closing of several hundred schools in this Commonwealth by the first of January. If so, many thousands of young Pennsylvanians will be deprived of the schooling which is their right. We cannot afford to let these children suffer.

The recommendation in my previous message for an emergency appropriation of $5,000,000 from the proceeds of the liquor floor tax I now urgently repeat.

Further, I renew my recommendation for the enactment of a graduated income tax devoted exclusively to school purposes. Real estate in this Commonwealth cannot and should not continue to carry the whole increasing load of school taxation.

The cardinal principle of fair taxation is that it shall bear most heavily on those who are best able to pay. If that be true, then the graduated income tax is the fairest of all taxes.

There is every reason why the burden on real estate should be lightened and the danger of closed schools should be avoided by the adoption of the graduated income tax.

If it be argued that the Supreme Court is likely to declare such a tax unconstitutional, then I invite you to let the Supreme Court make that decision instead of making it yourselves.

SWEATSHOPS

The natural resources of our Commonwealth are unequalled by those of any other State in the Union. That fact should have made it possible to give our working people better pay and better conditions of work than elsewhere.

The fact is, however, that wages paid in Pennsylvania are lower than those paid in any other northeastern State of the Union except one. On that score the working people of Pennsylvania have had fair cause for complaint.

As a first and most necessary step toward correcting this injustice, I urge the enactment of legislation providing for minimum hours of work and minimum wages for women and children. You will be told that such measures are dangerous to industry. I deny it. They are for the protection of industry. No legitimate industry will leave Pennsylvania, or keep out of Pennsylvania, because this Commonwealth is wise enough to do justice to its women and children.

I commend to your earnest attention the report of the Joint Committee to Investigate Wages and Labor Conditions of Children in the Commonwealth. The "economic atrocities" disclosed in that report imperatively demand relief not only in the interest of the victims of sweatshops but also in the interest of decent employers.

The two purposes of your action should be "to protect the womanhood and childhood of the Commonwealth and to protect legitimate industry against unscrupulous and disreputable competition." Those are sound purposes to which you can safely lend your support.

WORKMEN'S COMPENSATION

There is state-wide interest right now in the subject of workmen's compensation. Unquestionably our system needs overhauling.

Last spring I appointed a well qualified Committee to investigate this subject. Hearings were held throughout the State and intensive studies were made of the records of the Workmen's Compensation Bureau. A preliminary report has been submitted and legislation based upon that report has been drafted.

There is no excuse when men injured in industry are forced to seek public relief because of weaknesses in our Workmen's Compensation Law. I hope that you will hasten to remedy this wrong.

DEPUTY SHERIFFS

In my recent message I emphasized the imperative need for reducing disorder in the coal fields by abolishing the company-paid deputy sheriffs.

Examples of brutality by these men are of almost daily occurrence. Deputy sheriffs should be paid by the county, and never by any coal company or other private interest. The General Assembly will fail in its duty to the workers of the State if it does not end this evil system, which has caused so much needless bloodshed.

BANKING

The exposure of financial crookedness in high places, the uncovering of fabulous salaries of bankers still further increased while the meagre salaries of employes were being cut down, the cheating of the investing public with worthless securities on a gigantic scale, and generally the refusal of great bankers to acknowledge the ordinary obligations of good citizenship—these things and others have made it perfectly clear that closer supervision over banks is absolutely required.

I urge you to enact legislation which will bring the banking laws of this Commonwealth into conformity with recent Federal legislation, and especially to provide for State supervision of private banks.

PUBLIC UTILITIES

A most glaring example of sacrificing the interest of the many to the profits of the few is found in excessive public utility rates. Nearly every householder in Pennsylvania suffers from unfair and unnecessary increases in rates made without the consent of the Public Service Commission.

No increase in rates should go into effect without the permission of the Commission. Thus the burden of justify-

ing a raise in rates would always be on the company which originates the rates, as it should be.

I remind you of my recommendation that no company should be allowed to increase any rate until after such rate has been submitted to the Public Service Commission and permission has been given to put it in effect. No other single provision of law dealing with public utilities would so greatly help the householders of Pennsylvania or so clearly result in the greatest good to the greatest number.

THE FARMERS ROADS

The road interests of the farmers of Pennsylvania have been too much neglected. Ever since the Sproul highway system started the cities have had the advantage. Inhabitants of cities are not required to drag through the mud; their children are not kept from school by the mud; their products are not prevented from reaching the market by the mud.

There can be no justification for refusing to the farmers this long needed relief. Failure to do so will naturally and properly be attributed by them to neglect of their interests by the General Assembly.

The cities cannot, in my judgment, afford to oppose the just demands of the farmers for their fair and proper share in the benefits of highway construction in Pennsylvania.

The farmers are the heaviest taxed people in this Commonwealth. In all fairness their taxes ought to be reduced. Taking over the 53,000 miles will do it.

Opposition to this measure appears to come mainly from the township road supervisors. I understand their desire to continue their work, but I do not believe it should stand in the way of better roads and less taxes for the farmers.

The provisions made at the last session for the 53,000 miles of second class township roads still remaining are impracticable and unworkable.

I recommend again and most strongly that the State take over the remaining second class township roads under like terms as it has already taken over 20,000 miles of them with such striking success.

MILK CONTROL

The creation of a Milk Control Board is, in my judgment, the one and only way out of the mess in which the decisions of the Federal Milk Administration has involved us. About the only thing certain in the present milk situation is that many farmers get too little for their milk, many consumers pay too much for their milk, and many distributors have been making excessive profits.

I repeat my recommendation for the creation of a Milk Control Board.

TRUCKS

I remind you that the highways of Pennsylvania are for the service of the people of Pennsylvania. They should be built, regulated, and restricted in whatever way will best promote the greatest good of the greatest number in this Commonwealth.

There are 18,317 huge trucks, trailers, and semi-trailers registered in this State. There are 1,410,000 licensed passenger automobiles, or nearly one hundred times as many. On legal holidays, Saturday afternoon, and Sundays the few trucks make life miserable for the many automobiles.

These huge trucks, as defined in my recent message, should be kept off the roads at these times, with certain exceptions, such as milk trucks, to be provided for by special permits.

Such a step would be welcomed by nearly everyone in Pennsylvania, for nearly everyone at one time or another rides in automobiles. Opposition to it can originate only from a handful of truck owners intent on private profit at no matter what inconvenience to the general public.

RECOVERY

The American people have come to understand and accept the truth that to increase the purchasing power of the masses is the key to recovery. Everything else is subordinate. Purchasing power comes first.

If that be true, then nothing should be left undone to support and assist the Federal Government and the Commonwealth and its subdivisions in restoring purchasing power by putting men and women back to work.

I urge the immediate passage of the measures now before you which are necessary to complete the cooperation between State and Nation toward recovery, and especially the bills without which Pennsylvania cannot take full advantage of Federal offers of help.

The purely financial return from cooperation with the Federal government is a small part of what this state may gain. The standards of living, the working conditions, and the wages that have resulted from the National Recovery Program must be made permanent in Pennsylvania in order that purchasing power may be raised and kept high.

CIVIL WORKS ADMINISTRATION

The decision of the President to supply funds for putting a quarter of a million unemployed workers at work in Pennsylvania has met the enthusiastic approval of the whole State. This great recovery movement is completely free from politics, as was proved when the Democratic National Administration appointed a Republican as Civil Works Administrator in this Commonwealth.

The Republican selected is Eric H. Biddle, Executive Director of the State Emergency Relief Board. We may take this appointment as the highest possible compliment to the efficiency with which unemployment relief has been administered in Pennsylvania.

UNEMPLOYMENT RELIEF

I repeat my recommendation that $20,000,000 be appropriated from the proceeds of the State liquor stores for unemployment relief. Whether recovery comes soon or late, this appropriation is necessary.

The Civil Works Administration does not in any way diminish the need for appropriating this money for unemployment relief. It merely makes it probable that this sum will last much longer than we expected, and in consequence that the necessity for providing additional relief funds will be further postponed.

CLEAN ELECTIONS

Elections which truly reflect the will of the people are the foundation stones of government by the people. Fraud in elections has but one purpose—to deprive the people of their right to rule.

Fraud in elections enables a minority to nullify the will of the majority. Fraud in elections is un-American, unclean, and contemptible. And so are those who practice it.

The people are conscious as never before of the connection of low grade politics with fraud and crime. Amazing and abhorrent conditions of political corruption have been uncovered. It is well within the truth to say that the people have signified in unmistakable terms their desire for cleaner politics in Pennsylvania.

Under these circumstances no party can expect to win or to retain the confidence of the people unless it sets its face like flint against crooked politics and especially against fraud at elections.

I urge you most earnestly to enact at this session laws to prevent election frauds and to secure elections that will truly represent and give effect to the will of the people. Among them are permanent registration for cities, and a law to make certain that no candidate who cheats or condones cheating at elections may ever occupy the office he cheated to get.

EXPENSES OF THE SESSION

If the necessity for passing legislation on the subjects mentioned in the call should extend by a week or two the length of the present session the additional expense would be small. Already the larger part of the cost of this session has been incurred and paid. The additional cost of a few more days would be entirely insignificant compared with what may be accomplished for the people of the State.

There is no reason that I can see why with proper cooperation the legislature cannot pass the legislation I have recommended and still adjourn before Christmas.

PUBLIC WATCHFULNESS

The people are watching the Executive and Legislative Branches of their Government more keenly than ever before. All of our people—the workers, the home owners, the veterans, the parents of school children, the users of public utility service and the rest—are more alive to their own needs and their own rights than ever before in my experience.

The people demand, and with justice, that their needs shall not be refused, their rights shall not be denied, for the profit of any special interest. What you and I may do, or fail to do, is being more carefully and understandingly noted by a larger percentage of the voters than at any other time in our public lives.

IN CONCLUSION

I have not attempted to present reasoned arguments for all of the proposed legislation you have before you. It would be impracticable to do so within the reasonable limits of this message. But I am confident that if you apply the principle of the greatest good to the greatest number to every problem which comes before you it will lead you to the proper answer. No one can dispute that this principle is sound; no one can deny that the public good must come first.

And when your record and mine come to be examined by those who have the right to call us to account I, hope it may be said of us that, in spite of every effort to turn us aside, we have followed the will and the needs of the people as our guides, that we have dealt with things as they are, not as they used to be, and that we have left nothing undone to advance the interests of the people of this Commonwealth, whose servants we are.

In plain language, it is your duty and mine to give the average man a break.

LIEUTENANT GOVERNOR SHANNON. The Chair wishes to express the thanks of the General Assembly to the Governor for his message which he has presented here today, and which I am sure will have the careful consideration of the members of the General Asembly.

ADJOURNMENT OF JOINT SESSION

LIEUTENANT-GOVERNOR SHANNON. The business for which the joint session of the General Assembly was convened having been transacted, the Joint Session is adjourned. The Senators will immediately assembly in the Senate Chamber.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

The SPEAKER. The Chairman of several of the committees have felt that in order to facilitate legislation it is necessary to hold committee meetings this afternoon. Therefore, if there are no objections the Chair is about to declare a recess until 5:15 P. M.

The Chairman of the Appropriations Committee has asked the Speaker to announce that there will be a meeting of the appropriations Committee immediately in the House Caucus Room.

The Chairman of the Committee on Judiciary General has requested the Chair to announce that that Committee will hold a meeting immediately in Room 324.

RECESS

The SPEAKER. If there are no ojcertions the Chair will declare a recess until 5:15 o'clock P. M. Are there objections? The Chair hears none and (at 4:41 P. M.), a recess is declared until 5:15 P. M.

AFTER RECESS

The SPEAKER (Grover C. Talbot) in the Chair.

The SPEAKER. The time of recess having expired the House will be in order.

REPORTS FROM COMMITTEES

Mr. STEEDLE, from the Committee on Appropriations, reported as amended, House Bill No. 198, entitled:

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, pensions for certain blind persons, and the administration of this act by the Department of Welfare, providing penalties.

Mr. CRAIG, from the Committee on Banking, reported as amended, House Bill No. 212, entitled:

An Ast to amend section two hundred and four of the act approved the fifteenth day of May, one thousand nine hundred and thirty-three, (P. L. 624), "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organizatio of corporations with fiducfary powers, and of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporations; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts;" regulating the establishment and maintenance of branch banks, offices and agencies.

Mr. NOTHNAGLE, from the Committee on Municipal Corporations, reported as amended, House Bill No. 82, entitled:

An Act relating to the collection of delinquent municipal subdivision and school district taxes and liens.

Mr. RECTENWALD, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 26, entitled:

An Act to promote public health safetly morals and general welfare by providing for the elimination of unsanitary and dangerous housing conditions and the construction and supervision of safe and sanitary dwellings and apartments and for the renting thereof at reasonable rentals creating a State Board of Housing in the Department of Property and Supplies for the purpose of encouraging approving assisting supervising and regulating such activities prescribing and defining powers and duties of the board including supervisory and regulatory powers over limited dividend housing companies engaged in such activities authorizing the board to fix within certain limits rentals of housing accommodations furnished by limited dividend housing companies and making an appropriation.

Mr. RECTENWALD, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 28, entitled:

An Act relating to limited dividend reconstruction corporations defining and providing for the formation of such corporations for the purpose of reconstructing slum areas extending to such corporations certain existing laws relating generally to corporations of the second class providing for the supervision and regulation of the activities of such corporations by the State Board of Housing in the Department of Property and Supplies, providing for the protection of such corporations and the parties dealing with them prescribing defining and limiting the powers and duties of such corporations conferring upon such corporations and limiting their use of the power of eminent domain exempting such corporations from the payment of the capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers, insurance companies and associations, saving bank and savings institutions.

Mr. SPANN, from the Committee on Judiciary General, reported as committed, House Bill No. 154, entitled:

An Act to amend section twenty of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts;" making it unlawful for manufacturers of such beverages to sell the same to other than licensed distributors, except for export from this Commonwealth.

Mr. STEEDLE, from the Committee on Appropriations, reported as amended, House Bill No. 223, (Senate Bill No. 43), entitled:

An Act making an appropriation to the Department of Military Affairs.

Mr. HOOPES, from the Committee on Judiciary General, reported as committed, House Bill No. 143, entitled:

An Act prohibiting the granting of licenses for the sale of spirituous and vinous alcoholic liquors in certain territory.

Mr. COHEN, from the Committee on Appropr[illegible] reported as committed, House Bill No. 209, entitled:

An Act appropriating certain accumulations in the Insurance Tax Fund to cities, townships and boroughs for payment of firemen's relief, pension and retirement funds.

Mr. MELCHIORRE, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 169, entitled:

An Act authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium; placing the sanatorium upon completion under the jurisdiction and control of the Department of Health, and making an appropriation.

Mr. CONNER, from the Committee on Counties, reported as committed, House Bill No. 190, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentages of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated town with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, by providing for payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement.

Mr. NOTHNAGLE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 68, entitled:

An Act empowering and in proper cases directing corporate authorities of political subdivisions to exonerate, in whole or in part, landlords from the payment of taxes on dwelling occupied by tenants who by reason of unemployment and indigency, are unable to pay rent in whole or in part, and providing the procedure in such cases, including appeals to the court of common pleas by landlords.

Mr. CRAIG, from the Committee on Judiciary General, reported as committed, House Bill No. 136, entitled:

An Act to exempt property to the value of one hundred dollars from levy and sale on execution and distress for rent, in addition to present exemptions providing that a debtor may not waive, surrender or release his right to exemption, and declaring contracts waiving, surrendering or releasing such right void.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 192, entitled:

An Act making appropriations to the Department of Welfare for pensions for the blind and for the administration of the distribution of such pensions.

Mr. SHREINER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 97, entitled:

An Act authorizing officers, departments, boards and commissions of any political subdivision of the Commonwealth, and cities, counties, boroughs, incorporated towns, townships, school districts, to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances.

Mr. THOMAS J. GALLAGHER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 67, entitled:

An Act to amend section one as amended of, and section one and one-tenth as added to, the act, approved, the twenty-sixth day of August, one thousand nine hundred and thirty-two (P. L. 100), entitled "An Act authorizing the abatement of penalties on local taxes," extending the provisions of said act to counties of the second class.

Mr. SCHROPE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 112, (Senate Bill No. 15), entitled:

An Act to enable city, county, poor, ward, school, borough, and township tax collectors, their executors and administrators if they are deceased, or either surety or sureties, to collect taxes, for the payment of which they have become personally liable without having collected the same, by the expiration of the authority of their respective bonds, or by the expiration of the authority of their respective warrants, or by the expiration of their terms of office, and to extend the time for the collection of the same for a period of two years from the passage of this act.

Mr. SOWERS, from the Committee on Judiciary General, reported as committed, House Bill No. 110, (Senate Bill No. 4), entitled:

An Act authorizing officers, departments, boards, and commissions of the Commonwealth, and also cities, counties, boroughs, incorporated towns, townships, school districts and poor districts to cancel certain supply contracts and to relieve contractors of obligations thereunder, under certain circumstances, and validating like cancellations made heretofore.

Mr. WOOD, from the Committee on Appropriations, reported as committed, House Bill No. 224, (Senate Bill No. 44), entitled:

An Act making an appropriation to the Department of Military Affairs for the purchase of supplies materials and equipment to improve the Military Reservation at Indiantown Gap

BILLS ON FIRST READING

Mr. HOOPES asked and obtained unanimous consent to have House Bill No. 143 read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 143, entitled:

An Act prohibiting the granting of licenses for the sale of spirituous and vinous alcoholic liquors in certain territory.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. COHEN asked and obtained unanimous consent to have House Bill No. 209 read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 209 entitled:

An act appropriating certain accumulations in the Insurance Tax Fund to cities, townships and boroughs for payment to firemen's relief, pension and retirement funds.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. MELCHIORRE asked and obtained unanimous consent to have House Bill No. 169 read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 169, entitled:

An Act authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium; placing the sanitorium upon completion under the jurisdiction and control of the Department of Health, and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. CONNER asked and obtained unanimous consent to have House Bill No. 190 read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 190, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight, entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the state line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same; and relieving said Townships or Counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town, petitions providing for percentage of cost of improvement or repairs to be paid by state, county, township, borough or incorporated towns and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, any kind of

materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not effected by provisions of this act," as amended, by providing for the payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. NOTHNAGLE asked and obtained unanimous consent to have House Bill No. 68 read the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 68 entitled:

An Act empowering and in proper cases directing corporate authorities of political subdivisions to exonerate, in whole or in part, landlords from the payment of taxes on dwellings occupied by tenants who by reason of unemployment and indigency, are unable to pay rent in whole or in part, and providing the procedure in such cases, including appeals to the court of common pleas by landlords.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. CRAIG asked and obtained unanimous consent to have House Bill No. 136 read the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 136 entitled:

An Act to exempt property to the value of one hundred dollars from levy and sale on execution and distress for rent, in addition to present exemptions providing that a debtor may not waive, surrender or release his right to said exemption, and declaring contracts waiving, surrendering or releasing such right void.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. STEEDLE asked and obtained unanimous consent to have House Bill No. 192 read the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 192 entitled:

An Act making appripriations to the Department of Welfare for pensions for the blind and for the administration of the distribution of such pensions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. SHREINER asked and obtained unanimous consent to have House Bill No. 97 read the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 97 entitled:

An Act authorizing officers, departments, boards, and commissions of any political subdivision of the Commonwealth, and cities, counties, boroughs, incorporated towns, townships, school districts, to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. THOMAS J. GALLAGHER asked and obtained unanimous consent to have House Bill No. 67 read the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 67 entitled:

An Act to amend section one as amended of, and section one and one-tenth as added to, the act, approved the twenty-sixth day of August, one thousand nine hundred and thirty-two (P. L. 100), entitled "An act authorizing the abatement of penalties on local taxes," extending the provisions of said act to counties of the second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. SCHROPE asked and obtained unanimous consent for House Bill No. 112 (Senate Bill No. 15), to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 112 (Senate Bill No. 15), entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. SOWERS asked and obtained unanimous consent for House Bill No. 110 (Senate Bill No. 4), to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 110 (Senate Bill No. 4), entitled:

An Act authorizing officers departments boards and commissions of the Commonwealth and also cities counties boroughs incorporated towns townships school districts and poor districts to cancel certain supply contracts and to relieve contractors of obligations thereunder and certain circumstances and validating like cancellations made heretofore.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. WOOD asked and obtained unanimous consent for House Bill No. 224 (Senate Bill No. 44), to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 224 (Senate Bill No. 44), entitled:

An Act making an appropriation to the Department of Military Affairs for the purchase of supplies materials and equipment to improve the Military Reservation at Indiantown Gap.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement. The Chair requests that all the Republican members of this body meet promptly tomorrow morning at 10.00 o'clock in the House Caucus Room.

SENATE MESSAGE

AMENDED SENATE BILLS NONCONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 7.

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class and on school taxes in school districts of the first class

Mr. BLUMBERG. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 5, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, December eleventh, at nine o'clock; and when the House of Representatives adjourns this week it reconvene Monday evening, December eleventh, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON SECOND READING

Mr. BLUMBERG asked and obtained unanimous consent to call up out of order from page 3 of today's calendar, House Bill No. 77, Printer's No. 27, bill on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 77, as follows:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare the trustees who administer mothers' assistance in the several counties and others making counties liable for certain expenses providing penalties and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be administered by the Department of Welfare of this Commonwealth and the Boards of Trustees of the Mothers' Assistance Funds of the several counties who when acting under the provisions of this act shall be known as the Boards of Trustees of the Old Age Assistance Fund

In the event that any county shall not have a Board of Trustees of the Mothers' Assistance Fund because of the failure of such county to have accepted the provisions of the Mothers' Assistance Act the Governor shall appoint a board of trustees composed of seven women residents of the county who shall be called a Board of Trustees of the Old Age Assistance Fund If at any time thereafter a Board of Trustees of a Mothers' Assistance Fund shall be appointed for such county it shall immediately take over the work of the Board of Trustees of the Old Age Assistance Fund and this act shall be administered as in other counties

Any trustees of the Old Age Assistance Fund appointed under the provisions of this section shall hold office for a term of six years or until a Board of Trustees of the Mothers' Assistance Fund has been appointed in their county

Section 2 Such supervisors and assistants as shall be necessary to exercise general supervision over the administration of this act shall be appointed by the Secretary of Welfare subject as in other cases to the approval by the Governor of the number and compensation of such supervisors and assistants

Section 3 The boards of trustees in the several counties shall appoint such additional investigators and clerical assistants as may be necessary to enable them to distribute old age assistance in their respective counties but as far as possible the investigators engaged in the administration of the Mothers' Assistance Law shall also perform the work necessary for the administration of this act At no time shall the additional expense of administering this act in any county exceed in amount six per centum of the allocation to such county from the appropriation for Old Age Assistance

Section 4 The county commissioners of the several counties shall upon requisition of the boards of trustees pay the expense of investigation and clerk hire required in their respective counties for the administration of this act subject always to the limitations upon such expenses imposed by the preceding section of this act

Section 5 Financial assistance may be granted under this act only to an applicant who

(a) Has attained the age of seventy years or upwards

(b) Has been a citizen of the United States for at least fifteen years before making application for assistance

(c) Resides in the Commonwealth and (1) has so resided continuously for at least fifteen years immediately preceding the date of application but continuous residence in the State shall not be deemed to have been interrupted by periods of absence therefrom if the total of such periods does not exceed three years or (2) has so resided forty years at least five of which have immediately preceded the application Provided That absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the State if a domicile be not acquired outside the State

(d) Is not at the date of making application an inmate of any prison jail workhouse insane asylum or other public reform or correctional institution

(e) For six months or more during the fifteen years preceding the date of application for relief if a husband has not deserted his wife or without just cause failed to support her and his children under the age of fifteen years or if a wife has not deserted her husband or without just cause failed to support such of her children as were under age and as she was bound to support

(f) Has not within two years preceding such application for assistance been a professional tramp or beggar

(g) Is indigent and has no child or other person responsible under the law of this State and able to support him

Section 6 An application for old age assistance shall not be approved until the board of trustees are satisfied after proper investigation that the applicant is entitled thereto under the provisions of this act

Section 7 The maximum payment allowed by any board of trustees under the provisions of this act shall be thirty dollars per month for the first person in any family entitled to assistance and fifteen dollars per month for other persons in the same family entitled to assistance

Section 8 Before any payment is made to any person under the provisions of this act a complete report shall be made of all matters stated in the application giving the name of the beneficiary the number and kinds of relatives the financial condition of relatives and all other matters which shall be from time to time required by the Department of Welfare All such reports shall be made upon forms supplied for the purpose by the Department of Welfare All such reports shall be made in triplicate One copy shall be retained in the local office one copy shall be forwarded to the Department of Welfare and one copy to the Auditor General

All reports shall be sworn to by the investigator and shall be approved by a majority of the board of trustees

Section 9 On the death of any person receiving old age assistance such reasonable funeral expenses for burial shall be paid to such persons as the board directs Provided Such expenses do not exceed one hundred dollars and the estate of the deceased is insufficient to defray the same

Section 10 All payments made under the provisions of this act shall be made direct to the recipient thereof by warrant after requisition as provided by law in other cases

Section 11 No person receiving assistance under this act shall at the same time receive any other relief from the Commonwealth or from any political subdivision thereof except for medical and surgical assistance

Section 12 The initial appropriation made by the General Assembly for Old Age Assistance shall be allocated among the several counties of the State according to population Any amount so allocated and unused in any fiscal year in any county shall be added to the amount of the appropriation subject to allocation for the following fiscal year under the current or any future appropriation For the second and subsequent fiscal years allocations of amounts available for Old Age Assistance shall be made among the several counties according to the number of persons receiving assistance and who have applied for assistance up to the end of the tenth month of the previous fiscal year

Section 13 Any person securing any allowance contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 14 This act shall not relieve any county city or poor district from responsibility for the maintenance either in an institution or otherwise of any person more than seventy years of age who cannot qualify for assistance under this act or who cannot be provided for under the current appropriation for carrying out the provisions of this act

Section 15 This act shall become effective immediately upon its approval by the Governor but the first payments hereunder shall be made for the month of June one thousand nine hundred and thirty-four

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. BLUMBERG asked and obtained unanimous consent to call up out of order from page 2 of today's calendar, House Bill No. 78, Printer's No. 26, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 78, as follows:

An Act making an appropriation out of The State Stores Fund to the Department of Welfare for old age assistance

Section 1 Be it enacted by the Senate and House of Represntatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That out of the moneys in The State Stores Fund which represent net profits from the operation of Pennsylvania Liquor Stores the sum of eight million dollars ($8,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Depratment of Welfare for the fiscal year beginning June first one thousand nine hundred thirty-four for old age assistance in the manner provided by law The amount of this appropriation shall be payable from time to time upon requisition of the Department of Welfare

Section 2 This act shall become effective on the first day of June one thousand nine hundred thirty-four

And said bill having been read at length the second time and agreed to,

Ordered to be transcribed for a third reading.

Mr. PETERS asked and obtained unanimous consent to call up out of order from page 2 of today's calendar, House Bill No. 18, Printer's No. 25, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 18 entitled:

An Act providing for assistance to aged poor persons and for the sharing of such assistance by the Commonwealth and poor districts providing for the appointment of county boards for the assistance to the aged to adminster the provisions hereof and for the payment of their expenses and for the appointment of a State Supervisor and necessary assistants and prescribing his powers and duties imposing duties and liabilities upon the Department of Welfare counties the State Treasurer and the authorities having in charge the administration of local poor relief providing for the acceptance of the provisions hereof by county commissioners and the authorities in poor districts and prescribing penalties.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each county of the Commonwealth which by the action as hereinafter provided accepts the provisions of this act the Governor shall appoint a board composed of seven residents of the county to be called the Board for Assistance to the Aged

Except as herein otherwise provided the members of such board shall hold office for a term of six yaers and until their successors are duly appointed and qualified

Whenever any county has accepted the provisions of this act the first board shall be appointed as follows Two for two years each two for four years each and three for six years each from the date of their respective appointments.

As the terms of members expire or in cases of vacancies the Governor shall appoint successors for terms of six years each

On the question,

Will the House agree to the section?

Mr. MALINA. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 3, line 4, by inserting after the word "Aged" the following: "Of the members appointed, four shall at all times be members of the majority political party, and three shall at all times be members of the minority political party."

On the question,

Will the House agree to the amendments?

Mr. PETERS. Mr. Speaker, I object.

The SPEAKER. The Chair desires to inform the gentleman from Montgomery, Mr. Peters that the question will be determined by a vote on the question of adopting the amendments.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WILSON. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. WILSON. Mr. Speaker, we have now before us a bill on second reading to which, apparently, amendments have been offered. The amendments are not offered by the sponsor of the bill, which the gentlemen have a right to do. I am

now asking the Speaker if he will be kind enough to state how we will get the sentiment of the House on such an amendment, so that we may understand the mechanics of it.

The SPEAKER. The vote is on the adoption or the rejection of the amendments as offered and would be by viva voce vote. If the Chair could not determine the result of the vote it would naturally follow that a division and count would be had, unless two members asked for a roll call.

Mr. WILSON. That does not quite answer my inquiry, Mr. Speaker.

The SPEAKER. The gentleman will proceed with his inquiry.

Mr. WILSON. Mr. Speaker, maybe I don't make myself clear. The ordinary statement of the Chair is "Will the House agree to the amendment" and we ordinarily have nothing to do with that because a question does not arise. While I have nothing to do with it, and just wish to clarify it, I would like to know how the members who desire to vote for it and those who wish to vote against it will know what they are doing?

The SPEAKER. The Chair says further, that when the Chair puts the question before the House those in favor of the adoption of the amendment will vote "Aye" and those opposed will vote "No."

The Chair lays before the House the amendments offered by the gentleman from Philadelphia, Mr. Malina and for the information of the House will read the amendment as offered: "Amend Section 1, page 3, line 4, by inserting after the word 'Aged' the following: Of the members appointed, four at all times shall be members of the majority political party, and three shall at all times be members of the minority political party."

On the question recurring,

Will the House agree to the amendment?

It was not agreed to.

Mr. MALINA. Mr. Speaker, I request a roll call.

The SPEAKER. The gentleman requested a roll call too late; the question has been decided.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second, third, fourth and fifth sections were separately read and agreed to as follows:

Section 2 The Secretary of Welfare shall appoint a State Supervisor for assistance to the aged qualified by training and experience. The State Supervisor shall in addition to his or her salary be entitled to all necessary traveling and office expenses The Secretary of Welfare shall appoint such assistants to the State Supervisor as may be deemed necessary to perform the duties imposed by this act

Section 3 The State Supervisor shall

(a) Have general supervision over the boards of the several counties and shall act as general field organizer

(b) Formulate adopt and issue to the boards of the various counties rules of procedure by which they shall be governed to the end that uniformity of interpretation and practice shall obtain throughout the Commonwealth

(c) Visit twice each year the boards of the several counties accepting the provisions of this act

(d) As general field organizer visit the counties which have not availed themselves of the provisions of this act and shall explain to proper authorites the benefits accruing from the act and the advantages of coming within its provisions

(e) Assist such authorities in establishing the system of assistance provided by this act

Section 4 The administration of this act within the several counties shall be solely in the hands of the boards appointed by the Governor subject however to the rules adopted and issued by the State Supervisor The members of the boards shall serve without compensation but shall receive all actual and necessary expenses incurred in the performance of their duty to be paid by the county treasurer from the moneys of the county in the same way as other expenses of the county

Section 5 The county commissioners of the counties accepting the provisions of this act shall provide the boards with suitable headquarters and shall appoint such competent investigators and clerical assistants as may be necessary for the proper assistance of the board and shall provide suitable furnishings and stationery and provide for the payment of salaries and incidental expenses

The sixth section was read as follows:

Section 6 It shall be the duty of each board to provide financial assistance from the funds made available under the provisions of this act to persons over the age of seventy years who by reason of age or other causes are without means or ability to sustain themselves and who are entitled under existing laws to receive poor relief from the poor districts in which they have legal settlements

On the question,

Will the House agree to the section?

Mr. PETERS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 6, page 5, line 2, by striking out the word "seventy" and inserting in lieu thereof the word "sixty-five"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Section Seven to Twenty inclusive and title were separately read and agreed to as follows:

Section 7 The boards of the various counties shall in no case recommend payment of any assistance under the provisions of this act except upon application therefor by the authorities having in charge the relief of the poor in the district in which the person for whom assistance is desired shall have a legal settlement and not until after an investigation as hereinafter provided

Section 8 The maximum payment allowed by any board shall in no case exceed twenty dollars per month for one person and thirty dollars for a husband and wife

Section 9 Whenever an application is made for relief by any poor authorities for any aged poor person the board directly or through an investigator shall promptly make investigations and after hearing the applicant if he so request if it approve the applications shall decide upon the amount of the assistance to be allowed

Section 10 Before any payment is made to any persons under the provisions of this act a complete report of such person shall be made on such form as may be required by the Department of Welfare one copy of such report shall be placed on file in the office of the board as a record one copy shall be forwarded to the State Supervisor and two copies shall be forwarded with the first application for a warrant for the use of the Auditor General and the treasurer of the proper poor district The copies forwarded to the Auditor General and such treasurer shall be approved by a majority of the board

Section 11 All payments made under the provisions of this act shall continue at the will of the trustees but not beyond the time when any person receiving relief shall have come into possession of sufficient property or income to sustain himself

Section 12 All payments made under the provisions of this act by the State Traesurer and by treasurers of poor districts shall be made direct to the recipient thereof by warrant

Section 13 The State Treasurer after deducting from the entire amount appropriated and reappropriated from time

to time by the General Assembly the sums designated for the payment of salaries and expenses in the office of the State Supervisor shall divide the balance of such appropriations into two equal sums One equal part of each sum shall be distributed for the first fiscal year among the several counties according to the classification of the counties as provided in the act making an appropriation to carry into effect the provisions of this act

Section 14 All moneys apportioned and allocated to any county accepting the provisions of this act in which there are two or more poor districts shall be allocated among such poor districts by the State Supervisor

Section 15 No poor district shall receive its allotment of the State appropriation available for any year under the classification appointed by the act making an appropriation to carry into effect the provisions of this act unless the county in which said district is situated has accepted the provisions of this act as herein provided and the poor district or poor districts therein have placed at the disposal of the board a sum equal to the amount available from the State appropriation for such year

Section 16 Acceptance of this act on behalf of a county shall be made in writing by the county commissioners and by the directors or guardians of the poor in any county in which the poor district is coextensive with the county and in other counties by the county commissioners and by the directors overseers departments or other agencies representing poor districts containing at least one-half of the population of the entire county

No poor district shall be entitled to the benefits of this act unless it has accepted the same as above provided which acceptance may be effected after the county has accepted the act as above provided

Section 17 On the first day of June of the second fiscal year following each State appropriation the State Treasurer shall apportion among the various counties which have accepted the provisions of this act before the end of the first fiscal year for the use of the poor district or poor districts therein a sum equal to the amount apportioned to such county during the first fiscal year according to the aforesaid classification including therein all unexpended balances from the previous fiscal year credited to the several counties accepting the provisions of this act which unexpended moneys shall remain available during the second fiscal year for use in the counties to which theretofore credited and excluding all moneys apportioned to the several counties which have not availed themselves of the provisions of this act He shall likewise exclude from said apportionment all moneys appropriated for the second fiscal year for counties which have not accepted the provisions of this act before the end of the first fiscal year

Section 18 All funds set aside from year to year for counties which have not availed themselves of the provisions of this act shall be set aside into a surplus fund The surplus fund shall be available during the second fiscal year in the counties which have availed themselves of the provisions of this act before the end of the first fiscal year but no county shall be entitled ton an amount from such fund in excess of twenty-five per centum of the aggregate sum apportioned and set aside by the State Treasurer to that county for the two year period and no such county shall participate in such surplus fund unless the poor district or poor districts therein shall in addition to the appropriations hereinbefore required appropriate a sum equal to the amount which it desires from the surplus fund

Section 19 Any person securing any assistance contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment for a period not exceeding one year or both at the discretion of the court

Section 20 A detailed report of the number of beneficiaries the amount expended and the advantages and disadvantages of the system with recommendations for improvement shall be made by the State Supervisor to the General Assembly at the beginning of each session of the General Assembly

Section 21 This act shall become effective immediately upon its final enactment

An Act providing for assistance to aged poor persons, and for the sharing of such assistance by the Commonwealth and poor districts; providing for the appointment of county boards for the assistance to the aged to administer the provisions hereof, and for the payment of their expenses, and for the appointment of a State Supervisor and necessary assistants, and prescribing his powers and duties; imposing duties and liabilities upon the Department of Welfare, counties, the State Treasurer, and the authorities having in charge the administration of local poor relief; providing for the acceptance of the provisions hereof by county commissioners and the authorities in poor districts; and prescribing penalties.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF VOTE

Mr. FITZGERALD. Mr. Speaker, I move that the vote by which House Bill No. 125, Printer's No. 41, on page 3, of today's calendar, entitled:

An Act for the protection of the health safety and welfare of women and minors in any occupation trade or industry except domestic service in private homes and farm labor by regulating under the police power of the Commonwealth the minimum wage which shall be paid to such women and minors providing for wage boards their powers and the procedure to determine the necessity for and to establish the minimum wage standard in any industry where the health safety and welfare of women and minors is jeopardized by the payment of an oppressive and unreasonable wage creating powers and imposing duties on the Department of Labor and Industry the Secretary of Labor and Industry and such director as he may appoint to carry out this act imposing certain duties on employers and requiring certain records to be kept and information to be furnished by him permitting publication after hearing of the names of violators of minimum wage standards prohibiting contracts for and payment of less than the minimum wage standards and providing penalties

was order to be transcribed for a third reading be reconsidered.

Mr. SHUGARTS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. FITZGERALD. Mr. Speaker and members of the House, there were inserted in this bill this morning amendments which conflict with the entire bill and which will render the bill impossible if passed in that form. The purpose of the motion to reconsider the vote by which this bill passed second reading is to strike out these amendments and to give you an opportunity to vote on this important legislation, which calls for a minimum wage without any interference to that end. I earnestly hope that you will give to the employees of the sweat-shops in Pennsylvania an opportunity to be heard.

This bill was passed at the last session by a vote of 172 to 0, right in this House, and it is identically the same bill, but now an amendment is slipped into this bill to put our women and children on the basis of the wages paid in the south. The Federal Government recognized this in all of its wage dealings and threw this United States into four separate zones and it would be shameful now if the Legislature of Pennsylvania would lower that standard by accepting this amendment. I earnestly ask you to support me in reconsidering the vote on this bill so that I may offer amendments to strike out from this bill this very objectionable form.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Fitzgerald and Mr. Shugarts and were as follows:

YEAS—108

Andrews,	Hamilton,	McGrail,	Scott,
Bechtel,	Harmuth,	McKinney,	Sheffer,
Beech,	Hart,	Melchiorre,	Shellenberger,

Bernhard,	Hermansen,	Merrell,	Shettel,
Boyd,	Hester,	Mohn,	Shortz,
Brancato,	Himes, L. R.,	Munley,	Shugarts,
Brennan,	Hoffman,	Murphy,	Simon,
Brown, J. E.,	Holmes, J. B.,	O'Connor,	Sinwell,
Brown, W. L.,	Hoopes,	O'Keefe,	Snyder,
Brownfield,	Hough,	O'Neill,	Sowers,
Cannon,	Howard,	O'Rourke,	Spann,
Caputo,	Hutton,	Patterson,	Stank,
Carson,	Kane, J. J.,	Perry, J. J.,	Steedle,
Cohen,	Kinney,	Powell,	Sterling, P.,
Cramer,	Lane,	Powers,	Stevens,
Dane,	Laubach,	Quinn,	Stone,
Davies,	Lose,	Raub,	Wagner,
DeFrehn,	Lovett, J. E.,	Rectenwald,	Walker, G. E.,
Denning,	Lovett, W. S.,	Reed,	Wall,
Downey, G. E.,	Lynch, M.,	Reilly,	Way,
Downey, J. J.,	Male,	Roan,	Weidemann,
Dunmire,	Malina,	Roth,	Welsh,
Emhardt,	Marcks,	Ruth,	Williams, G. W.,
Fitzgerald,	McCandless,	Sarig,	Wilson, L. M.,
Flinchbaugh,	McClure,	Sautter,	Wright,
Flynn, J. W.,	McCreary,	Schrock,	Yourishin,
Furman,	McElwee,	Schrope,	Talbot,
Gallagher, T. J.,	McGinnis,	Schwab,	Speaker.
Gillette,			

NAYS— 34

Baldi,	Green,	King,	Price,
Bennett,	Griffith,	Long,	Shreiner,
Carey,	Habbyshaw,	Maloney,	Stiteler,
Cooke,	Haines,	McGregor,	Storb,
Craig,	Heffernan,	Moore,	Trout,
Ederer,	Heffner,	Mumford,	Wilson, T. B.,
Evans,	Hewitt,	Pennock,	Wood,
Forrest,	Horst,	Peters,	Woodside,
Gartner,	Jaffe,		

So the question was determined in the affirmative and the motion was agreed to.

The votes by which the House agreed to the bill on second reading, and by which the House agreed to the title and the several sections, were separately reconsidered.

The first section was read as follows:

Section 1 The following terms shall be construed to have the following meaning except in those instances where the context clearly indicates otherwise

(a) "Secretary" shall mean the Secretary of Labor and Industry

(b) "Director" shall mean the director or any deputy director of the minimum wage division which shall be set up as a separate division in the Department of Labor and Industry by the Secretary with a director in charge and with such deputy directors and other assistants and employes as the Secretary may deem desirable

(c) "Wage Board" shall mean a board created as provided in section five of the act

(d) "Women" shall mean females of twenty-one years or over

(e) "Minor" shall mean a person of either sex under the age of twenty-one years

(f) "Occupation" shall mean an industry trade business or branch thereof or class of work therein in which women or minors are gainfully employed but shall not include domestic service in private homes or labor on a farm

(g) "An oppressive and unreasonable wage" shall mean a wage which is both less than the fair and reasonable value of the services rendered and less than sufficient to meet the minimum cost of living necessary for health

(h) "A fair wage" shall mean a wage fairly and reasonably commensurate with the value of the service or class of service rendered In establishing a minimum fair wage for any service or class of service under this act the Secretary and the wage board without being bound by any technical rules of evidence or procedure (1) may take into account all relevant circumstances affecting the value of the service or class of service rendered and (2) may be guided by like considerations as would guide a court in a suit for the reasonable value of services rendered where services are rendered at the request of an empoyer without contract as to the amount of the wage to be paid and (3) may consider the wages paid in the Commonwealth for work of like or comparable character by employers who voluntarily maintain minimum fair wage standards

(i) "A directory order" shall mean an order the non-observance of which may be published as provided in section nine of this act

(j) "A mandatory order" shall mean an order the violation of which shall be subject to the penalties prescribed in section fifteen (b) of this act

On the question,

Will the House agree to the Section?

Mr. FITZGERALD. Mr. Speaker, I desire to offer the following amendment:

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 1, Page 3, Line 20, by striking out after the word "standards" the following: "but (4) in no case shall a fair wage established under the provisions of this act be higher than the minimum wage paid for like work in a like industry in any other State of the United States"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second to the eighteenth sections, inclusive, and the title were separately read and agreed to, as follows:

Section 2 It is hereby declared to be against public policy for any employer to employ any woman or minor in an occupation in this Commonwealth at an oppressive and unreasonable wage as defined in section one of this act and any contract agreement or understanding for or in relation to such employment shall be null and void

Section 3 The Secretary or the director or any authorized representative of the director shall have full power and authority

(a) To investigate and ascertain the wages of women and minors employed in any occupation in the Commonwealth

(b) To enter the place of business or employment of any employer of women and minors in any occupation for the purpose of examining and inspecting any and all books registers payrolls and other records of any employer of women or minors that in any way appertain to or have a bearing upon the question of wages of any such women or minors and for the purpose of ascertaining whether the orders of the Secretary have been and are being complied with and

(c) To require from such employer full and correct statements in writing when the Secretary or the director or any authorized representative of the director deems necessary of the wages paid to all women and minors in his employment

Section 4 The Secretary or the director shall have the power and it shall be the duty of the Secretary on the petition of fifty or more residents of the Commonwealth to cause an investigation to be made by the director or any authorized representative of the director of the wages being paid to women or minors in any occupation to ascertain whether any substantial number of women or minors and such occupation are receiving oppressive and unreasonable wages as defined in section one If on the basis of information in the possession of the Secretary or the director with or without a special investigation the Secretary is of the opinion that any substantial number of women or minors in any occupation or occupations are receiving oppressive and unreasonable wages as defined in section two he shall appoint a wage board to report upon the establishment of minimum fair wage rates for such women or minors in such occupation or occupations

Section 5 (a) A wage board shall be composed of not more than three representatives of the employers in any occupation or occupations an equal number of representatives of the employes in such occupation or occupations and of not more than three disinterested persons representing the public one of whom shall be designated as chairman The Secretary after conferring with the director shall appoint the members of such wage board the representatives of the employers and employes

to be selected so far as practicable from nominations submitted by employers and employes in such occupation or occupations Two-thirds of the members of such wage board shall constitute a quorum and the recommendations or report of such wage board shall require a vote of not less than a majority of all its members Members of a wage board shall serve without pay but may be reimbursed for all necessary traveling expenses The Secretary after conferring with the director shall make and establish from time to time rules and regulations governing the selection of a wage board and its mode of procedure not inconsistent with this act

(b) A wage board shall have power to adminster oaths and to require by subpoena the attendance and testimony of witnesses the production of all books records and other evidence relative to any matters under investigation Such subpoenas shall be signed and issued by the chairman of the wage board and shall be served and have the same effect as if issued out of a court of common pleas A wage board shall have power to cause depositions of witnesses residing within or without the Commonwealth to be taken in the manner prescribed for in like depositions in civil actions in the courts of common pleas

(c) The Secretary or the director shall present to a wage board promptly upon its organization all the evidence and information in the possession of the Secretary or director relating to the wages of women and minor workers in the occupation or occupations for which the wage board was appointed and all other information which the Secretary or the director deems relevant to the establishment of a minimum fair wage for such women and minors and shall cause to be brought before the committee any witnesses whom the Secretary or the director deems material A wage board may summon other witnesses or call upon the Secretary or the director to furnish additional information to aid it in its deliberations

All witnesses subpoened by the wage board shall be paid the fees and mileage fixed by law in civil cases In case of failure on the part of any person to comply with any subpoena of the wage board or upon the refusal of any witness to testify to any matter regarding which he may lawfully be interrogated before any wage board it shall be the duty of the Court of Common Pleas of Dauphin County on the application of the chairman of the wage board to compel obedience in the same manner that such obedience would be compelled by contempt proceedings or otherwise in a proceeding pending before said court

(d) Within sixty days of its organization a wage board shall submit a report including its recommendations as to minimum fair wage standards for the women or minors in the occupation or occupations the wage standards of which the wage board was appointed to investigate If its report is not submitted within such time the Secretary may constitute a new wage board

(e) A wage board may recommend minimum fair wage rates varying with localities if in the judgment of the wage board conditions make such local differentiation proper and do not effect an unreasonable discrimination against any locality

(f) A wage board may recommend a suitable scale of rates for learners and apprentices in any occupation or occupations which scale of learners' and apprentices' rates may be less than the regular minimum fair wage rates recommended for experienced women or minor workers in such occupation or occupations

Section 6 A report from a wage board shall be submitted to the Secretary who shall within ten days confer with the director and accept or reject such report If the report is rejected the Secretary shall resubmit the matter to the same wage board or to a new wage board with a statement of the reasons for the resubmission If the report is accepted it shall be published together with such proposed administrative regulations as the Secretary after conferring with the director may deem appropriate to implement the report of the wage board and to safeguard the minimum fair wage standards to be established and notice shall be given of a public hearing to be held by the Secretary or the director not less than fifteen nor more than thirty days after such publication at which all persons in favor of or opposed to the recommendations contained in such report or in such proposed regulations may be heard

Section 7 Within ten days after such hearing the Secretary shall confer with the director and approve or disapprove the report of the wage board If the report is disapproved the Secretary may resubmit the matter to the same wage board or to a new wage board If the report is approved the Secretary shall make a directory order which shall define minimum fair wage rates in the occupation or occupations as recommended in the report of the wage board and which shall include such proposed administrative regulations as the Secretary may deem appropriate to implement the report of the wage board and to safeguard the minimum fair wage standards established Such administrative regulations may include among other things regulations defining and governing learners and apprentices their rates piece rates or their relations to time rates overtime or part-time rates bonuses or special pay for special or extra work deductions for board lodging apparel or other items or services supplied by the employer and other special conditions or circumstances In view of the diversities and complexities of different occupations and the dangers of evasion and nullification the Secretary may provide in such regulations without departing from the basic minimum rates recommended by the wage board such modifications or reductions of or addition to such rates in or for such special cases or classes of cases as those herein enumerated as the Secretary may find appropriate to safeguard the basic minimum rates established

Section 8 For any occupation for which minimum fair wage rates have been established the Secretary or the director may cause to be issued to a woman or minor including a learner or apprentice whose earning capacity is impaired by age or physical or mental deficiency or injury a special license authorizing employment at such wages less than such minimum fair wage rates and for such period of time as shall be fixed by the Secretary or the director and stated in the license

Section 9 If the Secretary or the director or any authorized representative of the director has reason to believe that any employer is not observing the provisions of any order made by him under section seven of this act the Secretary or the director may on fifteen days' notice summon such employer to appear before the Secretary or the director to show cause why the name of such employer should not be published as having failed to observe the provisions of such order After such hearing and the finding by the Secretary or the director of nonobservance the Secretary may cause to be published in a newspaper or newspapers circulating within the Commonwealth of Pennsylvania or in such other manner as the Secretary may deem appropriate the name of any such employer or employers as having failed in the respects stated to observe the provisions of the director order of the Secretary Neither the Secretary nor any authorized representative of the Secretary nor any newspaper publisher proprietor editor nor employe thereof shall be liable to an action for damages for publishing the name of any employer as provided for in this act unless guilty of some wilful misrepresentation

Section 10 If at any time after a directory minimum fair wage order has been in effect for two months the Secretary is of the opinion after conferring with the director that the persistent nonobservance of such order by one or more employers is a threat to the maintenance of fair minimum wage standards in any occupation or occupations the Secretary or the director may give notice of the intention of the Secretary to make such order mandatory and of a public hearing to be held not less than fifteen nor more than thirty days after such publication At such hearing all persons in favor of or opposed to a mandatory order may be heard by the Secretary or the director After such hearing the Secretary if he adheres to his opinion may make the previous directory order or any part thereof mandatory and so publish it

Section 11 At any time after a minimum fair wage order has been in effect for one year or more whether during such period it has been directory or mandatory the Secretary may on his own motion after conferring with the director and shall on petition of fifty or more residents of the Commonwealth reconsider the minimum fair wage rates set therein and reconvene the same wage board or appoint a new wage board to recommend whether or not the rate or rates contained in such order should be modified The report of such wage board shall be dealt with in the manner prescribed in sections six and seven of this act provided that if the order under reconsideration has theretofore been made mandatory in whole or in part by the Secretary under section ten then the Secretary in making any new order or confirming any old order shall have power to declare to what extent such order shall be directory and to what extent mandatory

Section 12 The Secretary may at any time and from time to time after conference with the director propose such modifications of or additions to any administrative regulations included in any directory or mandatory order of the Secretary without reference to a wage board as the Secretary may deem appropriate to effectuate the purposes of the act provided such proposed modification or additions could legally have been included in the original order and notice shall be given of a public hearing to be held by the Secretary or director not less than fifteen days after such publication at which all persons in favor of or opposed to such proposed modifications or additions may be heard After such hearing the Secretary may make an order putting into effect such proposed modifications of or additions to the administrative regulations as he deems appropriate If the order of which the administrative regulations form a part has theretofore been made mandatory in whole or in part by the Secretary under section ten then the Secretary in making any new order shall have the power to declare to what extent such order shall be directory and to what extent mandatory

Section 13 All questions of fact arising under this act except as otherwise provided shall be decided by the Secretary or the director and there shall be no appeal from the decision of the Secretary or the director on any such question of fact but any person firm or corporation aggrieved shall have the right to appeal to the Court of Common Pleas of Dauphin County from any ruling or holding on a question of law included or embodied in any decision or order of the Secretary or the director

Section 14 Every employer of women and minor workers shall keep a true and accurate record of the hours worked by each the wages paid by him to each and shall furnish to the Secretary or the director or the authorized representative of the director upon demand a sworn statement of the same Such records shall be open to inspection by the Secretary or the director or any authorized representative of the director at any reasonable time. Every employer subject to a minimum fair wage order whether directory or mandatory shall keep a copy of such order posted in a conspicuous place in every room in which women or minors are employed Employers shall be furnished copies of orders on request without charge

Section 15 (a) Any employer and his agent or the officer or agent of any corporation who discharges or in any other manner discriminates against any employe because such employe has served or is about to serve on a wage board or has testified or is about to testify before any wage board or in any other investigation or proceeding under or related to this act or because such employer believes that said employe may serve on any wage board or may testify before any wage board or in any investigation or proceeding under this act shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00)

(b) Any employer or the officer or agent of any corporation who pays or agrees to pay to any woman or minor employe less than the rates applicable to such woman or minor under a mandatory minimum fair wage order shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00) or by imprisonment of not less than ten nor more than ninety days or by both such fine and imprisonment Each week in any day of which such employe is paid less than the rate applicable to him under a mandatory minimum fair wage order and each employe so paid less shall constitute a separate offense

(c) Any employer or the officer or agent of any corporation who fails to keep the records required under this act or to furnish such records to the Secretary or the director or any authorized representative of the director upon request shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than twenty-five dollars ($2500) nor more than one hundred dollars ($100.000) Each day of each failure to keep the records requested under this act or to furnish same to the Secretary or the director or any authorized representative of the director shall constitute a separate offense

Section 16 If any woman or minor worker is paid by his employer less than the minimum fair wage to which he is entitled under or by virtue of a mandatory minimum fair wage order he may recover in a civil action the full amount of such minimum wage less any amount actually paid to him by the employer together with costs and such reasonable attorney's fees as may be allowed by the court Any agreement between him and his employer to work for less than such mandatory minimum fair wage shall be no defense to such action

Section 17 If any provisions of this act or the application thereof to any person or circumstances is held invalid the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby

Section 18 This act shall take effect immediately upon its approval by the Governor

An Act For the protection of the health safety and welfare of women and minors in any occupation trade or industry except domestic service in private homes and farm labor by regulating under the police power of the Commonwealth the minimum wage which shall be paid to such women and minors providing for wage boards their powers and the procedure to determine the necessity for and to establish the minimum wage standard in any industry where the health safety and welfare of women and minors is jeopardized by the payment of an oppressive and unreasonable wage creating powers and imposing duties on the Department of Labor and Industry the Secretary of Labor and Industry and such director as he may appoint to carry out this act imposing certain duties on employers and requiring certain records to be kept and information to be furnished by him permitting publication after hearing of the names of violators of minimum wage standards prohibiting contracts for and payment of less than the minimum wage standards and providing penalties.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

SENATE MESSAGE

The Clerk of the Senate being introduced, informed that the Senate has receded from its non-concurrence in the amendments made and insisted upon by the House of Representatives and concurs in the amendments to Senate Bill numbered and entitled:

SENATE BILL No. 7.

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class and on school taxes in school districts of the first class.

STATEMENT BY THE SPEAKER

The SPEAKER. The Chair feels that in justice to the Chair a statement should be made on the question put before this House a few moments ago. First, permit me to say that the Chair did not recognize the gentleman from Philadelphia, Mr. Malina, and did not see him on his feet, and, further, that the vote was so unanimous and so overwhelming that the Chair felt that it rendered a just decision and still feels so, but the Chair further feels that this explanation should be made to the membership of the House.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 29.

An Act to amend paragraph (a) of section nine of article three of an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing

and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domino one thousand nine hundred and seven and the proviso of clause three ad the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" by authorizing the commission in special cases to grant relief to common carriers from the long and short haul and the aggregate of intermediate rates provisions

Whereupon,

The SPEAKER, in the presence of the House signed the same.

ADJOURNMENT

Mr. STONE. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11.00 o'clock.

The motion was agreed to, and (at 6.05 P. M.) the House adjourned until Wednesday, December 6, 1933, at 11.00 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., WEDNESDAY, DECEMBER 6, 1933. No. 14.

SENATE

WEDNESDAY, December 6, 1933.

The Senate met at 10.30 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Our Father Who art in Heaven, hallowed be Thy name; Thy Kingdom come, Thy Will be done on earth as it is in Heaven. Help us this day, thanking Thee for all Thy goodness and mercy to us, to make sunshine in our lives and in the world. Be with all the sick and afflicted today. Be with them in their homes or wherever they are, and grant that they may be restored to health and strength. Bless this Senate, be with the presiding officer and all the members, and grant that we may seek to do that which is pleasing in Thy sight. Go with us and guide us in all that we do. We ask in Thy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PIERSON, the further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGE

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in the resolution from the Senate as follows:

In the Senate, December 6, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, December eleventh, at nine o'clock; and when the House of Representatives adjourns this week it reconvene Monday evening, December eleventh, at nine o'clock.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBER OF BOARD OF EXAMINERS FOR REGISTRATION OF NURSES

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 6, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation.

Miss C. Ruth Bower, of Pittsburgh, Allegheny County, as a member of the State Board of Examiners for the Registration of Nurses, vice Miss Netta Ford, of York, whose term expired, for the term of six years, and until her successor is appointed and qualified.

Frank B. Wist, of Yardley, Bucks County, as Justice of the Peace in the Borough of Yardley, Bucks County, vice Warner P. Roberts, resigned, until the first Monday in January, 1936.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 6, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BUCKS COUNTY

Nero S. Fretz, Bedminster.

FAYETTE COUNTY

Ewing R. Harmon, Connellsville.

LACKAWANNA COUNTY

Frank P. McGovern, Scranton.

PHILADELPHIA COUNTY

Henry Sork, Philadelphia, 1303 North American Building.

UNION COUNTY

R. C. Mahoney, Lewisburg.

GIFFORD PINCHOT.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon), announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was public read sembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 7, entitled:

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon), in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. REED, from the Committee on Judiciary General, reported as committed, Senate Bill No. 93, entitled:

An Act to amend section ten of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 284), entitled "An act imposing a State tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties;" regulating the refund of taxes paid on malt liquors.

Mr. ZIESENHEIM, from the Committee on Canals and Inland Navigation, reported as committed, the following Resolution:

In the House of Representatives, December 4, 1933.

Whereas The Roosevelt New Deal contemplates the carrying forward of the internal waterways system of the United States toward the ideals conceived by the forward looking statesmen of the Nation during the past quarter century and

Whereas The Mississippi River and its tributaries have been made available for the navigation of vessels to East Brady via the Allegheny River a 9,000 mile waterway that is now in use carrying thousands of tons of freight and

Whereas The Congress of the United States has authorized the further development of the Allegheny River to at least Oil City with ten miles of the unfinished project already provided for and

Whereas Available engineering reports and regional economic surveys indicate the feasibility of a canal running from Franklin Pennsylvania to Lake Erie at the City of Erie and terminating in the Harbor of Presque Isle which is Pennsylvania's only lake port and

Whereas The completion of such an All-Pennsylvania waterway as the Northern limit of the Mississippi-Ohio-Allegheny waterway would provide western Pennsylvania with a new artery or traffic for the interchange at the mineral and agriculture products of the great northwest and the mineral and manufactured products of the Commonwealth of Pennsylvania and exchange of our mineral and agricultural products with the agricultural products of the great South and

Whereas The actual construction of a waterway from Franklin Pennsylvania to Erie Pennsylvania during the period of construction would provide employment for thousands of presently unemployed Pennsylvanians and

Whereas Permanent benefits and wealth would be added to Pennsylvania by reason of the existence and operation of such a waterway and

Whereas The said All-Pennsylvania route may be constructed at a cost of less than fifty per centum of the cost of constructing any other proposed alternate route and

Whereas The All-Pennsylvania canal is the shortest route of any of those proposed by at least fifty miles

Whereas The selection of any other route connecting the Mississippi Valley with the Great Lakes would involve the building of a harbor on Lake Erie at a tremendous and needless outlay of Federal money and

Whereas There is at Erie a natural landlocked harbor now available and affording complete terminal facilities for any volume of commerce which may desire to utilize said proposed Pennsylvania canal and

Whereas The said route would utilize Pennsylvania waters in Pennsylvania and

Whereas These several other routes proposed depend entirely upon Pennsylvania watersheds to make these several projects navigable and

Whereas Under the National Industrial Recovery Act the Public Works Administration is in control of funds for the purpose and is desirous of expending funds for such purposes as the development of inland waterways and

Whereas It is apparently the desire of His Excellency the President of the United States and the Honorable Harold L. Ickes Public Works Administrator to speed the use of funds appropriated to the Public Works Administration for purposes of this character and

Whereas Pennsylvania pays the second largest amount of taxes into the Federal Treasury and should be rightfully considered in the development of this project as proposed therefore be it

Resolved (if the Senate concur) That the General Assembly of the Commonwealth of Pennsylvania do respectfully petition His Excellency the Honorable Franklin D Roosevelt President of the United States to authorize the completion of the Allegheny River project and the building of a canal from Franklin Pennsylvania to the City of Erie on Lake Erie in Pennsylvania and be it further

Resolved That the General Assembly further memorialize United States Senators from Pennsylvania and the Congressmen from Pennsylvania to use their best offices to bring about the immediate approval of this All-Pennsylvania project

Mr. SCOTT. Mr. President, I move that Rule 39, which requires resolutions to be referred to an appropriate committee, be suspended, and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there any objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTIONS DIRECTING THE PUBLICATION OF CERTIFICATES OF ACTION OF REPEAL CONVENTION.

Mr. PRINCE offered the following resolution which was twice read, considered and agreed to:

In the Senate, December 6, 1933.

Resolved (if the House of Representatives concur), That the Secretary of the Commonwealth be authorized to have printed in the Pamphlet Laws of the Extraordinary Session of 1933, a full and complete copy of the certificate of the Secretary of the Commonwealth and of the Chairman and Secretary of the Convention, together with the resolution adopted by the Convention convened December 5th, 1933, in the Hall of the Senate ratifying the amendment to the Constitution of the United States to repeal the Eighteenth Amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 14 (House Bill No. 15), entitled:

An Act to amend the title and certain sections of the act approved the third day of May, one thousand nine hundred and thirty-three (Act No. 91), entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and

regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by limiting the provisions of the act to malt liquors, as defined therein and clarifying certain provisions by the act.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill wass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 41, entitled:

An Act to amend paragraph (a) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand forty-six), entitled "An act appropriating the moneys in the Motor License Fund," by appropriating such fund to the Board of Finance and Revenue for redemption of bonds issued to acquire toll bridges.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 50 (House Bill No. 39), as follows:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an amendment to article nine of the Constitution of Pennsylvania which reads as follows:

"Section 16 In addition to the purposes stated in article nine section four of this Constitution the State may be authorized by law to create debt and to issue bonds to the amount of fifty millions of dollars for the payment of compensation to certain persons from this State who served in the Army Navy or Marine Corps of the United States during the war between the United States and Spain between the twenty-first day of April one thousand eight hundred and ninety-eight and the thirteenth day of August one thousand eight hundred and ninety-eight or who served in the China Relief Expedition in the Philippines or Guam between the twenty-first day of April one thousand eight hundred and ninety-eight and the fourth day of July one thousand nine hundred and two or who served in the Army Navy or Marine Corps of the United States during the World War between the sixth day of April one thousand nine hundred and seventeen and the eleventh day of November one thousand nine hundred and eighteen" having been adopted by the people at the municipal election in November one thousand nine hundred and thirty-three the Governor the Auditor General and the State Treasurer in accordance with the provisions thereof and on behalf of the Commonwealth of Pennsylvania are heheby authorized and directed during the fiscal biennium beginning June first one thousand nine hundred and thirty-three from time to time to borrow on the credit of the Commonwealth of Pennsylvania such sum or sums of money not exceeding in the aggregate the sum of fifty million dollars ($50,000,000) as may be found necessary to carry out the purposes of said amendment and statutes passed in conformity therewith

Section 2 Bonds Issue Maturity interest et cetera

(a) As evidence of the indebtedness herein authorized bonds of the Commonwealth of Pennsylvania shall be issued from time to time for such total amounts in such form in such denominations and subject to such terms and conditions of issue redemption and maturity not to exceed thirty years rate of interest not to exceed four and one-half per centum per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall direct

(b) All bonds issued under the authority of this act shall bear the facsimile signatures of the Governor Auditor General and State Treasurer and a facsimile of the great seal of the Commonwealth of Pennsylvania and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agent of the Commonwealth

(c) The principal and interest of such bonds shall be payable in lawful money of the United States All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes

(d) Such bonds may be issued with or without interest coupons attached In case interest coupons are attached they shall contain facsimile signatures of the State Treasurer and the Auditor General

(e) The Governor the Auditor General and the State Treasurer shall proceed to have the necessary bonds prepared and printed The bonds as soon as they are prepared and printed shall be forthwith deposited with the duly authorized loan and transfer agent of the Commonwealth there to remain until sold in accordance with the provisions of this act

Section 3 Sale of Bonds Whenever bonds are so issued they shall be offered for sale at not less than par and accrued interest and shall be sold by the Governor the Auditor General and State Treasurer to the highest and best bidder or bidders after due public advertisement on such terms and conditions

and upon such open competitive bidding as the Governor Auditor General and State Treasurer shall direct The manner and character of such advertisement and the times of advertising shall be prescribed by the Governor the Auditor General and the State Treasurer

Any portion of any bond issue so offered and not sold or subscribed for may be disposed of by private sale by the Governor the Auditor General and the State Treasurer in such manner and at such prices not less than par and accrued interest as the Governor shall direct No commission shall be allowed or paid for the sale of any bonds issued under the authority of this act

Section 4 Disposition and Use of Proceeds The proceeds realized from the sale of bonds under the provisions of this act and such other moneys as the General Assembly shall from time to time appropriate for like purposes shall be paid into a special fund in the State Treasury hereby created to be known as the Veterans' Compensation Fund and shall be used for the payment of compensation to certain veterans as provided for in the Constitutional amendment hereinbefore cited and in legislation passed in conformity therewith

Section 5 Registration of Bonds The Auditor General shall prepare the necessary registry books to be kept in the office of the duly authorized loan and transfer agent of the Commonwealth for the registration of any bonds at the request of owners thereof All bonds which are issued without interest coupons attached shall be registered in the registry books kept by the duly authorized loan and transfer agent of the Commonwealth

Section 6 Information to General Assembly It shall be the duty of the Governor to include in every biennial budget submitted to the General Assembly full information relating to the issuance of bonds under the provisions of this act to enable the General Assembly to provide by appropriation the moneys necessary for the sinking fund of the Commonwealth for the payment of the interest on said bonds and the principal thereof at maturity

Section 7 Special Fund Investments Redemption of Bonds All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from the Veterans' Compensation Sinking Fund For specific purpose of redeeming said bonds at maturity and paying all interest thereon in accordance with the information received from the Governor the General Assembly shall appropriate biennially the moneys necessary for the payment of the interest on said bonds and the principal thereof at maturity All moneys so appropriated shall be paid into the Veterans' Compensation Sinking Fund by the State Treasurer and all of such moneys not necessary to pay accruing interest shall be invested by the Board of Finance and Revenue in such securities as are provided by law for the investment of the sinking funds of the Commonwealth

The Board of Finance and Revenue is authorized at any time to use any of the money in the Veterans' Compensation Fund not necessary for the payment of compensation to veterans in accordance with the provisions of the Constitutional amendment hereinbefore cited and the legislation passed in conformity therewith for the purchase and retirement of all or any part of the bonds issued under the authority of this act In the event that all or any part of said bonds shall be purchased by the Board of Finance and Revenue they shall be cancelled and returned to the State Treasurer as cancelled and paid bonds and thereafter all payments of interest thereon shall cease and the cancelled bonds and coupons shall be destroyed within two years after cancellation in the presence of the Governor the Auditor General and the State Treasurer and a certificate evidencing the destruction satisfactory to the duly authorized loan and transfer agent of the Commonwealth shall be furnished to it All cancelled bonds and coupons shall be so marked as to make the cancelled bonds and coupons non-negotiable

Section 8 Present Biennium Requirements The Board of Finance and Revenue shall determine the amount of money necessary for the payment of interest on the bonds for the two fiscal years beginning June first one thousand nine hundred and thirty-three and the times and amounts of such payments and the amount so determined shall be transferred from the Veterans' Compensation Fund to the Veterans' Compensation Sinking Fund and for such purpose as much of the money in the Veterans' Compensation Fund as may be necessary is hereby appropriated The money so transferred shall be restored to the Veterans' Compensation Fund by appropriation from the General Fund as soon as it shall be needed for the payment of compensation to veterans under this act

Section 9 Quorum Whenever in this act any action is to be taken or decision made by the Governor the Auditor General and the State Treasurer and the three officers shall not be able unanimously to agree the action or decision of the Governor and either the Auditor General or State Treasurer shall be binding and final except that it shall be the mandatory duty of the Governor the Auditor General and the State Treasurer to issue bonds in accordance with the Constitutional amendment quoted in the first section of this act in such time that payments of compensation to veterans as provided for in said Constitutional amendment and legislation passed in conformity therewith may be made upon the establishment of the qualifications of those entitled thereto

Section 10 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 51 (House Bill No. 40), as follows:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be cited as the "Veterans' Compensation Act"

Section 2 As used in this act the word "veteran" includes any individual a member of the military or naval forces of the United States during the war between the United States and Spain between the twenty-first day of April one thousand eight hundred and ninety-eight and the thirteenth day of August one thousand eight hundred and ninety-eight or who served in the China Relief Expedition in the Philippines or Guam between the twenty-first day of April one thousand eight hundred and ninety-eight and the fourth day of July one thousand nine hundred and two or during the World War between the sixth day of April one thousand nine hundred and seventeen and the eleventh day of November one thousand

nine hundred and eighteen but does not include (a) any individual at any time during such periods or thereafter separated from such forces under other than honorable conditions (b) any conscientious objector who performed no military duty whatever or refused to wear the uniform or (c) any alien at any time during such periods or thereafter discharged from military or naval forces on account of his alienage

The term "legal resident of this Commonwealth" means any individual who gave the State of Pennsylvania or any specific place in this Commonwealth as his or her place of residence at the time of entering the military or naval forces of the United States for such period without regard to the place of enlistment commission or induction The proof of such residence shall be the official records on file in the War Department of the United States or such other evidence as may be deemed sufficient by the Adjutant General of Pennsylvania

Section 3 Compensation shall be payable under this act for any veteran a legal resident of this Commonwealth and shall be computed on the basis of ten dollars ($10.00) for every month and major fraction thereof of active service in the military or naval forces of the United States as shown by the service or other record of the veteran No veteran who served less than sixty days active service shall be entitled to receive any compensation under this act Any veteran who was in active service during the periods specified shall be allowed the per monthly compensation as designated until his separation from service but no person shall receive compensation under this act in a sum to exceed two hundred dollars ($200.00)

Section 4 In computing time in the service for compensation no allowance shall be made to

(a) Any civilian officer or employe of any branch of the military or naval forces contract surgeon cadet of the United States Military Academy midshipman of the United States Naval Academy or of the Coast Guard member of the Reserve Officers Training Corps member of the Students' Army Training Corps (except an enlisted man detailed thereto) Philippine Scout member of the Philippine Guard member of the Philippine Constabulary member of the Porto Rico Regiment of Infantry member of the National Guard of Hawaii member of the insular forces of the Navy member of the Samoan native guard and band of the Navy or Indian scout in each case for the period of service as such

(b) Any member of the Public Health Service for any period during which he or she was not detailed for active duty with the Army Navy or Marine Corps

(c) Any individual granted a farm or industrial furlough for the period of such furlough

(d) Any individual detailed for work in the Spruce Production Division of the Air Service for the period during which his pay was equalized to conform to the pay of civilian employes in the same or like employment

(e) Any individual who has received a bonus gratuity or compensation of a nature similar to that provided for by this act from any other state in the Union

Section 5 In computing the compensation of any veteran under this act effect shall be given to all sub-divisions of section four which are applicable

Section 6 With respect to veterans of the World War for the purpose of section three in the case of members of the National Guard or the National Guard Reserve called into service by proclamation of the President the time of service between the date of call into service as specified in such proclamation and the fifth day of August one thousand nine hundred and seventeen both dates inclusive shall be deemed to be active service in the military or naval forces of the United States Provided That in case of members of the National Guard or National Guard Reserve called into the service by proclamation of the President before the sixth day of April one thousand nine hundred and seventeen active service in the military or naval forces of the United States for the purpose of this act shall be deemed to commence on the sixth day of April one thousand nine hundred and seventeen

Section 7 Application for compensation shall be made to the Adjutant General on such forms and in such manner as he shall prescribe

All applications shall be made (1) personally by the veteran or (2) in case of physical or mental incompetency preventing the making of a personal application then by such representative of the veteran as the Adjutant General shall by regulation prescribe An application made by a representative other than one authorized by such regulation shall be held void

Section 8 Applicants shall state on their applications whether or not they have applied for or received a bonus gratuity or compensation of a nature similar to that provided for by this act from any other state in the Union

Section 9 In the case of veterans who died while in the active military or naval forces of the United States during any one of the periods of hostilities as set forth in section two of this act the amount of compensation payable under this act shall be two hundred dollars ($200.00)

Section 10 In case of the death of any veteran who would if living be entitled to compensation under this act the same shall be paid to the following persons in the order named and none other (a) Surviving unremarried widow (b) surviving minor child and if there be more than one minor child surviving then equally among such minor children (c) surviving mother (d) surviving father (e) person who stood in loco parentis to the veteran at the time of his or her entry into service and for a period of ten years immediately prior thereto

Section 11 Every person making application for compensation as herein provided shall set forth in his or her application the names and addresses of all persons who under this act would be entitled to receive the same in the event of the death of the applicant and if such applicant shall die before the payment of such compensation then such application shall be deemed to inure to the benefit of the person or persons next entitled thereto and payment shall be made to such person or persons upon proof of identity satisfactory to the Adjutant General If all persons desisnated herein as entitled to compensation shall die before payment thereof the right to the compensaton shall cease and determine Application for compensation made in behalf of minor children shall be made by the duly appointed guardian of such children or by any person who stands in loco parentis to such minor children.

Sectoin 12 No sum payable under this act to a veteran or to his or her beneficiaries as shown in section ten shall be subject to attachment levy or seizure under any legal or equitable process and shall be exempt from all state taxation. No right to compensation under the provisions of this act shall be assignable except as hereinafter provided or serve as a security for any loan nor be regarded as the assets of the estate of a deceased veteran nor be made the basis of administration thereof Any assignment or loan made in violation of the provisions of this section shall be held void Provided however That assignments to any group or organization of veterans incorporated or unincorporated or to any non-profit corporation heretofore formed solely for aiding disabled or incapacitated veterans and assignments to the State Veterans' Commission shall be valid The State Veterans' Commission is hereby authorized to accept such assignments which shall be treated as confidentials and the funds from such assignments shall be expended by said commission solely for the aid of needy veterans and their families Except as in this section provided the Adjutant General shall not direct the payment nor shall payment be made under this act to any person other than the veteran or his or her beneficiaries as set forth in section ten or such representatives of the veteran as the Adjutant General shall by regulation prescribe

Section 13 Any person who charges or collects or attempts to charge or collect either directly or indirectly any fee or other compensation for assisting in any manner a veteran in obtaining any of the benefits to which he or she is entitled under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than five hundred dollars ($500.00) or imprisonment for not more than one year or both at the discretion of the court

Section 14 The Adjutant General shall as soon as practicable after the approval of this act prepare and publish a pamphlet or pamphlets containing a digest and explanation of the provisions of this act accompanied by such statements as he believes may be of assistance to the veterans in filing their applications and shall from time to time prepare and publish such additional or supplementary information as may be found necessary

The said pamphlet or pamphlets shall be distributed in such manner as the Adjutant General may determine to be most effective to inform veterans of their rights under this

act and the Adjutant General shall enlist as far as possible the services of veteran organizations in this Commonwealth in the dissemination of such information

Section 15 Immediately upon the passage of this act the Adjutant General shall ascertain the individuals who are veterans as defined in section two and as to each veteran the number of months of service as defined in section three for which he or she is entitled to receive compensation and his decisions shall be final and not subject to review except by the Adjutant General In all cases not within the express purview of this act the decision of the Adjutant General as to payment or non payment of compensation or eligibility therefor shall be in all things final

Section 16 Whomever knowingly makes any false or fraudulent statement of a material fact in any application certificate or document made under the provisions of this act or of any regulation made by the Adjutant General in administering this act shall be guilty of a misdemeanor and upon conviction thereof be fined not more than one thousand dollars ($1,0000.00) or undergo imprisonment of not more than five years or both at the discretion of the court.

Section 17 For the purpose of carrying into effect the provisions of this act the Adjutant General of the Commonwealth is charged with the administration thereof and for that purpose he shall prepare and distribute application blanks investigate all claims and applications filed with him and if satisfied of the proof of such claim or application approve the same and direct payment thereof and shall make any regulations necessary to the efficient administration of the provisions of this act

The books papers and records together with the filing cases and equipment procured and used in the administration of this act shall become a part of the permanent records of the office of the Adjutant General

Section 18 All printing necessary to carry out the provisions of this act shall be done by the Bureau of Publications on the requisition of the Adjutant General to the Department of Property and Supplies

Section 19 The Adjutant General may employ the necessary clerical help and fix their salaries and pay for postage and other expenses incurred in the administration of this act In all appointments under this act preference shall so far as practicable be given to veterans as defined in this act

Section 20 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not effect or impair any of the remaining provisions of the act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein.

Section 21 For the purpose of paying for the clerical services postage and other necessary expenses incurred by the Adjutant General in the administration of this act the sum of four hundred and sixty-two thousand six hundred and twenty-five dollars ($462,625.00) or as much thereof as may be necessary is specifically appropriated from funds realized from the sale of bonds issued in conformity with the constitutional amendment authorizing the creation of indebtedness for the purposes set forth in this act and other statutes passed in conformity with said constitutional amendment

Section 22 The compensation payable under this act shall be paid by the State Treasurer from the Veterans' Compensation Fund created or about to be created by accompanying legislation upon requisition by the Adjutant General

Section 23 The act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred thirty-six) entitled "An act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation" is hereby repealed

All other acts or parts of acts inconsistent herevith are hereby repealed

Section 24 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Soues,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 53, as follows:

An Act Providing for the creation of public "Authorities" in counties of the second class authorizing such "Authorities" to enter into agreements with the Government of the United States particularly as they relate to the National Industrial Recovery Act and any amendment and supplements thereto the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others defining and providing for the organization and dissolution of such "Authorities" conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions upon which such "Authorities" may exercise their powers endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds authorizing such "Authorities" to make and receive appropriations repealing certain acts and parts of acts inconsistent herewith and for other purposes

ARTICLE I

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each county of the second class of this Commonwealth there is hereby created a body corporate and politic to be known as the "Authority" of said county (hereafter in this act called the "Authority") provided however that such "Authority" shall not become operative nor transact any business until and unless the board of county commissioners of the county in which it is created shall by proper resolution declare its creation and appoint and designate the members thereof as in this act herein prescribed Such "Authority" shall constitute a public body corporate and politic of said county for the public purposes herein set forth and shall exercise an essential governmental function in effectuating such purposes and to that end said "Authority" shall be endowed with and is hereby granted the following powers to-wit

(a) To construct maintain and operate bridges tunnels streets highways traffic distribution centers traffic circles airports hangars parkways recreation grounds and facilities public parks swimming pools lakes dams and parts of any of said projects and improvements thereof and additions thereto and to charge and collect fees tolls rentals and charges in connection with any or all of said structures projects additions or improvements and any or all parts thereof the proceeds therefrom to be used for the purpose of maintaining and operating the same and of repaying to the United States Government and to others any and all monies and interest thereon which may have been borrowed therefrom in connection with the purposes for which said "Authority" was created as same may be due and payable

(b) To enter into any contract or contracts with any street railway company telegraph company telephone company or other corporation or person or persons desiring to make use of any of the projects constructed or maintained pursuant to the purposes for which said "Authority" has been created and under the provisions of this act for the concurrent use of such portion of any of said projects as shall not substantially impair

or restrict the public use and enjoyment thereof upon such rates terms and conditions as shall be agreed upon or to charge tolls or rentals for such special use provided however that such rates terms and conditions shall in no instance be less than the rates terms and conditions paid and met for like rights service and privileges within said county

(c) To construct and maintain or to lease the right to construct and maintain roads highways bridges tunnels for park purposes where none is now provided and available water mains and other mechanical equipment and appliances appropriate proper and necessary in connection with the construction and operation and use of the aforementioned projects by the public on over under along across or through any land and between any points which may be necessary for the construction and maintenance of such projects and the carrying out of the purposes for which said "Authority" is created

(d) To continue as a body corporate and politic for the time specified in this act

(e) To sue and be sued complain and defend in its own name

(f) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile thereof to be impressed or affixed or in any manner reproduced

(g) To purchase take receive lease as lessee take by gift devise or bequest or otherwise acquire and to own hold use and otherwise deal with any real or personal property or any interest therein situated in the county in which said "Authority" is created and set up which may be appropriate to enable it to accomplish fully and properly its purpose or purposes

(h) To sell and convey lease as lessor and otherwise dispose of all or any part of its property and assets

(i) To borrow money for any or all of the purposes for which it is organized to issue its promissory notes bonds or other forms of certificates of indebtedness with interest as evidence thereof and to secure any of its obligations by mortgage pledge or deed of trust of or on any of its property franchises and income

(j) To enter into any obligation necessary for the transaction of its ordinary affairs

(k) To have and exercise all of the powers and means necessary or essential to effect the purpose or purposes for which the "Authority" is organized

(l) To have and exercise the right and power of eminent domain for the acquisition of real property (the title thereto so acquired being title in fee simple) necessary for and in connection with the business of the "Authority" and for the purposes for which it was created but not to assess levy or collect any taxes of any kind or nature or for any purpose whatsoever specifically to borrow from the Government of the United States or other funds for the construction maintenance and operation of the projects for which said "Authority" shall have been created and to issue its negotiable bonds or other obligations secured by mortgage and trust deed given therefor and to provide for the rights of the holders thereof

(m) To elect a chairman vice-chairman secretary and treasurer and to adopt suitable by-laws for the management of its affairs The secretary and treasurer need not be member or members of the "Authority"

(n) To appoint and designate such officers agents and employes as it may require for the performance of its duties and fix and determine their qualifications duties and compensation

(o) To make rules and regulations for the management and regulations of its affairs

(p) To enter upon any lands waters and premises within the county in which said "Authority" is created and set up for the purpose of making surveys soundings and examinations

(q) To determine the exact location system and character of and all other matters in connection with any and all improvements or facilities which it may be authorized to own construct establish effectuate operate or control

(r) To exercise such other powers not inconsistent with the Constitution of this Commonwealth or of the United States which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers except the power to levy taxes or assessments and generally to exercise in connection with its property and affairs and in connection with property within its control any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs

(s) To dissolve and wind up the "Authority" and specifically when as and if all indebtedness to the United States and all other proper and lawful indebtedness of the "Authority" shall have been fully paid it shall be the duty of the "Authority" through appropriate action of its officers and members to convey and transfer in fee simple free and clear of all debts liens encumbrances and obligations whatsoever to the county in which said "Authority" shall have been created and set up all of the projects improvements structures and operations constructed erected acquired or maintained by said "Authority" during the period of its corporate existence and any and all monies contracts bills and notes receivable leases franchises and all other property whether real or personal of the "Authority" to render to said county by its proper officers full and complete account of all the transactions and business of the "Authority" and to dissolve and wind up its affairs and thereafter cease entirely to exist

ARTICLE II

Section 201 Whenever the county commissioners of any county of the second class shall desire to form an "Authority" under this act they shall adopt a resolution signifying their intention so do do

Section 202 The county commissioners of such county shall cause a notice of the resolution to be published at least one time in the legal periodical of the county in which the "Authority" is to be formed and at least one time in one newspaper of general circulation published in the county The said notice shall contain a brief statement of the substance of the resolution making reference to this act and shall state that on a day certain not less than three days after publication of the said notice articles of incorporation of the proposed "Authority" will be filed with the Secretary of the Commonwealth

Section 203 On or before the day fixed for the notice above provided for the county shall file with the Secretary of the Commonwealth articles of incorporation together with proof of the advertisement required by the preceding section If the Secretary of the Commonwealth finds that the articles of incorporation conform to law he shall forthwith but not prior to the day specified in the notices required by the preceding section endorse his approval thereon and when all proper fees and charges have been paid shall file the articles and issue a certificate of incorporation to which shall be attached a copy of the approved articles The articles upon being approved and filed by the Secretary of the Commonwealth shall constitute the charter of the "Authority"

Section 204 The articles of incorporation shall be executed by each incorporating county by its county commissioners and under its county seal and shall be acknowledged on behalf of each county by its county commissioners

Section 205 The articles of incorporation shall set forth

(a) The name of the "Authority"

(b) A statement that an "Authority" is formed under this act

(c) The name of the incorporating county together with the names and addresses of its county commissioners and the chief clerk of the board of county commissioners

Section 206 Upon the issuance of the certificate of incorporation by the Secretary of the Commonwealth the "Authority's" existence shall begin The certificate of incorporation shall be conclusive evidence of the fact that the "Authority" shall be incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate an "Authority" which should not have been formed under this act or which had been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation

ARTICLE III

Section 301 The "Authority" shall consist of three members all of whom shall be citizens of this Commonwealth and of the county in which said "Authority" is created and set up and who shall be designated and appointed by the county commissioners All members shall continue to hold office until their respective successors are appointed and qualified

Section 302 The members shall have entire charge of the "Authority's" property and affairs and shall for the purpose of doing business constitute a board but no action of the board shall be binding unless a majority of the members of the "Authority" shall vote in favor thereof

Section 303 The salary or compensation of the officers and members of the "Authority" shall be fixed and deter-

mined by the salary board of the county in which said "Authority" is created and set up but none of such salaries of compensation shall be increased or diminished during the term for which the officer or member receiving the same shall have been appointed

Section 304 Vacancies in the office of president vice-president secretary or treasurer caused other than by expiration of term shall be filled by election by the members of the "Authority" Vacancies in the membership of the "Authority" shall be fiilled by appointment by the county commissioners of the county in which said "Authority" is created and set up

ARTICLE IV

Section 401 If for any of its authorized purposes the "Authority" shall find it necessary or convenient to acquire any real property in the county in which said "Authority" is created and set up whether for immediate or future use the "Authority" may find and determine that such property whether a fee simple absolute or a lesser interest is required for public use and upon such determination The "Authority" shall have enjoy and exercise the same right and power of eminent domain as is now by law had enjoyed and exercised by counties of the second class However no property now or hereafter vested in or held by any county city borough township political subdivision or other municipality shall be taken by the "Authority" without the consent of such political subdivision or municipality unless expressly authorized by this act

If the "Authority" is unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property in the county in which said "Authority" is created and set up for any reason whatsoever then the "Authority" may acquire such real property in the manner provided for the acquisition of such property by counties of the second class in the exercise of the right of eminent domain

The power of the "Authority" to acquire real property by condemnation or the exercise of the power of eminent domain in the county in which said "Authority" is created and set up shall be a continuing power and no exercise thereof shall be deemed to exhaust it

The "Authority" and its duly authorized agents and employes may enter upon any land in the county in which said "Authority" is created and set up for the purpose of making such surveys maps or other examinations thereof as it may deem necessary or convenient for its authorized purposes

All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania not withstanding any contrary provision of law are hereby authorized and enpowered to lease lend grant or convey to the "Authority" upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships political subdivisions or other municipalities may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned and real property which may be necessary or convenient to the effectuation of the authorized purposes of the "Authority" including real property already devoted to public use

The term "real property" as used in this act includes lands structures franchises and interests in land including lands under water and riparian rights and any and all things and rights usually included within the said term and includes not only fees simple absolute but also any and all lesser interests such as easements rights of way uses leases licenses and all other incorporeal hereditaments and every estate interest or right legal or equitable including terms of years and liens thereon by way of judgments mortgages or otherwise and also claims for damage to real estate

Section 402 All contracts shall be let and purchases made by the "Authority" in the manner now provided by law relating to contracts and purchases by county commissioners in counties of the second class

ARTICLE V

Section 501 Notwithstanding any provisions of this act the "Authority" shall have no power to pledge the credit of the Commonwealth of Pennsylvania or the credit of any county city borough township or other municipality of said Commonwealth or to create any debt of said Commonwealth or of such municipality county city borough or township and the bonds and debts of said "Authority" shall be a lien upon and payable solely from the assets and revenues of said "Authority"

Section 502 The "Authority" within sixty days after the first day of January each year shall cause a complete audit of its affairs to be made by a firm of certified public accountants approved by the county commissioners of the county in which said "Authority" is created and set up and shall furnish a copy thereof to the said county commissioners the Federal Emergency Administration of Public Works and if desired to the trustee under any mortgage or deed of trust given to secure any bonds issued by the "Authority"

Section 503 Before entering upon the duties of office the treasurer of the "Authority" shall furnish a bond with at least one corporate surety or three individual sureties in an amount not less than one hundred per centum of the estimated amount of the largest sum which will probably be in the treasurer's hand at one time during the succeeding year Such bonds shall be conditioned for the safe-keeping of the moneys of the "Authority" and faithful performance of the treasurer's duties

In lieu of furnishing surety bond as above provided the treasurer may pledge with any bank trust company or bank and trust company in Pennsylvania which may be agreed upon securities to guarantee safe-keeping of the funds of the "Authority" and faithful performance of his or its duties The securities so pledged shall have a market value of not less than one hundred twenty per centum of the estimated amount of the largest sum which will probably be in the hands of the treasurer at one time during the succeeding year The "Authority" shall have the right to require the pledging of additional securities if and when the securities already pledged shall become depreciated below said value. All securities so pledged shall be accompanied by proper assignments or powers of attorney for their transfer

ARTICLE VI

Section 601 The "Authority" is hereby authorized to make and enforce such rules and regulations and to establish levy and collect (or to authorize by contract franchise lease or otherwise the establishment levying and collection of) such tolls rents rates fees and other charges in connection with any properties which it may construct erect acquire own operate or control as it may deem necessary proper desirable and reasonable which said tolls rents rates fees and other charges shall be at least sufficient to meet the expenses thereof including the cost of maintenance and operation thereof and interest and sinking fund or amortization charges and the "Authority" is hereby authorized and empowered to pledge such tolls rates rents fees and other revenues or any part thereof either presently received or to be received in the future or both as security for the repayment with interest and taxes if any of any monies borrowed by it or advanced to it for any of its authorized purposes and as security for the satisfaction of any other obligation assumed by it in connection with such loans or advances

ARTICLE VII

Section 701 The Commonwealth of Pennsylvania and all municipalities and political subdivisions thereof so long as any bonds or other securities or obligations of the "Authority" remain outstanding and unpaid and unless and until adequate provision is made by law for the protection of those advancing money upon obligations shall not diminish or impair the power of the "Authority" to own operate or control its properties and facilities or to establish levy and collect tolls rents rates fees and other charges in connection with such properties or facilities

ARTICLE VIII

Section 801 The bonds or other securities or obligations which may be issued by the "Authority" for any of its authorized purposes and as security for which there may be pledged the property tolls rents rates fees and other revenues or any part thereof of any properties or facilities owned operated or controlled by the "Authority" are hereby made securities in which all State and municipal officers and bodies of the Commonwealth of Pennsylvania all banks bankers trust companies savings banks saving and loan as-

sociations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth of Pennsylvania may properly and legally invest any funds including capital belonging to them or within their control and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officer or agency of the Commonwealth of Pennsylvania for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized

ARTICLE IX

Section 901 The effectuation of its authorized purposes by the "Authority" is and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania for the increase of their commerce and prosperity and for the improvement of their health and living conditions and since the "Authority" will be performing essential governmental functions in effectuating said purposes the "Authority" shall not be required to pay any taxes or assessments upon any property acquired or used by it for such purposes and the bonds or other securities or obligations issued by the "Authority" their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation within the Commonwealth of Pennsylvania

ARTICLE X

Section 1001 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 1002 All acts or parts of acts inconsistent herewith are hereby repealed

Section 1003 This act shall become effective immediately upon the approval thereof by the Governor of this Commonwealth.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 84 (House Bill No. 41), entitled:

An Act making an appropriation for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 85 (House Bill No. 55), entitled:

An Act making an appropriation out of The State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 88 (House Bill No. 88), entitled:

An Act making an appropriation out of the General Fund to the Pennsylvania Liquor Control Board for the administration and enforcement of the Pennsylvania Liquor Control Act including the establishment operation maintenance and equipment of Pennsylvania Liquor Stores and places for the storing and testing of liquors and providing for the partial reimbursement of the General Fund by making an appropriation from The State Stores Fund to be transferred in installments to the General Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. COYNE. Mr. President, I move that Senate Bill No. 88 (House Bill No. 88), the bill just read, be recommitted to the Committee on Appropriations.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 89, as follows:

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects providing for the payment of damages by

counties and townships as a result of relocating widening or constructing said highways or bridges and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Highways is hereby authorized to accept grants of funds from the President of the United States or other Federal agency for the construction of public highways and related projects Such moneys shall be held by the State Treasurer as custodian for the Department of Highways and shall be paid out on requisition of the Department of Highways without further appropriation If required by the Federal Government the Department of Property and Supplies shall provide the necessary bonds for the State Treasurer in his capacity as custodian

Section 2 Where any highway or bridge which is not a part of the State Highway System of the Commonwealth has been or may be designated to be improved with funds received from the Federal Government the Department of Highways shall have all of the powers and authority in the relocating widening or construction of such highway which are now or may hereafter be conferred upon it with respect to State highways Any damages sustained by reason of taking of property in the relocation widening or construction of any such highway shall be ascertained in accordance with laws applicable to the ascertainment of damages in relocating widening or constructing State highways and such damages when ascertained shall be paid by the county or township or both as may be agreed upon between the said township and county

Section 3 Where any highway or bridge is to be constructed under contract and to be paid for wholly or in part from Federal funds and the project involves additional work to be contracted and paid for by municipal subdivisions or local authorities the advertisement by the Department of Highways in compliance with the rules and regulations of the proper Federal authorities shall be the only advertising necessary any other acts or requirements to the contrary notwithstanding

Section 4 The Department of Highways shall have authority to make and carry out contracts and to do every other act necessary to carry out any project heretofore or hereafter undertaken which is to be paid for in whole or in part from Federal funds and in every way to conform to the requirements and rules and regulations of the proper Federal authorities with respect to such projects but no limitation contained in this Act shall in anywise diminish any authority or powers now or hereafter conferred on the Department of Highways by any other Act of Assembly

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

Section 6 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 80, as follows:

An Act relating to advertising by holders of licenses to sell liquors or malt liquors for consumption on the premises

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any license or malt liquors authorized to sell liquors for consumption on the premises to maintain or display any sign poster or other device in any manner advertising any liquor or malt liquor outside of the building in which the licensee is permitted to sell liquor for consumption

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House of Representatives as follows:

House Bill No. 87 (Senate Bill No. 101), entitled:

An Act appropriating the moneys in The State Stores Fund.

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 15

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 15, entitled:

An Act to amend the title and certain sections of the act approved the third day of May one thousand nine hundred thirty-three (Act number ninety-one) entitled "An act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by limiting the provisions of the act to malt liquors as defined therein

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 39

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 39, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 40

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 40, entitled:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War, the war between the United States and Spain, the China Relief Expedition, or in the Philippines of Guam; imposing certain duties on the Adjutant General; making an appropriation; and repealing inconsistent legislation.

RESOLUTION DIRECTING THE PUBLICATION OF CERTIFICATES OF ACTION OF REPEAL CONVENTION

He also presented communication from the House informing the Senate that the House of Representatives has concurred in Resolution from the Senate as follows:

In the Senate, December 6, 1933.

Resolved (if the House of Representatives concur), That the Secretary of the Commonwealth be authorized to have printed in the Pamphlet Laws of the Extraordinary Session of 1933, a full and complete copy of the certificate of the Secretary of the Commonwealth and of the Chairman and Secretary of the Convention, together with the resolution adopted by the Convention convened December 5, 1933, in the Hall of the Senate ratifying the amendment to the Constitution of the United States to repeal the Eighteenth Amendment.

RECONSIDERATION OF SENATE BILL No. 89

Mr. GELDER. Mr. President, I move to reconsider the vote by which Senate Bill No. 89, entitled:

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects providing for the payment of damages by counties and townships as a result of relocating widening or constructing said highways or bridges and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. GELDER. Mr. President, I voted "aye."

Mr. BUCKMAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "aye."

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 89.

RECONSIDERATION OF SENATE BILL No. 89

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. GELDER. Mr. President, I move to reconsider the vote by which the title of the bill was agreed to.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the title?

Mr. GELDER. Mr. President, I move to reconsider the vote by which the sixth section of the bill was agreed to.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. GELDER. Mr. President, I move to reconsider the vote by which the fifth section of the bill was agreed to.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. GELDER. Mr. President, I move to reconsider the vote by which the fourth section of the bill was agreed to.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. GELDER. Mr. President, I move to reconsider the vote by which the third section of the bill was agreed to.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. GELDER. Mr. President, I move to reconsider the vote by which the second section of the bill was agreed to.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The second section of the bill was read as follows:

Section 2 Where any highway or bridge which is not a part of the State Highway System of the Commonwealth has been or may be designated to be improved with funds received from the Federal Government the Department of Highways shall have all of the powers and authority in the relocation widening or construction of such highway which are now or may hereafter be conferred upon it with respect to State highways Any damages sustained by reason of taking of property in the relocation widening or construction of any such highway shall be ascertained in accordance with laws applicable to the ascertainment of damages in relocating widening or constructing State highways and such damages when ascertained shall be paid by the county or township or both as may be agreed upon between the said township and county

And the question recurring,

Will the Senate agree to the section?

Mr. GELDER. Mr. President, I move to amend Section 2, page 2, line 20, by inserting after the word "county" the following: "Provided however that no work as aforesaid shall be undertaken until the county or county and township affected by the liability for damages shall have agreed thereto."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third, fourth, fifth and sixth sections of the bill were read as follows: and agreed to:

Section 3 Where any highway or bridge is to be constructed under contract and to be paid for wholly or in part from Federal funds and the project involves additional work to be contracted and paid for by municipal subdivisions or local authorities and advertisement by the Department of Highways in compliance with the rules and regulations of the proper Federal authorities shall be the only advertising necessary any other acts or requirements to the contrary notwithstanding

Section 4 The Department of Highways shall have authority to make and carry out contracts and to do every other act necessary to carry out any project heretofore or hereafter undertaken which is to be paid for in whole or in part from Federal funds and in every way to conform to the requirements and rules and regulations of the proper Federal authorities with respect to such projects but no limitation contained in this Act shall in anywise diminish any authority or powers now or hereafter conferred on the Department of Highways by any other Act of Assembly

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

Section 6 This Act shall become effective immediately upon its final enactment

The title of the bill was read as follows and agreed to.

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects providing for the payment of damages by counties and townships as a result of relocating widening or constructing said highways or bridges and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES

Mr. WILLIAMSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WILLIAMSON, from the Committee on Public Roads and Highways re-reported as amended, Senate Bill No. 37, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, nine hundred five), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by adding a new section thereto for protecting the safety of the public by limiting the size and weight of vehicles which may be operated between the hours of twelve o'clock noon Saturday and twelve o'clock midnight of the following Sunday in any week and on legal holidays.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 26, entitled:

An Act accepting the provisions of an Act of Congress for the establishment of a national employment system and authorizing the Department of Labor and Industry to cooperate with the Federal Employment Service under that act, and providing for the custody and disbursement of funds granted to the Commonwealth by the Federal government thereunder.

Mr. NORTON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. NORTON, from the Committee on Appropriations, reported as committed, Senate Bill No. 101 (House Bill No. 87), entitled:

An Act appropriating the moneys in the State Stores Fund

MOTION TO READ BILLS THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committee at today's session be read the first time.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 26, entitled:

An Act accepting the provisions of an Act of Congress for the establishment of a national employment system and authorizing the Department of Labor and Industry to cooperate with the Federal Employment Service under that act, and providing for the custody and disbursement of funds granted to the Commonwealth by the Federal government thereunder.

And said bill having been read at length the first time,

Ordered, To be laid aside for a second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 93, entitled:

An Act to amend section ten of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 284), entitled "An act imposing a State tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties;" regulating the refund of taxes paid on malt liquors.

And said bill having been read at length the first time,

Ordered, To be laid aside for a second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 101 (House Bill No. 87), entitled:

An Act appropriating the moneys in the State Stores Fund.

And said bill having been read at length the first time,

Ordered, To be transcribed for a second reading.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 39 entitled,

An Act authorizing the sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund; defining the powers and duties of the Governor, The Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; and providing for the payment of interest on, and the redemption of, such bonds.

House Bill No. 40 entitled,

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War, the war between the United States and Spain, the China Relief Expedition, or in the Philippines of Guam; imposing certain duties on the

Adjutant General; making an appropriation; and repealing inconsistent legislation.

Whereupon,

The PRESIDENT (Lieutenant Governor Edward C. Shannon) in the presence of the Senate signed the same.

BILLS INTRODUCED

Mr. RICE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE read in his place and presented to the Chair Senate Bill No. 102, entitled:

A Supplement to an act approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 106) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing for the further regulation of shares sold to employes within the scope thereof and providing definitions provisions and procedure related to such sale of shares.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair, Senate Bill No. 103, entitled:

An Act declaring the existence of a State-wide economic emergency and providing for co-operation with the national recovery administration of the Federal government forbidding violations of any code of fair competition agreement or license under the National Industrial Recovery Act declaring such violations to be unfair methods of competition and misdemeanors prescribing penalties and providing for proceedings to restrain such violations.

Which was committed to the Committee on Judiciary General.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until Monday evening, December 11, at nine o'clock.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12.45 P. M. until Monday evening, December 11, 1933, at nine o'clock P. M.

HOUSE OF REPRESENTATIVES

WEDNESDAY, December 6, 1933

The House met at 11.00 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Dear Lord God, we thank Thee for this good day, and for health to enjoy life, and for strength to pursue our appointed tasks. Save us from forgetting Thee amid the multitude of activities in which we shall be engaged this day. May the ladies and gentlemen of the General Assembly be fortified with boundless courage and the spirit that knows no despair, conscience of obstructions, pitfalls and of constant dangers, may they cry out to Thee for help and light. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. Murphy, the further reading was dispensed with and the Journal approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 8 AND 13

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 5, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 8, Printer's No. 57, entitled, "An Act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usage for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufactures importers and upon using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties."

House Bill No. 13, Printer's No. 18, entitled, "An Act to amend certain sections of the act approved the fifth day of May one thousand nine hundred thirty-three (Act number one hundred four) entitled 'An Act imposing a State Tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale alcoholic beverages taxable hereunder and providing penalties' by restricting the provisions of the act to malt liquors as defined therein and clarifying certain provisions of the act."

GIFFORD PINCHOT.

LEAVE OF ABSENCE

Mr. McKAY asked and obtained leave of absense for Mr. Stevenson on account of illness.

RESOLUTIONS

COMMITTEE TO INVESTIGATE STATE EMERGENCY RELIEF BOARD

Mr. QUINN offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, December 6, 1933.

Whereas, A Resolution requesting an accounting of the salaries and expenditures in various specified counties of this Commonwealth by the State Emergency Relief Board was passed by the General Assembly in the Regular Session of 1933, and

Whereas, Said information has not been furnished to date, and

Whereas, There are widespread charges of incompetency, extravagances, waste, and a deliberate indifferent attitude toward those who apply for assistance on the part of employees in various relief stations, and

Whereas, The necessity for a university education, as a qualification for appointment to a position in relief stations, is deliberate favoritism for sons and daughters of wealthy parents, and

Whereas, Such charges cannot go unanswered by this House, but the Members thereof and the people of this Commonwealth are entitled to know the truth or falsity of such charges therefore, be it

Resolved, That the Speaker of the House of Representatives is hereby authorized to appoint a committee of five Members of this House whose duty it shall be to fully and impartially investigate the charges and ascertain the expenses, wages, etc., of the State Emergency Relief Board in the various counties of the Commonwealth, and make report thereof to the House as early as possible.

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

RESOLUTION NO. 12.

Mr. SARIG. Mr. Speaker, I desire to call upon at this time Resolution No. 12, Printer's No. 63.

The resolution was read by the Clerk as follows:

In the House of Representatives, December 5, 1933.

Whereas Many thousands of depositors in closed State banks in Pennsylvania have suffered great losses and the liquidation of these closed institutions has dragged on slowly over a period of many months and meanwhile heavy administration costs have added further to the losses suffered by depositors and

Whereas, A sum said to exceed $250,000,000 the distribution of which would help relieve the financial stringency suffered by thousands of depositors is held in closed State banks and

Whereas, The Federal Government has available and stands ready to advance immediately a loan of $100,000,000 to aid in the distribution of the funds due depositors in closed banks therefore be it

Resolved That the House of Representatives of the General Assembly of Pennsylvania in special session assembled demand that the Secretary of the Department of Banking be required to furnish forthwith to the House an explanation of the delay by the Department of Banking in liquidating closed banks and the failure of the Department to take advantage of the offer of the Federal Government

On the question,

Will the House adopt the resolution?

It was adopted.

STATE EMERGENCY RELIEF BOARD REQUESTED TO CHECK MOTOR VEHICLE REGISTRATION

Mr. LANE offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, December 6th, 1933.

Whereas, The local relief boards in some localities have required all recipients of relief to surrender the registration plates of their motor vehicles before granting relief, and

Whereas, In certain cases such actions have resulted in hardships since the owners of vehicles have been deprived of their use in necessary cases; therefore be it

Resolved, That the House of Representatives request the State Emergency Relief Board to instruct local relief boards to exercise care in enforcing the requirement that motor vehicle registration plates be surrendered by recipients of relief and that such plates be immediately restored to any person if the same will enable the person to secure work, or is required by such person for the transportation of water or other necessaries of life;

Resolved, That a copy of this resolution be transmitted to the State Emergency Relief Board by the acting Chief Clerk.

RESOLUTION NO. 11.

Mr. QUINN. Mr. Speaker, I desire to call up at this time Resolution No. 11, Printer's No. 62.

The resolution was read by the Clerk as follows:

In the House of Representatives, December 5, 1933.

Whereas, a knowledge of trigonometry ability to explain the formation of an archipelago define etymology or evolution is not essential in selling liquor and

Whereas, the requirements of a college or high school education as a necessary qualification to a position in Pennsylvania State Liquor Stores eliminates a vast number of men who by training experience and practical business knowledge makes them desirable for such positions

Therefore, be it resolved, That a grade school education be sufficient qualification for positions in Pennsylvania Liquor Stores and all other educational tests be waived by the examining board

On the question,

Will the House adopt the resolution?

It was adopted.

REQUESTING INFORMATION FROM SECRETARY OF BANKING

Mr. ANDREWS offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, December 6, 1933.

Whereas, In the liquidation of closed financial institutions, in the possession of the Secretary of Banking, the money of depositors is being expended in various ways and through various channels, and the amounts expended never become public, record thereof being found only in the various accounts which are filed in the offices of the prothonotaries of the various counties, therefore be it

Resolved, That the Secretary of Banking be directed to furnish to the House of Representatives, at the earliest possbile date, a complete analytical statement showing, by institutions in his possession,

(a) The amount expended for salaries of persons employed in liquidation;

(b) The fees, salaries and other moneys paid to attorneys;

(c) The amount expended for travel expenses;

(d) The amount expended in the organization and operation of agencies to aid in liquidation and in the distribution of the assets of closed institutions;

(e) Any other moneys expended;

(f) The number of employes;

(g) The several classes of employes;

(h) The terms of service of employes;

(i) The date when each institution was taken over by the Department.

Resolved, That said statement shall cover the period from January 1, 1930 to the latest date available from the records in the possession of the Secretary of Banking.

Resolved, That a copy of this resolution shall be transmitted to the Secretary of Banking by the acting Chief Clerk of the House.

COMMITTEE GRANTED PERMISSION TO MEET DURING SESSION OF THE HOUSE

Mr. HAINES, Chairman of the Committee on Agriculture, asked and obtained permission for that Committee to meet during the session of the House to right of the rostrum.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 7.

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class and on school taxes in school districts of the first class

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 6, 1933.

Resolved (if the House of Representatives concur), That the Secretary of the Commonwealth be authorized to have printed in the Pamphlet Laws of the Extraordinary Session of 1933, a full and complete copy of the certificate of the Secretary of the Commonwealth and of the Chairman and Secretary of the Convention, together with the resolution adopted by the Convention convened December 5th, 1933, in the Hall of the Senate ratifying the amendment to the Constitution of the United States to repeal the Eighteenth Amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION No. 9

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 4, 1933.

Whereas The Roosevelt New Deal contemplates the carrying forward of the internal waterways system of the United States toward the ideals conceived by the forward looking statesmen of the Nation during the past quarter century and

Whereas The Mississippi River and its tributaries have been made available for the navigation of vessels to East Brady via the Allegheny River a 9,000 mile waterway that is now in use carrying thousands of tons of freight and

Whereas The Congress of the United States has authorized the further development of the Allegheny River to at least Oil City with ten miles of the unfinished project already provided for and

Whereas Available engineering reports and regional economic surveys indicate the feasibility of a canal running from Franklin Pennsylvania to Lake Erie at the City of Erie and terminating in the Harbor of Presque Isle which is Pennsylvania's only lake port and

Whereas The completion of such an All-Pennsylvania waterway as the Northern limit of the Mississippi-Ohio-Allegheny waterway would provide western Pennsylvania with a new artery of traffic for the interchange of the mineral and agricultural products of the great northwest and the mineral and manufactured products of the Commonwealth of Pennsylvania and exchange of our mineral and agricultural products with the agricultural products of the great South and

Whereas The actual construction of a waterway from Franklin Pennsylvania to Erie Pennsylvania during the period of construction would provide employment for thousands of presently unemployed Pennsylvanians and

Whereas Permanent benefits and wealth would be added to Pennsylvania by reason of the existence and operation of such a waterway and

Whereas The said All-Pennsylvania route may be constructed at a cost of less than fifty per centum of the cost of constructing any other proposed alternate route and

Whereas The All-Pennsylvania canal is the shortest route of any of those proposed by at least fifty miles and

Whereas The selection of any other route connecting the Mississippi Valley with the Great Lakes would involve the building of a harbor on Lake Erie at a tremendous and needless outlay of Federal money and

Whereas There is at Erie a natural landlocked harbor now available and affording complete terminal facilities for any volume of commerce which may desire to utilize said proposed Pennsylvania canal and

Whereas The said route would utilize Pennsylvania waters in Pennsylvania and

Whereas These several other routes proposed depend entirely upon Pennsylvania watersheds to make these several projects navigable and

Whereas Under the National Industrial Recovery Act the Public Works Administration is in control of funds for the purpose and is desirous of expending funds for such purposes as the development of inland waterways and

Whereas It is apparently the desire of His Excellency the President of the United States and the Honorable Harold L Ickes Public Works Administrator to speed the use of funds appropriated to the Public Works Administration for purposes of this character and

Whereas Pennsylvania pays the second largest amount of taxes into the Federal Treasury and should be rightfully considered in the development of this project as proposed therefore be it

Resolved (if the Senate concur) That the General Assembly of the Commonwealth of Pennsylvania do respectfully petition His Excellency the Honorable Franklin D Roosevelt President of the United States to authorize the completion of the Allegheny River project and the building of a canal from Franklin Pennsylvania to the City of Erie on Lake Erie in Pennsylvania and be it further

Resolved That the General Assembly further memorialize United States Senators from Pennsylvania and the Congressmen from Pennsylvania to use their best offices to bring about the immediate approval of this All-Pennsylvania project

REPORTS FROM COMMITTEES

Mr. BOYD, from the Committee on Corporations, reported as amended, House Bill No. 27, entitled:

An Act relating to limited dividend housing companies defining and providing for the formation of such corporations for the purpose of eliminating unsanitary and dangerous housing conditions and constructing and operating safe and sanitary dwellings and apartments to let at reasonable rentals extending to such corporations certain existing laws relating generally to corporations of the second class providing for the supervision and regulation of the activities of such corporations by the State Board of Housing in the Department of Property and Supplies providing for the protection of such corporations and the parties dealing with the prescribing defining and limiting the powers and duties of such corporations conferring upon certain of such corporations and limiting their use to the power of eminent domain exempting such corporations from the payment of the capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations, savings banks and savings institutions and authorizing certain existing companies to accept the provisons of this act.

Mr. SCHROCK, from the Committee on Agriculture, reported as committed, House Bill No. 139, (Senate Bill No. 35), entitled:

An Act relating to milk and the products thereof; declaring an emergency with respect to their production and marketing; creating a Milk Control Board in the Department of Agriculture; defining its jurisdiction, powers and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery, and sale of milk and the products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring licenses to furnish bonds for the protection of producers; authorizing the examination of the business, papers, and affairs of, and requiring the filing of reports by, licensees and other milk dealers, and permitting with limitations the dissemination of information obtained therefrom; authorizing the issuance of subpoenas by the Board or its agents, and conferring jurisdiction upon courts to punish contempts; providing for appeals to the courts from decisions of the Milk Control Board; imposing penalties; and making an appropriation.

BILL ON FIRST READING

Mr. SCHROCK asked and obtained unanimous consent for House Bill No. 139 (Senate Bill No. 35) to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 139 (Senate Bill No. 35), entitled:

An Act relating to milk and the products thereof; declaring an emergency with respect to their production and marketing; creating a Milk Control Board in the Department of Agriculture; defining its jurisdiction, powers, and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery, and sale of milk and the products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring licenses to furnish bonds for the protection or producers; authorizing the examination of the business, papers, and affairs of, and requiring the filing of reports by, licensees and other milk dealers, and permitting with limitations the dissemination of information obtained therefrom; authorizing the issuance of subpoenas by the Board or its agents, and conferring jurisdiction upon courts to punish contempts; providing for appeals to the courts from decisions of the Milk Control Board; imposing penalties; and making an appropriation.

And said bill having been read at length the first time

Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. HUTTON. Mr. Speaker, I move that House Bill No. 139, Senate Bill No. 35, be recommitted to the Committee on Agriculture for the purpose of amendment.

Mr. HAINES. Mr. Speaker, I second the motion.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 15.

An Act to amend the title and certain sections of the act, approved the third day of May, one thousand nine hundred thirty-three (Act number ninety-one) entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by limiting the provisions of the act to malt liquors, as defined therein.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amnedments as follows:

Amend title, page 2, line 4 by inserting after the word: "therein" the following "and clarifying certain provisions of the act."

Amend Section 2, page 4, line 9, by inserting after the word "the" the word "Pennsylvania"; also in the same line by inserting after the word "Board" the words "or the Pennsylvania Liquor Control Board"

Amend Section 4, line 26, by inserting after the word "the" the word "Pennsylvania"; also in the same line by inserting after the word "Board" the following: "or the Pennsylvania Liquor Control Board."

Amend Section 12, page 11, line 22, by striking out the following: "or of a county adjoining the county."

Amend Section 19, page 16, line 29, by striking out the words "of the first class"; also page 17, line 2, by striking out the words "The fees for licenses of places located in townships of the second class shall be paid into the county treasury for the use of the county.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Greenstein,	McElwee,	Sheffer,
Baker,	Griffith,	McGrail,	Shellenberger,
Baldi,	Habbyshaw,	McGregor,	Shenkel,
Barnhardt,	Haines,	McHenry,	Shettel,
Bechtel,	Hamilton,	McKay,	Shortz,
Beech,	Harmuth,	McKinney,	Shreiner,
Bennett,	Harris,	Melchiorre	Shugarts,
Bernhard,	Hart,	Meredith,	Simon,
Blumberg,	Hartman,	Merrell,	Sinwell,
Boyd,	Heffernan,	Mohn,	Snyder,
Brancato,	Hefferon,	Moore,	Sowers,
Brennan,	Heffner,	Mumford,	Spann,
Brown, J. E.,	Hermansen,	Munley,	Stank,
Brown, W. L.,	Hewitt,	Murphy,	Steedle,
Brownfield,	Himes, H. E.,	Myers,	Sterling, P.,
Cannon,	Himes, L. R.,	Negley,	Sterling, R. B.,
Caputo,	Hoffman,	Nothnagle,	Stevens,
Carey,	Holmes, J. B.,	O'Connor,	Stiteler,
Carson,	Holmes, J. L.,	O'Keefe,	Stone,
Chervenak,	Hoopes,	O'Neill,	Storb,
Cohen,	Horst,	O'Rourke,	Stott,
Conner,	Hough,	Patterson,	Surface,
Cooke,	Howard,	Peelor,	Tahl,
Cordier,	Hutton,	Pennock,	Terry,
Cramer,	Jaffe,	Perry, D. R.,	Trout,
Dane,	Jones,	Perry, J. J.,	Turner,
Davies,	Kane, J. J.,	Peters,	Wade,
Defrehn,	Kane, L. P.,	Powell,	Wagner,
Denning,	King,	Powers,	Walker, G. E.,
Downey, G. E.,	Kinney,	Price,	Walker, W. A.,
Downey, J. J.,	Labar,	Quinn,	Wall,
Duffy,	Lane,	Raub,	Wasserman,
Dunmire,	Laubach,	Rectenwald,	Way,
Ederer,	Lenahan,	Reed,	Weidemann,
Emhardt,	Lewis,	Reilly,	Welsh,
Eroe,	Long,	Rhodes,	Westrick,
Evans,	Lord,	Rice,	Wike,
Fitzgerald,	Lose,	Roan,	Williams, G. W.,
Flanagan,	Lovett, J. E.,	Root,	Williams, J. J.,
Fleisher,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Flynn, J. M.,	Lynch, M.,	Ruby,	Witkin,
Flynn, J. W.,	Male,	Ruth,	Wood,

Forrest,	Malina,	Sarig,	Woodside,
Furman,	Maloney,	Sautter,	Wright,
Gallagher, T. J.,	Marcks,	Schrock,	Yeakel,
Gallagher, W. J.,	Mason,	Schrope,	Yourishin,
Gartner,	McBride,	Schwab,	Zimmerman,
Gillette,	McCandless,	Schwartz,	Talbot,
Gorman,	McClure,	Scorza,	Speaker.
Green,	McCreary,	Scott,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 40.

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, by inserting at the end of line 7 the words "and providing penalties."

Amend Section 2, page 2, line 19, by inserting after the word "his" the words "or her"; also at the end of line 24 by inserting after the word "States" the following: "or such other evidence as may be deemed sufficient by the Adjutant General of Pennsylvania."

Amend Section 3, page 2, line 26, by striking out at the beginning of the line the word "to" and inserting in lieu thereof the word "for"; also same line by inserting after the word "any" the words "veteran a"; also on page 2 by striking out at the end of line 29 the words "after the"; also on page 3, by striking out lines 1 to 9 inclusive as follows: "fifth day of April one thousand nine hundred and seventeen and before the twelfth day of November one thousand nine hundred and eighteen between the twenty-first day of April one thousand eight hundred and ninety-eight and the thirteenth day of August one thousand eight hundred and ninety-eight or in the China Relief Expedition in the Philippines or Guam between the twenty-first day of April one thousand eight hundred and ninety-eight and the fourth day of July one thousand nine hundred and two"; also in line 16 by striking out the word "veteran" and inserting in lieu thereof the word "person"; also same line by striking the words "be entitled to."

Amend section 4, page 3, line 22, by striking out the word "cadet"; also same line by inserting after the word "the" the following: "United States Naval Academy or of the"; also on page 4, line 4, by inserting after the word "he" the words "or she"; also in same line by inserting after the word "for" the words "active"; also in line 5, by striking out the words "or the"; also in same line by inserting after the word "Navy" the words "or Marine Corps"; also in line 12, by inserting after the word "ployment" the following "(e) Any individual who has received a bonus gratuity or compensation of a nature similar to that provided for by this act from any other state in the Union."

Amend Section 9, page 5, line 19, by inserting after the word "the" and before the word "military" the word "active"; also in same line by striking out the words "before the twelfth day of November one thousand nine hundred and eighteen" and inserting in lieu thereof the words "during any one of the periods of hostilities as set forth in section two of this act." Also in line 22 by striking out the following: "computed up to and including the eleventh day of November one thousand nine hundred and eighteen" and inserting in lieu thereof the following: "two hundred dollars ($200.00)."

Amend Section 10, page 5, line 27 by striking out the words "wife or husband" and inserting in lieu thereof the words "unremarried widow"; also in line 28 by inserting after the word "surviving" the word "minor"; also same line by inserting after the word "one" the word "minor"; also page 6, line 1, by inserting after the word "such" the word "minor"; also line 2, by inserting after the word "father" the following: "(e) persons who stood in loco parentis to the veteran at the time of his or her entry into service and for a period of ten years immediately prior thereto."

Amend Section 11, page 6, line 4, by inserting after the word "his" the words "or her",

Amend Section 12, page 6, line 21, by inserting after the word "his" the words "or her"; also page 7, line 13, by inserting after the word "his" the words "or her".

Amend Section 13, page 7, line 19, by inserting after the word "he" the words "or she"; also in line 24, by striking out the following: "This provision shall not apply to the fees authorized by law that may be collected by notary public or other officer having power to administer oath or necessary affidavits required under this act."

Amend Section 15, page 8, line 19, by inserting after the word "he" the words "or she"; also line 21, by inserting after the word "review" the words "except by the Adjutant General."

Amend Section 19, page 9, line 27, by inserting after the word "veterans" the following: "as defined in this act."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—195

Andrews,	Gorman,	Mason,	Scott,
Baker,	Green,	McBride,	Sheffer,
Baldi,	Greenstein,	McCandless,	Shellenberger,
Barnhardt,	Griffith,	McClure,	Shenkel,
Bechtel,	Habbyshaw,	McCreary,	Shettel,
Beech,	Haines,	McElwee,	Shortz,
Bennett,	Hamilton,	McGinnis,	Shreiner,
Bernhard,	Harmuth,	McGrail,	Shugarts,
Blumberg,	Harris,	McGregor,	Sinwell,
Boyd,	Hart,	McHenry,	Snyder,
Brancato,	Hartman,	McKay,	Sowers,
Brennan,	Heffernan,	McKinney,	Spann,
Brown, J. E.,	Hefferon,	Melchiorre,	Steedle
Brown, W. L.,	Heffner,	Meredith,	Sterling, P.,
Brownfield,	Hermansen,	Merrell,	Sterling, R. B.,
Cannon,	Hester,	Mohn,	Stevens,
Caputo,	Hewitt,	Moore,	Stiteler,
Carey,	Himes, H. E.,	Mumford,	Stone,
Carson,	Himes, L. R.,	Munley,	Storb,
Chervenak,	Hoffman,	Murphy,	Stott,
Cohen,	Holmes, J. B.,	Myers,	Surface,
Conner,	Holmes, J. L.,	Negley,	Terry,
Cooke,	Hoopes,	Nothnagle,	Trout,
Cordier,	Horst,	O'Connor,	Turner,
Craig,	Hough,	O'Keefe,	Wade,
Cramer,	Howard,	O'Neill,	Wagner,
Dane,	Hutton,	O'Rourke,	Walker, G. E.,
Davies,	Jaffe,	Patterson,	Walker, W. A.,
DeFrehn,	Jones,	Peelor,	Wall,
Denning,	Kane, J. J.,	Perry, D. R.,	Wasserman,
Downey, J. J.,	Kane, L. P.,	Perry, J. J.,	Way,
Downey, G. E.,	King,	Peters,	Weidemann,
Duffy,	Kinney,	Powers,	Welsh
Dunmire,	Lapar,	Price,	Wetrick,
Ederer,	Lane,	Quinn,	White,
Emhardt,	Laubach,	Rectenwald,	Wike,
Eroe,	Lenahan,	Rhodes,	Williams, G. W.,
Evans,	Lewis,	Rice,	Williams, J. J.,
Fitzgerald,	Long,	Roan,	Wilson, L. M.,
Flanagan,	Lord,	Root,	Wilson, T. B.,
Fleisher,	Lose,	Roth,	Witkin,
Flinchbaugh,	Lovett, J. E.,	Royle,	Wood,

Flynn, J. M.,	Lovett, W. S.,	Ruth,	Woodside,
Flynn, J. W.,	Lynch, J. R.,	Sarig,	Wright,
Forrest,	Lynch, M.,	Sautter,	Yeakel,
Gallagher, T. J.,	Male,	Schrock,	Yourishin,
Gallagher, W. J.,	Malina,	Schrope,	Zimmerman
Gartner,	Maloney,	Schwab,	Talbot,
Gillette,	Marcks,	Schwartz,	Speaker.

NAYS—1

Tahl.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 41. (HOUSE BILL No. 232)

An Act to amend paragraph (a) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand forty-isx) entitled "An act appropriating the moneys in the Motor License Fund" by appropriating such fund to the Board of Finance and Revenue for redemption of bonds issued to acquire toll bridges.

Referred to the Committee on Highways.

SENATE BILL No. 53. (HOUSE BILL No. 233)

An Act providing for the creation of public "Authorities" in counties of the second class authorizing such "Authorities" to enter into agreements with the Government of the United States particularly as they relate to the National Industrial Recovery Act and any amendment and supplements thereto the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with orders defining and providing for the organization and dissolution of such "Authorities" conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions upon which such "Authorities" may exercies their powers endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds authorizing such "Authorities" to make and receive appropriations repealing certain acts and parts of acts inconsistent herewith and for other purposes.

Referred to the Committee on Judiciary General.

JOINT SPONSORSHIP OF BILL

Mr. LOSE. Mr. Speaker, I arise to ask for the privilege to make a statement.

The SPEAKER. The gentleman will proceed.

Mr. LOSE. Mr. Speaker, House Bill No. 193, Printer's No. 88, on page 1 of today's calendar, which is on first reading this morning, contains my name only. This bill was somewhat of a compromise measure, and Mr. Rectenwald, a member from Allegheny County, is very much interested in the bill, and if such a thing is possible. I would like to ask that his name appear along with mine in the heading.

Mr. Speaker. I move that Mr. Rectenwald, of Allegheny County, be noted as a joint sponsor with me of House Bill No. 193, Printer's No. 88, on page 1 on today's calendar, bills on first reading.

The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 37.

Mr. WILSON. Mr. Speaker, I wish to offer the following motion, which is sponsored by myself and the gentleman from Lawrence, Mr. McElwee, that the vote by which House Bill No. 37, Printer's No. 30, on page 6 of yesterday's calendar, bills on third reading, was defeated, be reconsidered.

The SPEAKER. How did the gentleman from McKean vote?

Mr. WILSON. I voted in the negative.

The SPEAKER. How did the gentleman from Lawrence, Mr. McElwee, vote?

Mr. McELWEE. I voted in the negative.

On the question,

Will the House agree to the motion?

Mr. SARIG. Mr. Speaker and members of the House, I called the attention to the nature of this bill yesterday, and the House defeated it. I am not opposed to providing money to operate these State Stores, but this bill creates a monstrous precedent. This bill asks us to sign a blank check and hand it over to the Liquor Control Board in that shape, and under this bill the sky is the limit. There is no limit whatever. Only yesterday the Governor of this Commonwealth came before us in a Joint Session and asked——

The SPEAKER. The gentleman will confine himself to the motion before the House.

Mr. SARIG. Mr. Speaker and members of the House, our attention has repeatedly been called to the fact that we have responsibility. This is our responsibility. If we are going to appropriate this money without any string to it whatever, practically hand over a blank check, we are creating——

POINT OF ORDER

Mr. WILSON. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. WILSON. Mr. Speaker, the only question before the House is whether or not the bill on this vote shall be reconsidered and not the merits or demerits of the bill.

The SPEAKER. The point or order is well taken, and the gentleman will confine himself to the motion before the House.

Mr. SARIG. I ask the House to vote this motion down. I think that this bill should contain a provision that would set a limit.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, yesterday afternoon while I was attending a meeting of the Appropriations Committee, which was considering then two measures which seek to bring relief to the sightless, this measure came before the House on third reading for consideration in my absence.

I have the honor to be the sponsor of this bill, and I have no reason to regret that my name is attached to it. I desire to call to the attention of the House, and more particularly to my honored and experienced colleague from Berks, Mr. Sarig, that in the eighteen years that I have had the honor to serve as a member of this House, I can recall no instance when a measure of such tremendous importance as this is, was considered on third reading in the absence of the sponsor. This, Mr. Speaker and members of the House, in my opinion, is the controlling reason why this House should vote to reconsider this measure. There may be two sides to every argument. but as I understand it, yesterday afternoon in my absence, and because of my absence only, the opponents of this bill had an opportunity to speak. I ask every member of this House to join in the fairness of the proposition that the proponents of the measure should have an opportunity to speak on it, and for this reason, if no other. I belive the motion made by the gentleman from McKean, Mr. Wilson, should prevail.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. SARIG. Mr. Speaker and members of the House, inasmuch as this bill has now been placed on the calendar, I merely wish to call your attention to the fact that there should be some limitations placed in this bill.

In 1927 we passed a bill almost identical with this in regard to the Highway Department, and this Legislature has never been able to find out just how much of that money was used in overhead since that time.

This Legislature has a right to know what this money is being used for, how much of this money is being used for overhead expenses. Under this bill the sky is the limit. You place before them the entire liquor fund and say, "Now, dip into it and take as much as you want to," and if that is not irresponsible legislation, I don't know what responsible legislation is. If this Legislature expects the people of Pennsylvania to respect it and look up to it, as we have a right to expect them to do, then certainly we must show more responsibility than we are showing under this bill.

This precedent is monstrous in its effect. This bill establishes a precedent whereby this particular department can collect millions of dollars and they can dip into it and use as much of that money as they see fit for any overhead purposes mentioned in this bill. While I am not opposed to providing money for State liquor stores, I do feel that this creates a monstrous precedent, I do feel that limitations should be set upup the use of this money.

We require that the school fund shall set a definite figure and we require that all of the other departments except the Highway Department, should set a definite estimate, a definite figure on what they will use. Why should these two favorite babies, the Highway Department and the Liquor Control Board, enjoy special privileges which the other departments of the Government have never enjoyed, and which we don't think they should enjoy. Let us be reasonable and let us be responsible and let us try to act like men and face the responsibility that is now before us.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, I am particularly happy this morning that the opposition to this measure comes from my friend, Mr. Sarig, of Berks, the accredited leader of the minority party representation in this House. I am particularly gratified that he has chosen as his keynote to oppose this measure the unlimited authority to spend money which this bill might give to the Liquor Control Board, but I ask him whether or not in assuming that keynote he is consistent with the confidence which has heretofore been expressed by his representatives in the national Congress when it gave to the national leaders and those to whom he has delegated authority, unlimited authority to control and spend billions and billions of dollars without any accountability to the citizens of this Nation. But I will not digress at this moment into that field of argument.

The proposition which presents itself to you in this measure is simple. In the first place no general fund moneys are involved, only State Liquor Store moneys are involved. The State store experience is a new experience in the State of Pennsylvania. It is not possible even to estimate what the gross receipts may be from the State stores' undertaking. There is not a man in this room whether or not he is closely associated with business who does not know that the amount of money it costs you to operate a business, including overhead and the cost of merchandise, depends altogether on how much business you do. It has been estimated that this State store income may be seventy-five millions yearly or it may be one hundred million dollars millions yearly or it may be one hundred and fifty million dollars yearly. Suppose for the purpose of argument that this Legislature, agreeing with the idea of my friend from Berks, Mr. Sarig, would say in no event shall the amount of money spent by the Liquor Control Board, exceed fifty per cent. of the gross receipts; suppose that in the operation of this business the gross receipts are so high that they command the purchase of so much merchandise that fifty per cent. of the gross receipts would not be sufficient to supply the merchandise. Is it not obvious to you that you would be a merchant who would have not money with which to buy your merchandise; is it not obvious to you then if that situation would arise that the enterprise would be obliged to close its doors? Isn't it obvious to you that this House has already appropriated forty million dollars for unemployment relief out of this fund and are soon to appropriate a large amount of money for old age assistance out of this fund, but you, by defeating this measure, in effect say, we have declared dividends on this enterprise, but we have stopped the receipts out of which dividends may be declared. No business can go on without merchandise and no man undertaking a new business can tell how much merchandise he will be obliged to buy in the year. Just as that is impossible so does it become impossible for the men who are attempting to administer this law to determine how much merchandise they will have to buy during the year. Consequently, answering specifically the argument of my friend from Berks, Mr. Sarig, here we have a new undertaking and there is no experience behind us and no records whatever behind us, and no data from which you can safely determine the amount that should be appropriated for the administration of the State store business, including, of course, the purchase of merchandise.

Now, I say to you, ladies and gentlemen of the House, that your confidence in the Control Board was expressed yesterday when you passed a companion bill in this House, House Bill No. 18, which by its provisions will take out of the General Fund two millions of dollars with which to purchase whiskey. That two million dollars is to be returned just as soon as it comes in from those receipts.

There is no one one in this House, who, more than I, would like to see a limitation put upon this measure, but we are facing a situation which makes that impossible, impracticable and by all means inexpedient.

For these reasons, I ask that you vote yes on the bill.

Mr. FITZGERALD. Mr. Speaker and members of the House, in order that there may be no misunderstanding and that the record be clear as to the argument of the two speakers who preceded me, may I state to you that Mr. Sarig, in addressing you, did not speak officially for the Democratic Party through any caucus or official action on its part. I believe we have set up a structure of government in this particular issue, and I believe we are in duty bound to furnish the funds with which it may proceed lawfully and legally. I also want to call the attention of those who fear that there shall be no accounting of this money to a resolution which was introduced by the Senator from my county, Mr. Zeisenheim, which provides for an investigation of the installation and operation of these State Liquor Stores, and sets forth and provides a fund of $10,000 wherewith it may function. As to the attitude of the Democratic Party on this measure, I feel satisfied in saying that the majority

of the Democrats will support the measure, and I trust in good common sense and past precedent they will do so.

Mr. J. J. KANE. Mr. Speaker and members of the House, I have no intention of taking up the time of the House to talk on this bill, but I could not sit idly by and listen to the remarks of the gentleman from Philadelphia, Mr. Sterling, when he inferred that the President of the United States was spending the peoples' money without any record or accounting to the people. I want to say to the members of this House that we have been discussing the liquor question, and that the Republican Party in the State of Pennsylvania and in the Nation, did not have the courage to bring this question before the people, and it took the Democratic Party and a Democratic President to bring liquor back. We have been listening to——

The SPEAKER. The gentleman will confine his remarks to the question before the House.

Mr. J. J. KANE. All we have done since we have come to Harrisburg has been to stand by and wait until the Republican Party Caucus——

The SPEAKER. The gentleman will confine himself to the question before the House.

Mr. J. J. KANE——and bring these measures before the House, and this is not the measure that we want, but we realize that you must start somewhere. This bill and the other bill dealing with Liquor Control, the Democrats gave no consideration whatever, they were never called into any conference, and we were voting blindly most of the time on matters of importance like we are here. We have no desire to block this bill, but we are not going to be put on record as party to a program that we had nothing to do with.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—145

Andrews,	Griffith,	McGregor,	Shettel,
Baker,	Habbyshaw,	McHenry,	Shortz,
Baldi,	Haines,	McKay,	Shreiner,
Barnhardt,	Hamilton,	McKinney,	Snyder,
Bechtel,	Harmuth,	Meredith,	Sowers,
Beech,	Harris,	Merrell,	Steedle,
Bennett,	Hart,	Mumford,	Sterling, P.,
Bernhard,	Hefferon,	Munley,	Sterling, R. B.,
Blumberg,	Heffner,	Murphy,	Stevens,
Boyd,	Hermansen,	Nothnagle,	Stiteler,
Brennan,	Hewitt,	O'Keefe,	Stone,
Brown, J. E.,	Himes, H. E.,	O'Neill,	Storb,
Brown, W. L.,	Himes, L. R.,	O'Rourke,	Stott,
Brownfield,	Hoffman,	Patterson,	Surface,
Caputo,	Holmes, J. B.,	Peelor,	Terry,
Carson,	Holmes, J. L.,	Pennock,	Trout,
Chervenak,	Hoopes,	Perry, D. R.,	Turner,
Cordier,	Horst,	Perry, J. J.,	Wade,
Cramer,	Hough,	Peters,	Wagner,
Dane,	Hutton,	Powell,	Walker, W. A.,
Davies,	Jaffe,	Powers,	Wall,
DeFrehn,	Jones,	Price,	Way,
Downey, G. E.,	Kane, J. J.,	Quinn,	Weidemann,
Dunmire,	King,	Rectenwald,	White,
Ederer,	Kinney,	Reed,	Wike,
Emhardt,	Laubach,	Rhodes,	Williams, G. W.,
Eroe,	Lewis,	Rice,	Williams, J. J.,
Evans,	Lord,	Roan,	Wilson, L. M.,
Fitzgerald,	Lose,	Roth,	Wilson, T. B.,
Flinchbaugh,	Lovett, W. S.,	Ruby,	Witkin,
Flynn, J. M.,	Mason,	Sattler,	Wood,
Forrest,	McBride,	Schrock,	Wright,
Gallagher, T. J.,	McCandless,	Schwartz,	Yourishin,
Gallagher, W. J.,	McClure,	Scott,	Zimmerman,
Gartner,	McCreary,	Sheffer,	Talbot,
Gillette,	McElwee,	Shellenberger,	Speaker.
Gorman,	McGinnis,	Shenkel,	

NAYS—33

Brancato,	Heffernan,	Malina,	Reilly,
Cannon,	Hester,	Maloney,	Ruth,
Conner,	Howard,	Marcks,	Sarig,
Flanagan,	Lane,	Mohn,	Schrope,
Fleischer,	Long,	Moore,	Shugarts,
Flynn, J. W.,	Lovett, J. E.,	Myers,	Tahl,
Furman,	Lynch, M.,	O'Connor,	Welsh,
Green,	Male,	Raub,	Westrick,
Greenstein,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 39.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 4 by striking out the following: "a certain proposed" and inserting in lieu thereof the word "an."

Amend section 4, page 4, line 23, by inserting after the word "act" the following: "and such other moneys as the General Assembly shall from time to time appropriate for like purposes."

Amend section 8, page 6, line 29 by striking out the word: "sums" and inserting in lieu thereof the word "amount"; also page 7, line 1 by striking out the words "paid into" and inserting in lieu thereof the words "transferred from the Veterans' Compensation Fund"; also in the same line by striking out the following: "from the moneys realized from the sale of such bonds by the State Treasurer"; also in line 3 by striking out the words "purposes any of such moneys are" and inserting in lieu thereof the following: "purpose as much of the money in the Veterans' Compensation Fund as may be necessary is"; also in line 4 by inserting after the word "appropriated" the following: "The money so transferred shall be stored to the Veterans' Compensation Fund by appropriation from the General Fund as soon as it shall be needed for the payment of compensation to veterans under this act."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Andrews,	Green,	McElwee,	Sheffer,
Baker,	Greenstein,	McGinnis,	Shellenberger,
Baldi,	Griffith,	McGrail,	Shettel,
Barnhardt,	Habbyshaw,	McGregor,	Shortz,
Bechtel,	Haines,	McHenry,	Shreiner,
Beech,	Hamilton,	McKay,	Shugarts,
Bennett,	Harris,	McKinney,	Sinwell,
Bernhard,	Hart,	Melchiorre,	Snyder,

Blumberg,	Hartman,	Merrell,	Sowers,
Boyd,	Heffernan,	Mohn,	Spann,
Brancato,	Hefferon,	Moore,	Stank,
Brennan,	Heffner,	Mumford,	Steedle,
Brown, J. E.,	Hermansen,	Munley,	Sterling, P.,
Brown, W. L.,	Hester,	Murphy,	Sterling, R. B.,
Brownfield,	Hewitt,	Myers,	Stevens,
Cannon,	Himes, H. E.,	Negley,	Stiteler,
Caputo,	Himes, L. R.,	Nothnagle,	Stone,
Carey,	Hoffman,	O'Connor,	Storb,
Carson,	Holmes, J. B.,	O'Keefe,	Stott,
Cohen,	Holmes, J. L.,	O'Neill,	Surface,
Conner,	Hoopes,	Patterson,	Tahl,
Cooke,	Horst,	Peelor,	Terry,
Cordier,	Hough,	Pennock,	Trout,
Craig,	Howard,	Perry, D. R.,	Turner,
Cramer,	Hutton,	Perry, J. J.,	Wade,
Dane,	Jaffe,	Peters,	Wagner,
Davies,	Jones,	Powell,	Walker, G. E.,
DeFrehn,	Kane, J. J.,	Powers,	Walker, W. A.,
Denning,	Kane, L. P.,	Price,	Wall,
Downey, G. E.,	King,	Quinn,	Wasserman,
Downey, J. J.,	Kinney,	Raub,	Way,
Duffy,	Labar,	Rectenwald,	Weidemann,
Dunmire,	Lane,	Reed,	Welsh,
Ederer,	Laubach,	Rhodes,	Westrick,
Emhardt,	Lenahan,	Rice,	White,
Eroe,	Lewis,	Roan,	Wike,
Evans,	Long,	Root,	Williams, G. W.,
Flanagan,	Lord,	Roth,	Williams, J. J.,
Fleisher,	Lose,	Royle,	Wilson, L. M.,
Flinchbaugh,	Lovett, J. E.,	Ruby,	Wilson, T. B.,
Flynn, J. M.,	Male,	Ruth,	Witkin,
Flynn, J. W.,	Malina,	Sarig,	Wood,
Forrest,	Maloney,	Sautter,	Woodside,
Furman,	Marcks,	Schrock,	Wright,
Gallagher, T. J.,	Mason,	Schrope,	Yeakel,
Gallagher, W. J.,	McBride,	Schwab,	Yourishin,
Gartner,	McCandless,	Schwartz,	Zimmerman,
Gillette,	McClure,	Scorza,	Talbot,
Gorman,	McCreary,	Scott,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 85, entitled:

An Act to amend section one hundred and seventy-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third four fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by decreasing and limiting the compensation of members of the board of viewers in counties of the fourth class

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 107, entitled:

An Act to amend the act approved the thirty-first day of May one thousand nine hundred and thirty-three (Pamphlet Laws one hundred thirteen) entitled "An act adjourning county treasurers sales of seated and unseated lands in counties of the fourth class to be held in the year one thousand nine hundred thirty-three until the time fixed by law for such sales in the year one thousand nine hundred and thirty-four or any later date to which such sales may be adjourned and suspending existing laws" providing for the adjournment of such tax sales in the year one thousand nine hundred and thirty-four

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 193, entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities pensions for certain blind persons and the administration of this act by the Department of Welfare providing penalties

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 82, entitled:

An Act relating to the collection of delinquent municipal subdivision and school district taxes and liens

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 212, entitled:

An Act to amend section two hundred and four of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers and banking corporations with or without fiduciary powers including the conversion of national banks into State banks and for the licensing of private bankers; defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business, with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporations conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers; imposing penalties; and repealing certain acts and parts of acts;" regulating the establishment and maintenance of branch banks offices and agencies

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 26, entitled:

An Act to promote public health safety morals and general welfare by providing for the elimination of unsanitary and dangerous housing conditions and the construction and supervision of safe and sanitary dwellings and apartments and for the renting thereof at reasonable rentals creating a State Board of Housing in the Department of Property and Supplies for the purpose of encouraging approving assisting supervising and regulating such activities prescribing and defining the powers and duties of the board including supervisory and regulatory powers over limited dividend housing companies engaged in such activities authorizing the board to fix within certain limit rentals of housing accommodations furnished by limited dividend housing companies and making an appropriation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 28, entitled:

An act relating to limited dividend reconstruction corporations defining and providing for the formation of such cor-

porations for the purpose of reconstructing slum areas extending to such corporations certain existing laws relating generally to corporations of the second class providing for the supervision and regulation of the activities of such corporations by the State Board of Housing in the Department of Property and Supplies providing for the protection of such corporations and the parties dealing with them prescribing defining and limiting the powers and duties of such corporations conferring upon such coroprations and limiting their use of the power of eminent domain exempting such corporations from the payment of the capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and savings institutions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 154, entitled:

An Act to amend section twenty of the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred fifty-two) entitled "An act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitte municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverage may be sold for consumption on the premises and regulating election for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" making it unlawful for manufacturers of such beverages to sell the same to other than licensed distributors, except for export from this Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 223 (Senate Bill No. 43), entitled:

An Act making an appropriation to the Department of Military Affairs

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 62, as follows:

A Supplement to act number three hundred-A approved the third day of June one thousand nine hundred thirty-three one thousand nine hundred thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to certain administrative departments

Whereas Additional powers and duties are conferred and imposed upon the Department of the Auditor General the Treasury Department and the Department of Public Instruction by the Pennsylvania Liquor Control Act and

Whereas The appropriations made by the act to which this act is a supplement are inadequate to enable such departments to exercise and perform such additional powers and duties therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the appropriations made by the act to which this act is a supplement the following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund in the State Treasury to the several hereinafter named agencies of the Executive Department of the Commonwealth for the purposes hereinafter set forth for the two fiscal years ending the thirty-first day of May one thousand nine hundred thirty-five

TO THE DEPARTMENT OF THE AUDITOR GENERAL

For the payment of salaries wages or other compensation of deputies and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and other incidental expenses for the payment of rentals of patented leased office devices for the purchase of automobiles furniture furnishings and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of eight hundred eighty-two thousand dollars ($882,000)

TO THE TREASURY DEPARTMENT

For the payment of salaries wages or other compensation of a Deputy State Treasurer and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expense of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and other incidental expenses for the purchase of insurance covering the loss of any or all cash and securities of which the Treasury Department or State Treasurer is custodian and covering forgeries of all kinds on checks drafts warrants and requisitions for the payment of rentals and patented leased office devices and for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of one hundred sixty-five thousand dollars ($165,000)

TO THE DEPARTMENT OF PUBLIC INSTRUCTION

For the payment of salaries wages or other compensation of officers examiners and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising freight express cartage and incidental expenses necessary for the proper conduct of the work of the Department of Public Instruction in conducting civil service examination for the selection of the officers and employes to be employed by the Pennsylvania Alcohol Permit Board to operate or assist in the operation of Pennsylvania Liquor Stores or other establishments maintained by the board for storing and testing liquors the sum of one hundred thousand dollars ($100,000)

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 73, entitled:

An Act to regulate the sale and delivery of coal coke petroleum coke briquettes and other solid fuels providing

for appointment of public weighmasters prescribing their powers and duties imposing certain duties on the Department of Internal Affairs and providing penalties

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That coal coke petroleum coke briquettes and other solid fuels shall be sold only by weight No person shall sell or deliver or start out for delivery less than two thousand pounds of weight to the ton of coal coke petroleum coke briquettes or other solid fuel or a proper proportion thereof in quantities less than a ton and such coal coke petroleum coke briquettes and solid fuels shall be duly weighed by a licensed weighmaster on accurate scales and tolerance at the rate of thirty pounds to the ton shall be allowed for unavoidable wastage and unavoidable variation in scales

The second section was read as follows:

Section 2 No person upon the sale of coal coke petroleum coke briquettes or other solid fuel shall deliver or cause to be delivered or to be started out for delivery any coal coke petroleum coke briquettes or solid fuels without each lot being accompanied by a weight certificate on which shall be distinctly expressed in pounds the weight of the coal coke petroleum coke briquettes or solid fuels the name of the purchaser the name of the seller and the signature of the licensed weighmaster by whom weighed Such ticket shall be delivered to the purchaser When coal coke petroleum coke briquettes or solid fuels is sold in lots of less than one hundred pounds the provisions of this section shall not apply provided the coal coke petroleum coke briquettes or solid fuels is delivered in a bag or other container plainly and conspicuously marked with the correct weight of the contents

Provided however That in the event that the delivery agent shall be unable for practical reasons to deliver the lot to the purchaser specified in the weight certificate he may under specific authority of the weighmaster substitute the name and address of another purchaser provided report of such diversion is made to the weighmaster within twenty-four hours And provided further That the provisions of this section shall not apply to the sale of an entire boatload or railroad car load of coal coke petroleum coke briquette or solid fuels delivered direct from the boat or car to one purchaser and accepted as to weight by the purchaser on the bill of lading or other voucher issued by the carrier

On the question,

Will the House agree to the section?

Mr. BALDI. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 2, page 2, line 7, by inserting after the word "lot" the following: "in each separate compartment of any vehicle or vehicle and trailer"

Amend Sec. 2, page 2, line 10, by inserting after the word "name" the following: "and address"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third to the eighth sections inclusive and the title were separately read and agreed to as follows:

Section 3 Any weights and measures official of any of the local governments of the State who finds any quantity of coal coke petroleum coke briquettes or solid fuels ready for or in process of delivery may direct the person in charge of the coal coke petroleum coke briquettes or solid fuels to convey the same to the nearest available accurate scales designated by said official Such official shall thereupon determine the weight of the coal coke petroleum coke briquettes or solid fuels and the vehicle in which it is carried and shall direct such person in charge to return to such scales forthwith upon unloading the coal coke petroleum coke briquettes or solid fuels and upon such return the official shall determine the weight of the vehicle without load No seller or driver or other person in charge of the vehicle contining such coal coke petroleum coke briquettes or solid fuels or from which such coal coke petroleum coke briquettes or solid fuels has been unloaded shall fail to take the vehicle upon the direction of the weights and measures official to scale as aforesaid or refuse to permit the coal coke petroleum coke briquettes or solid fuels or vehicle to be weighed by him

Section 4 No person shall make or issue a weight certificate of coal coke petroleum coke briquettes or solid fuels unless licensed by the Bureau of Standard Weights and Measures of the Department of Internal Affairs of this Commonwealth Application for a license shall be made upon a form prescribed by the director of the bureau and shall indicate the place where the weighmaster will perform this function The applicant shall furnish satisfactory evidence of good moral character and of ability to weigh accurately and to make correct weight certificates The applicant shall pay a license fee of five dollars to the director for remittance to the State Treasury A license shall be for a period not exceeding three years A license may be renewed in the discretion of the director for successive periods of not exceeding three years each upon payment of a license fee of five dollars to the director for remittance to the State Treasury Each license shall be kept at the place where the weighmaster is engaged in weighing and shall be open to inspection A license may be revoked by the director after a hearing upon due notice to the licensee for dishonesty incompetency inaccuracy or a violation of the provisions of this act and must be revoked by the director when the weighmaster has lost his employment at the place of weighing for which the license has been issued

Section 5 No licensed weighmaster shall make or issue a false or incorrect weight certificate nor shall any person solicit him to do so No person shall knowingly use a false or incorrect weight certificate No person shall use a weight certificate not bearing the signature of a licensed weighmaster No licensed weighmaster shall knowingly permit any weight certificate to be issued or used which purports to bear his signature and was not in fact signed by him or which expresses a weight not ascertained by him No delivery agent shall deliver a load of coal coke petroleum coke briquettes or solid fuels without a weight certificate nor shall any delivery agent permit any diminution of the load of coal coke petroleum coke briquettes or solid fuels committed to him until it is delivered to the purchaser

Section 6 Any public weighmaster who shall issue a weight certificate giving false weight of any article or commodity weighed by him shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars and in addition shall forfeit his certificate as weighmaster

Any person who shall request a public weighmaster to weigh any coal coke petroleum coke briquettes or solid fuels falsely or incorrectly or who shall request a false or inaccurate certificate of weight or any person issuing a weight certificate who is not a weighmaster as provided for in this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars

Any driver who shall permit any portion of the load of coal coke petroleum coke briquettes or solid fuels committed to him for delivery to be diminished after receiving the weight certificate of a public weighmaster and before the load is delivered to the purchaser shall be guilty of larceny

Section 7 The following acts of Assembly are hereby repealed

The act approved the the twenty-seventh day of May one thousand eight hundred and seventy-one (Pamphlet Laws one thousand two hundred eighty-seven) entitled "An act to regulate the weight of anthracite coal delivered by retail coal dealers in the city of Philadelphia"

The act approved the first day of June one thousand nine hundred and eleven (Pamphlet Laws five hundred thirty-three) entitled "An act to provide in cities of the first class for delivery tickets in the sale of anthracite coal and to authorize the designation of weighing scales and for the proper inspection thereof for weighing coal delivered to purchasers who receive the same by cart wagon or other conveyance and to compel the seller thereof to allow said coal to be weighed to provide for certificates of weight and the effect thereof as evidence to the weight of coal passing such scales and to punish for refusal of seller to allow coal weighed and to punish fraudulent weighing at such scales and to provide for the keeping of docket records thereof by magistrates or justices of the peace"

The act approved the twenty-eighth day of May one thousand nine hundred and thirteen (Pamphlet laws three hundred sixty-four) entitled "An act to amend an act approved the first day of June one thousand nine hundred and eleven entitled 'An act to provide in cities of the first class for delivery tickets in the sale of anthracite coal and to authorize the designation of weighing scales and for the proper inspection thereof for weighing coal delivered to purchasers who receive the same by cart wagon or other conveyance and to compel the seller thereof to allow said coal to be weighed to provide for certificates of weight and the effect thereof as evidence to the weight of coal passing such scales and to punish for refusal of seller to allow coal weighed and to punish fraudulent weighing at such scales and to provide for the keeping of docket records thereof by magistrates or justice of the peace'"

Section 3 This act shall become effective immediately upon final enactment

An Act to regulate the sale and delivery of coal coke petroleum coke briquettes and other solid fuels providing for appointment of public weighmasters prescribing their powers and duties imposing certain duties on the Department of Internal Affairs and providing penalties

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

The SPEAKER. The Chair requests the gentleman from Franklin, Mr. Hutton, to approach the rostrum and preside over the deliberations of this body.

(MR. HUTTON IN THE CHAIR)

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 128, as follows:

An Act to amend section one of article one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-one) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as last amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred ten) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall apply to every anthracite coal mine or colliery in the Commonwealth that employs five or more persons [Provided however The inspector shall have the right to enter and inspect all mines employing from two to five persons for the purpose of determining whether or not the mine is generally safe] But any mine inspector shall nevertheless have the right to enter and inspect all mines employing from two to five persons for the purpose of determining the conditions of safety in any such mine In case a mine inspector shall find any such mine to be unsafe or to be operated in any unsafe manner he shall order such unsafe conditions to be forthwith corrected and in default of the owner or operator doing so shall order such mine closed until the unsafe conditions are corrected Mandatory enforcement of any such order may be had by injunction proceedings

Section 2 The provisions of this act shall become effective on the first day of January one thousand nine hundred and thirty-four

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 129, as follows:

An Act to amend section three of article twenty-eight of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending the provisions of said act to all bituminous coal mines employing five or more persons and empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of article twenty-eight of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended to read as follows

Section 3 The provisions of this act shall not apply to any mine employing less than [ten] five persons inside the mine in any period of twenty-four hours but any mine inspector shall nevertheless have the right to enter and inspect all mines employing from two to five persons for the purpose of determining the conditions of safety in any such mine In case a mine inspector shall find any such mine to be unsafe or to be operated in any unsafe manner he shall order such unsafe conditions to be forthwith corrected and in default of the owner or operator doing so shall order such mine closed until the unsafe conditions are corrected Mandatory enforcement of any such order may be had by injunction proceedings

Section 2 This act shall become effective January first one thousand nine hundred and thirty-four

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 113 (Senate Bill No. 16), entitled:

A Supplement to act number three hundred-A approved the third day of June one thousand nine hundred thirty-three

(One Thousand Nine Hundred Thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" making an appropriation for the payment of certain expenses of the General Assembly convened in extraordinary session on the thirteenth day of November one thousand nine hundred thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 143, as follows:

An Act prohibiting the granting of licenses for the sale of spirituous and vinous alcoholic liquors in certain territory

Section 1 Be is enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no license for the sale of spirituous and vinous alcoholic liquors for consumption on the premises where sold shall be granted by any duly authorized licensing authority for any place of business located within any city borough town or township if the electors thereof voted under the provisions of the Beverage License Law approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred fifty-two) at the municipal election in the year one thousand nine hundred and thirty-three against the granting of retail beverage licenses in such city borough town or township unless hereafter at an election duly held in accordance with law the electors of such city borough town or township shall vote in favor of the granting of licenses for the sale therein of spirituous and vinous alcoholic liquors

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 209, as follows:

An Act appropriating certain accumulations in the Insurance Tax Fund to cities townships and boroughs for payment to firemen's relief pension and retirement funds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all moneys accumulated in the State Treasury set aside by the State Treasurer and held in the Insurance Tax Fund other than interest credited to such fund which remained as an undistributed surplus in said fund as of December thirty-first one thousand nine hundred and thirty-one are hereby specifically appropriated to and shall be paid by the State Treasurer to the several cities townships and boroughs in which firemen's relief funds firemen's pension funds or firemen's retirement funds were maintained in the year one thousand nine hundred and thirty-one in the ratio that other moneys in the Insurance Tax Fund were paid to said cities townships and boroughs for the year one thousand nine hundred and thirty-one in accordance with existing law

Each city township and borough treasurer receiving any payment from the State Treasurer hereunder shall forthwith pay the amount received to the relief fund pension fund or retirement fund of the fire department or fire company or companies paid or volunteer organized in such city township or borough as is or are engaged in the service of such city township or borough and duly recognized as such by the corporate authorities thereof

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 169, as follows:

An Act authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium placing the sanatorium upon completion under the jurisdiction and control of the Department of Health and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eight hundred thousand dollars ($800,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the erection and construction of a State tuberculosis sanatorium upon State forest land of the Commonwealth to be selected as hereinafter provided

Section 2 The Department of Health with the approval of the Governor shall make or cause to be made a study and survey of the State forest reservations of the Commonwealth for the purpose of ascertaining a site most suitable for the erection of the State tuberculosis sanatorium authorized by this act After a site is agreed upon the Governor shall specify the location of the site in and by an appropriate document which shall be filed in the Department of Internal Affairs Upon the completion of the sanatorium the Department of Health shall have the same jurisdiction and control over the sanatorium as it now has over existing State sanatoria

Section 3 The Department of Property and Supplies with the approval of the Governor shall pay out of the appropriation made by this act the cost of necessary plans specifications advertising for bids supervision architectural and engineering fees grading and improvement of the land comprising the site of the sanatorium and other incidental expenses necessary for carrying out the purposes of this act

Section 4 If the appropriation made by this act shall be insufficient for the completion of the sanatorium authorized hereunder it shall be lawful for the Department of Property and Supplies to award a contract or contracts for the construction of as much of the sanatorium as can be paid for out of the appropriation made by this act

Section 5 This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 190, as follows:

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Depart-

ment and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement or roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as last amended by section one of the act approved the thirteenth day of April one thousand nine hundred and thirty-three (Pamphlet Laws forty-one) is hereby further amended to read as follows

Section 16 Before the Secretary of Highways shall undertake the construction reconstruction or improvement of any State highway on the plan of the State highways wherein a change of width or of existing lines and location is necessary and damage is likely to result to abutting property he shall notify the county commissioners of the proper county in writing of the contemplated change in such existing width lines and location After the county commisioners have agreed to such changes or refused to agree thereto as hereinafter provided the Secretary of Highways may proceed with the work of construction reconstruction and improvement After the receipt of the notice as above provided the county commissioners if they approve such change of width or of existing lines and location and agree thereto in writing shall when possible enter in an agreement with the owner or owners of said property as to amount of damage to be paid to the said owner or owners Whenever the amount so agreed upon shall exceed the sum of three hundred dollars ($300.00) the same shall not be paid by the county until the proposed agreement shall [be presented] have been filed by the county commissioners in the office of the prothonotary of the county in which the property damaged is situated If no exceptions are filed thereto within ten days after notice given by publication as hereinafter provided the county commissioners may pay the amount so agreed upon If exceptions thereto are filed within ten days after such notice the proceedings shall be presented to the court of quarter sessions for its approval The court shall fix a time for hearing the matter at which time the parties to such agreement and any taxpayer interested therein and their witnesses shall be heard and the court shall either approve or disapprove the agreement as it deems proper If the court disapproves the agreement it shall indicate a sum which it would approve for such case if the county commissioners and the property owner could agree thereon In such cases if the property owner and the county commissioners should agree on the amount of damages indicated by the court as acceptable to it such agreement may be entered into and shall be final and binding on the said parties without any further approval by the court Notice of the filing of such agreement in the office of the prothonotary and of the time and place of hearing in all such cases shall be given by one publication in one newspaper of general circulation throughout the county which shall state that any taxpayer may file exceptions to the agreement or may appear at such hearing and be heard together with his witnesses as the case may be Only such payments as to which no exceptions have been filed or as have been approved by the court as above provided shall be paid by the county or in case an agreement satisfactory to the county commissioners and said owner or owners cannot be made and the approval of the court thereto secured the owner or owners of said property damaged thereby or the commissioners of the proper county may present their petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages The proceedings upon said petition and by viewers shall be governed by existing laws relating to the ascertainment and assessment of damages for opening public highways The county commissioners or any other party to such proceedings may appeal from the award of the viewers

to the court of common pleas and shall be entitled to a trial by jury From the judgment of the court of common pleas an appeal may be had to the Supreme or Superior Court as in other cases Such damages when ascertained shall be paid by the county in which the State highway is located Whenever the county commissioners do not consent to or approve any such change of width or of existing lines and location and the Secretary of Highways determines such change to be necessary he shall when possible enter into an agreement with the owner or owners of said property as to the amount of damages to be paid therefor and if agreed upon such damages shall be paid by the Commonwealth out of moneys in the Motor License Fund or if such agreement cannot be made the owner or owners of said property damaged thereby or the Commonwealth may present their or its petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damage in the same manner and with the same right of appeal to the owner or owners and to the Commonwealth as is hereinbefore provided in cases where the county agreed to such change but the damages when ascertained shall be paid by the Commonwealth out of moneys in the Motor License Fund The county shall also be liable for any damages sustained by abutting property owners for a change of the width or lines of roads intersecting State highways where such damages are made necessary as a result of the changing with their consent and approval of the width lines or location for the construction of a State highway such damages to be ascertained in the same manner as herein provided for damages occasioned as a result of the change with their consent and approval of width or of existing lines and location of State highways and in case the commissioners shall not have consented to and approved such change of width or of existing lines or location then such damage shall be paid by the Commonwealth and shall be ascertained in the same manner as herein provided for damages for land taken as a result of the change of width or of existing lines and location of State highways without the consent and approval of the county commissioners and such damages shall also be paid from the Motor License Fund The county or Commonwealth shall also provide for the removal of all structures within the lines of the highway as thus established as may be provided by agreement between said county and the Secretary of Highways and in case the same is to be done by the Commonwealth the cost thereof shall also be paid out of the Motor License Fund Any moneys in the Motor License Fund necessary to make the payments required by this section are hereby specifically appropriated to the Department of Highways

Nothing contained in this act shall be construed as placing on the Commonwealth the payment of any damages or costs incident to the change of width lines or location of any State highway where such highway was widened or the lines or location changed prior to the date this act takes effect but all such damages and costs shall be paid by the county in the manner provided by this act as if the county had agreed thereto as herein provided

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 68, as follows:

An Act empowering and in proper cases directing corporate authorities of political subdivisions to exonerate in whole or in part landlords from the payment of taxes on dwellings occupied by tenants who by reason of unemployment and indigency are unable to pay rent in whole or in part and providing the procedure in such cases including appeals to the court of common pleas by landlords

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the corporate authorities of any city borough town township school district or poor district shall have power and in proper cases where equity so requires shall exonerate in whole or in part the proper tax collector from the collection of taxes due on any dwelling for any particular year when it shall be proven to the satisfaction of such corporate authorities that such dwelling was during such year occupied by a tenant who by reason of unemployment and indigency was unable to pay the rent due the landlord for the year or any portion of such rent in excess of the actual cost of repairs to such real estate water rent and insurance thereon during such year

In any case where it shall appear that the amount of rent the tenant was able to pay during any such year was in excess of the amount actually paid by the landlord for repairs water rents and insurance then the amount of the exoneration of tax shall not be to a greater extent as will require the owner to pay taxes to such political subdivision and other political subdivisions on such dwelling for such year equal to the rent received in excess of the cost of repairs water rents and insurance actually paid by the landlord In fixing the amount of tax to be paid to it a political subdivision and fix its exonerations accordingly

The word "repairs" shall be construed as including only necessary repairs required to make a dwelling habitable and shall not include improvements or betterments

Section 2 If any landlord of a dwelling shall feel aggrieved by the action of the corporate authorities in refusing to grant exonerations from taxation as in this act provided or in the opinion of the landlord shall make an improper exoneration he or she may appeal by petition to the court of common pleas of the county setting forth the facts and praying for any order on such corporate authorities to exonerate such tax in whole or in part or to modify the exoneration granted The court shall fix a day for hearing of which notice shall be given to the proper corporate authorities as the court may provide With the notice a copy of the petition shall also be served upon such corporate authorities After hearing the matter de novo the court shall make such order upholding or modifying the order of the corporate authorities or ordering the granting of such exoneration from payment of tax as equity may require The action of the court shall be final

Section 3 This act shall apply only to taxes levied for the year one thousand nine hundred and thirty-three or any previous year

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 97, as follows:

An Act authorizing officers departments boards and commissions of any political subdivision of the Commonwealth and cities counties boroughs incorporated towns townships school districts to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any officer department board or commission of any political subdivision of the Commonwealth or city county borough incorporated town township school district or poor district hereinafter called the purchaser has heretofore made any contract for the purchase of furniture stationery food stuffs fuel or other materials or supplies of any kind whatsoever and has cancelled all or any part of such contract under authority of an act of Assembly authorizing cancellation because that by reason of the operation of any agreement code or license approved prescribed or issued under the National Industry Recovery Act approved the sixteenth day of June on thousand nine hundred and thirty-three and any amendments thereof or supplements thereto

the contractor's costs have been so increased that it would be inequitable to require him to comply with his contract and where for want of prior express legislative authority the purchaser delayed cancellation of the contract and required compliance thereunder until enactment of authority to effect cancellation such officer department board or commission city county borough incorporated town township school district or poor district is authorized to reimburse said contractor for loss sustained on materials delivered under said contracts subject to limitations prescribed by this act

Section 2 Adjustments hereunder shall only be made in costs of materials actually delivered in the interim between the effective date of any agreement code or license approved prescribed or issued under the National Industry Recovery Act approved the sixteenth day of June one thousand nine hundred and thirty-three increasing costs to said contractors and effective date of legislation authorizing cancellation and said contractor shall be reimbursed for loss sustained by enforced compliance with his contract payment however to be limited to the difference between the price specified in said contract and the price specified in a subsequent made contract or the open market price for like materials at the time of delivery whichever be lower

Section 3 Nothing in this act shall be so construed as to make valid any resolution or contract except to the extent that materials were actually delivered or that work was actually done and performed in enforced compliance with contracts subsequently cancelled under authority of legislative enactment

Section 4 All acts or parts of acts inconsistent herewith are hereby suspended for the period during which this act shall be in effect

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 192, as follows:

An Act making appropriations to the Department of Welfare for pensions for the blind and for the administration of the distribution of such pensions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million three hundred ten thousand dollars ($1,310,000) or so much thereof as may be necessary is hereby appropriated to the Department of Welfare for use during the current biennium for payment of pensions to the blind in the manner provided by law and for the cost of administration of distribution of such pensions as hereinafter provided

Section 2 The sum of one million two hundred fifty thousand dollars ($1,250,000) of the above appropriation shall be available for the payment of pensions for the blind as provided by law and the sum of sixty thousand dollars ($60,000) shall be available for the payment of the costs to the Department of Welfare of investigating applications for pensions examination of applicants by physicians and other costs of the administration of pensions for the blind including payment of salaries wages or other compensation of officers and employes of the Department of Welfare engaged in such administration and necessary for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles and other incidental expenses necessary for the proper administration of such pensions

Section 3 The amount of this appropriation shall be payable from time to time upon requisition of the Department of Welfare

Section 4 This act shall become effective immediately upon its final enactment but no pensions shall be paid from the appropriation made hereby before the first day of June one thousand nine hundred thirty-four

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 136, as follows:

An Act to exempt property to the value of one hundred dollars from levy and sale on execution and distress for rent in addition to present exemptions providing that a debtor may not waive surrender or release his right to said exemption and declaring contracts waiving surrendering or releasing such right void

Section 1 Be is enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That in addition to the property now exempt by law from levy and sale on execution issued upon any judgment obtained upon contract and distress for rent property to the value of one hundred dollars exclusive of all wearing apparel of the defendant and his family and all Bibles and school books in use in the family (which shall remain exempted as heretofore) owned by or in possession of any debtor shall be exempt from levy and sale on execution or by distress for rent The right of exemption hereby granted to a debtor shall hereafter be deemed to be a personal right which cannot be waived surrendered or released by a debtor by contract or otherwise and all contracts hereafter executed which shall waive surrender or release or attempt to waive surrender or release such right of exemption shall to such extent be void

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 67, as follows:

An Act to amend section one as amended of and section one and one-tenth as added to the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled "An act authorizing the abatement of penalties on local taxes" extending the provisions of said act to counties of the second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled "An act authorizing the abatement of penalties on local taxes" as amended by section one of the act approved the first day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred fourteen) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all or any tax penalties imposed by existing laws on county taxes [in counties other than those of the second class] and on city borough town township school district and poor district taxes due and payable to such local political subdivisions except in counties and cities of the first class may be abated to the extent herein provided by the political subdivision imposing the tax Any ordinance or resolution abating penalties on taxes as herein provided shall contain a provision that such taxes must be paid within three

months from the date the ordinance or resolution takes effect and that in default of such payment the penalties shall continue to be imposed in the same manner as if such ordinance or resolution had not been adopted Such ordinance or resolution may provide for a different amount of abatement of penalties in proportion to the promptness of payment of the delinquent taxes but no abatement shall be authorized which would result in the amount of the penalty unabated being less than interest at the rate of six per centum on the delinquent taxes from the date when such taxes become delinquent

In all cases where such taxes are collected under the general laws of this Commonwealth this act shall apply to all taxes whether or not liens for such taxes have been filed in the office of the prothonotary of any county or the lands against which such taxes are charged have been returned to county commissioners for tax sale purposes

Section 2 That section one and one-tenth of said act as added by said act approved the first day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred fourteen) is hereby amended to read as follows

Section 1.1 In counties of this Commonwealth [other than counties of the second class] where under existing special legislation passed prior to the adoption of the present Constitution the penalties on county taxes are not imposed by the political subdivision imposing the tax but may be imposed by the delinquent tax collector or the constable acting as collector of delinquent taxes as his compensation for the collection thereof the county commissioners by resolution duly passed and recorded in the minutes of their meeting may extend for a period of three months the time when the duplicate for the collection of such delinquent taxes shall be delivered to such delinquent tax collector or constable and during said period of three months the taxpayers shall be permitted to pay said taxes to the county treasurer without either rebate or penalty and such extension of time automatically shall extend for a like period of three months the time when such delinquent tax collector or constable shall be required to make settlement of his duplicate with the county treasurer

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 112 (Senate Bill No. 15), entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of the authority of their respective warrants or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 110 (Senate Bill No. 4), entitled:

An Act authorizing officers departments boards and commissions of the Commonwealth and also cities counties boroughs incorporated towns townships school districts and poor districts to cancel certain supply contracts and to relieve contractors of obligations thereunder under certain circumstances and validating like cancellations made heretofore

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 224 (Senate Bill No. 44), entitled:

An Act making an appropriation to the Department of Military Affairs for the purchase of supplies materials and equipment to improve the Military Reservation at Indiantown Gap

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 45, as follows:

An Act making home loan bonds issued by the Federal Home Owners' Loan Corporation legal investments for trust funds and other purposes in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That executors administrators guardians trustees building and loan associations banks banks and trust companies trust companies insurance companies associations and exchanges are hereby authorized to exchange mortgages which are in default and which are in their possession or under their control for home loan bonds issued by the Federal Home Owners' Loan Corporation and such bonds are hereby declared to be legal investments of moneys by executors administrators guardians trustees building and loan associations banks banks and trust companies trust companies insurance companies associations and exchanges for such purposes

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—195

Baker,	Habbyshaw,	McGinnis,	Shellenberger,
Barnhardt,	Haines,	McGrail,	Shenkel,
Bechtel,	Hamilton,	McGregor,	Shettel,
Beech,	Harmuth,	McHenry,	Shortz,
Bennett,	Harris,	McKay,	Shreiner,
Bernhard,	Hart,	McKinney,	Shugarts,
Blumberg,	Hartman,	Melchiorre,	Simon,
Boyd,	Heffernan,	Meredith,	Sinwell,
Brancato,	Hefferon,	Mohn,	Snyder,
Brennan,	Heffner,	Moore,	Sowers,
Brown, W. L.,	Hermansen,	Mumford,	Spann,
Brownfield,	Hester,	Munley,	Stank,
Cannon,	Hewitt,	Murphy,	Steedle,
Caputo,	Himes, H. E.,	Myers,	Sterling, P.,
Carey,	Himes, L. R.,	Negley,	Sterling, R. B.,
Carson,	Hoffman,	Nothnagle,	Stevens,
Chervenak,	Holmes, J. B.,	O'Connor,	Stiteler,
Cohen,	Holmes, J. L.,	O'Keefe,	Stone,
Conner,	Hoopes,	O'Neill,	Storb,
Cooke,	Horst,	O'Rourke,	Stott,
Cordier,	Hough,	Patterson,	Surface,
Craig,	Howard,	Peelor,	Tahl,
Cramer,	Hutton,	Pennock,	Terry,
Dane,	Jaffe,	Perry, D. R.,	Trout,

Davies,	Jones,	Perry, J. J.,	Turner,
DeFrehn,	Kane, J. J.,	Peters,	Wade,
Denning,	Kane, L. P.,	Powell,	Wagner,
Downey, J.,	King,	Powers,	Walker, G. E.,
Duffy,	Kinney,	Price,	Walker, W. A.,
Dunmire,	Lane,	Quinn,	Wall,
Ederer,	Laubach,	Rectenwald,	Wasserman,
Emhardt,	Lenahan,	Reed,	Way,
Eroe,	Lewis,	Reilly,	Weidemann,
Evans,	Long,	Rhodes,	Welsh,
Fitzgerald,	Lord,	Rite,	Westrick,
Flanagan,	Lose,	Roan,	White,
Fleisher,	Lovett, J. E.,	Roth,	Wike,
Flinchbaugh,	Lovett, W. S.,	Royle,	Williams, G. W.,
Flynn, J. M.,	Lynch, J. R.,	Ruby,	Wilson, L. M.,
Forrest,	Lynch, M.,	Ruth,	Wilson, T. B.,
Furman,	Male,	Sarig,	Witkin,
Gallagher, T. J.,	Malina,	Sautter,	Wood,
Gallagher, W. J.,	Maloney,	Schrock,	Woodside,
Gartner,	Marcks,	Schrope,	Yeakel,
Gillette,	Mason,	Schwab,	Yourishin,
Gorman,	McCandless,	Schwartz,	Zimmerman,
Green,	McClure,	Scorza,	Talbot,
Greenstein,	McCreary,	Scott,	Speaker.
Griffith,	McElwee,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 125, as follows:

An Act for the protection of the health safety and welfare of women and minors in any occupation trade or industry except domestic service in private homes farm labor and newspaper boys by regulating under the police power of the Commonwealth the minimum wage which shall be paid to such women and minors providing for wage boards their powers and the procedure to determine the necessity for and to establish the minimum wage standard in any industry where the health safety and welfare of women and minors is jeopardized by the payment of an oppressive and unreasonable wage creating powers and imposing duties on the Department of Labor and Industry the Secretary of Labor and Industry and such director as he may appoint to carry out this act imposing certain duties on employers and requiring certain records to be kept and information to be furnished by him permitting publication after hearing of the names of violators of minimum wage standards prohibiting contracts for and payment of less than the minimum wage standards and providing penalties

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

Section 1 The following terms shall be construed to have the following meaning except in those instances where the context clearly indicates otherwise

(a) "Secretary" shall mean the Secretary of Labor and Industry

(b) "Director" shall mean the director or any deputy director of the minimum wage division which shall be set up as a separate division in the Department of Labor and Industry by the Secretary with a director in charge and with such deputy directors and other assistants and employes as the Secretary may deem desirable

(c) "Wage Board" shall mean a board created as provided in section five of the act

(d) "Women" shall mean females of twenty-one years or over

(e) "Minor" shall mean a person of either sex under the age of twenty-one years

(f) "Occupation" shall mean an industry trade business or branch thereof or class of work therein in which women or minors are gainfully employed but shall not include domestic service in private homes or labor on a farm or newspaper boys lawfully engaged in the business of buying and selling exposing or offering for sale any newspaper magazine periodical or other publication

(g) "An oppressive and unreasonable wage" shall mean a wage which is both less than the fair and reasonable value of the services rendered and less than sufficient to meet the minimum cost of living necessary for health

(h) "A fair wage" shall mean a wage fairly and reasonably commensurate with the value of the service or class of service rendered In establishing a minimum fair wage for any service or class of service under this act the Secretary and the wage board without being bound by any technical rules of evidence or procedure (1) may take into acount all relevant circumstances affecting the value of the service or class of service rendered and (2) may be guided by like considerations as would guide a court in a suit for the reasonable value of services rendered where services are rendered at the request of an employer without contract as to the amount of the wage to be paid and (3) may consider the wages paid in the Commonwealth for work of like or comparable character by employers who voluntarily maintain minimum fair wage standards

(i) "A directory order" shall mean an order the non-observance of which may be published as provided in section nine of this act

(j) "A mandatory order" shall mean an order the violation of which shall be subject to the penalties prescribed in section fifteen (b) of this act

Section 2 It is hereby declared to be against public policy for any employer to employ any woman or minor in an occupation in this Commonwealth at an oppressive and unreasonable wage as defined in section one of this act and any contract agreement or understanding for or in relation to such employment shall be null and void Provided This section or any other provision of this statute shall not apply to newspaper boys lawfully engaged in the business of buying and selling exposing or offering for sale any newspaper magazine periodical or other publication

Section 3 The Secretary or the director or any authorized representative of the director shall have full power and authority

(a) To investigate and ascertain the wages of women and minors employed in any occupation in the Commonwealth

(b) To enter the place of business or employment of any employer of women and minors in any occupation for the purpose of examining and inspecting any and all books registers payrolls and other records of any employer of women or minors that in any way appertain to or have a bearing upon the question of wages of any such women or minors and for the purpose of ascertaining whether the orders of the Secretary have been and are being complied with and

(c) To require from such employer full and correct statements in writing when the Secretary or the director or any authorized representative of the director deems necessary of the wages paid to all women and minors in his employment

Section 4 The Secretary or the director shall have the power and it shall be the duty of the Secretary on the petition of fifty or more residents of the Commonwealth to cause an investigation to be made by the director or any authorized representative of the director of the wages being paid to women or minors in any occupation to ascertain whether any substantial number of women or minors and such occupation are receiving oppressive and unreasonable wages as defined in section one If on the basis of information in the possession of the Secretary or the director with or without a special investigation the Secretary is of the opinion that any substantial number of women or minors in any occupation or occupations are receiving oppressive and unreasonable wages as defined in section two he shall appoint a wage board to report upon the establishment of minimum fair wage rates for such women or minors in such occupation or occupations

Section 5 (a) A wage board shall be composed of not more than three representatives of the employers in any occupation or occupations an equal number of representatives of the employes in such occupation or occupations and of not more than three disinterested persons representing the public one of whom shall be designated as chairman The Secretary after conferring with the director shall appoint the members of such wage board the representatives of the employers and employes to be selected so far as practicable from nominations submitted by employers and employes in such occupation or occupations Two-thirds of the members of such wage board

shall constitute a quorum and the recommendations or report of such wage board shall require a vote of not less than a majority of all its members Members of a wage board shall serve without pay but may be reimbursed for all necessary traveling expenses The Secretary after conferring with the director shall make and establish from time to time rules and regulations governing the selection of a wage board and its mode of procedure not inconsistent with this act

(b) A wage board shall have power to adminster oaths and to require by subpoena the attendance and testimony of witnesses the production of all books records and other evidence relative to any matters under investigation Such subpoenas shall be signed and issued by the chairman of the wage board and shall be served and have the same effect as if issued out of a court of common pleas A wage board shall have power to cause depositions of witnesses residing within or without the Commonwealth to be taken in the manner prescribed for in like depositions in civil actions in the courts of common pleas

(c) The Secretary or the director shall present to a wage board promptly upon its organization all the evidence and information in the possession of the Secretary or director relating to the wages of women and minor workers in the occupation or occupations for which the wage board was appointed and all other information which the Secretary or the director deems relevant to the establishment of a minimum fair wage for such women and minors and shall cause to be brought before the committee any witnesses whom the Secretary or the director deems material A wage board may summon other witnesses or call upon the Secretary or the director to furnish additional information to aid it in its deliberations

All witnesses subpoened by the wage board shall be paid the fees and mileage fixed by law in civil cases In case of failure on the part of any person to comply with any subpoena of the wage board or upon the refusal of any witness to testify to any matter regarding which he may lawfully be interrogated before any wage board it shall be the duty of the Court of Common Pleas of Dauphin County on the application of the chairman of the wage board to compel obedience in the same manner that such obedience would be compelled by contempt proceedings or otherwise in a proceeding pending befcre said court

(d) Within sixty days of its organization a wage board shall submit a report including its recommendations as to minimum fair wage standards for the women or minors in the occupation or occupations the wage standards of which the wage board was appointed to investigate If its report is not submitted within such time the Secretary may constitute a new wage board

(e) A wage board may recommend minimum fair wage rates varying with localities if in the judgment of the wage board conditions make such local differentiation proper and do not effect an unreasonable discrimination against any locality

(f) A wage board may recommend a suitable scale of rates for learners and apprentices in any occupation or occupations which scale of learners' and apprentices' rates may be less than the regular minimum fair wage rates recommended for experienced women or minor workers in such occupation or occupations

Section 6 A report from a wage board shall be submitted to the Secretary who shall within ten days confer with the director and accept or reject such report If the report is rejected the Secretary shall resubmit the matter to the same wage board or to a new wage board with a statement of the reasons for the resubmission If the report is accepted it shall be published together with such proposed administrative regulations as the Secretary after conferring with the director may deem appropriate to implement the report of the wage board and to safeguard the minimum fair wage standards to be established and notice shall be given of a public hearing to be held by the Secretary or the director not less than fifteen nor more than thirty days after such publication at which all persons in favor of or opposed to the recommendations contained in such report or in such proposed regulations may be heard

Section 7 Within ten days after such hearing the Secretary shall confer with the director and approve or disapprove the report of the wage board If the report is disapproved the Secretary may resubmit the matter to the same wage board or to a new wage board If the report is approved the Secretary shall make a directory order which shall define minimum fair wage rates in the occupation or occupations as recommended in the report of the wage board and which shall include such proposed administrative regulations as the Secretary may deem appropriate to implement the report of the wage board and to safeguard the minimum fair wage standards established Such administrative regulations may include among other things regulations defining and governing learners and apprentices their rates piece rates or their relations to time rates overtime or part-time rates bonuses or special pay for special or extra work deductions for board lodging apparel or other items or services supplied by the employer and other special conditions or circumstances In view of the diversities and complexities of different occupations and the dangers of evasion and nullification the Secretary may provide in such regulations without departing from the basic minimum rates recommended by the wage board such modifications or reductions of or addition to such rates in or for such special cases or classes of cases as those herein enumerated as the Secretary may find appropriate to safeguard the basic minimum rates established

Section 8 For any occupation for which minimum fair wage rates have been established the Secretary or the director may cause to be issued to a woman or minor including a learner or apprentice whose earning capacity is impaired by age or physical or mental deficiency or injury a special license authorizing employment at such wages less than such minimum fair wage rates and for such period of time as shall be fixed by the Secretary or the director and stated in the license

Section 9 If the Secretary or the director or any authorized representative of the director has reason to believe that any employer is not observing the provisions of any order made by him under section seven of this act the Secretary or the director may on fifteen days' notice summon such employer to appear before the Secretary or the director to show cause why the name of such employer should not be published as having failed to observe the provisions of such order After such hearing and the finding by the Secretary or the director of nonobservance the Secretary may cause to be published in a newspaper or newspapers circulating within the Commonwealth of Pennsylvania or in such other manner as the Secretary may deem appropriate the name of any such employer or employers as having failed in the respects stated to observe the provisions of the director order of the Secretary Neither the Secretary nor any authorized representative of the Secretary nor any newspaper publisher proprietor editor nor employe thereof shall be liable to an action for damages for publishing the name of any employer as provided for in this act unless guilty of some wilful misrepresentation

Section 10 If at any time after a directory minimum fair wage order has been in effect for two months the Secretary is of the opinion after conferring with the director that the persistent nonobservance of such order by one or more employers is a threat to the maintenance of fair minimum wage standards in any occupation or occupations the Secretary or the director may give notice of the intention of the Secretary to make such order mandatory and of a public hearing to be held not less than fifteen nor more than thirty days after such publication At such hearing all persons in favor of or opposed to a mandatory order may be heard by the Secretary or the director After such hearing the Secretary if he adheres to his opinion may make the previous directory order or any part thereof mandatory and so publish it

Section 11 At any time after a minimum fair wage order has been in effect for one year or more whether during such period it has been directory or mandatory the Secretary may on his own motion after conferring with the director and shall on petition of fifty or more residents of the Commonwealth reconsider the minimum fair wage rates set therein and reconvene the same wage board or appoint a new wage board to recommend whether or not the rate or rates contained in such order should be modified The report of such wage board shall be dealt with in the manner prescribed in sections six and seven of this act provided that if the order under reconsideration has theretofore been made mandatory in whole or in part by the Secretary under section ten then the Secretary in making any new order or confirming any old order shall have power to declare to what extent such order shall be directory and to what extent mandatory

Section 12 The Secretary may at any time and from time to time after conference with the director propose such modifications of or additions to any administrative regulations in-

cluded in any directory or mandatory order of the Secretary without reference to a wage board as the Secretary may deem appropriate to effectuate the purposes of the act provided such proposed modification or additions could legally have been included in the original order and notice shall be given of a public hearing to be held by the Secretary or director not less than fifteen days after such publication at which all persons in favor of or opposed to such proposed modifications or additions may be heard After such hearing the Secretary may make an order putting into effect such proposed modifications of or additions to the administrative regulations as he deems appropriate If the order of which the administrative regulations form a part has theretofore been made mandatory in whole or in part by the Secretary under section ten then the Secretary in making any new order shall have the power to declare to what extent such order shall be directory and to what extent mandatory

Section 13 All questions of fact arising under this act except as otherwise provided shall be decided by the Secretary or the director and there shall be no appeal from the decision of the Secretary or the director on any such question of fact but any person firm or corporation aggrieved shall have the right to appeal to the Court of Common Pleas of Dauphin County from any ruling or holding on a question of law included or embodied in any decision or order of the Secretary or the director

Section 14 Every employer of women and minor workers shall keep a true and accurate record of the hours worked by each the wages paid by him to each and shall furnish to the Secretary or the director or the authorized representative of the director upon demand a sworn statement of the same Such records shall be open to inspection by the Secretary or the director or any authorized representative of the director at any reasonable time. Every employer subject to a minimum fair wage order whether directory or mandatory shall keep a copy of such order posted in a conspicuous place in every room in which women or minors are employed Employers shall be furnished copies of orders on request without charge

Section 15 (a) Any employer and his agent or the officer or agent of any corporation who discharges or in any other manner discriminates against any employe because such employe has served or is about to serve on a wage board or has testified or is about to testify before any wage board or in any other investigation or proceeding under or related to this act or because such employer believes that said employe may serve on any wage board or may testify before any wage board or in any investigation or proceeding under this act shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00)

(b) Any employer or the officer or agent of any corporation who pays or agrees to pay to any woman or minor employe less than the rates applicable to such woman or minor under a mandatory minimum fair wage order shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00) or by imprisonment of not less than ten nor more than ninety days or by both such fine and imprisonment Each week in any day of which such employe is paid less than the rate applicable to him under a mandatory minimum fair wage order and each employe so paid less shall constitute a separate offense

(c) Any employer or the officer or agent of any corporation who fails to keep the records required under this act or to furnish such records to the Secretary or the director or any authorized representative of the director upon request shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than twenty-five dollars ($2500) nor more than one hundred dollars ($100.000) Each day of each failure to keep the records requested under this act or to furnish same to the Secretary or the director or any authorized representative of the director shall constitute a separate offense

Section 16 If any woman or minor worker is paid by his employer less than the minimum fair wage to which he is entitled under or by virtue of a mandatory minimum fair wage order he may recover in a civil action the full amount of such minimum wage less any amount actually paid to him by the employer together with costs and such reasonable attorney's fees as may be allowed by the court Any agreement between him and his employer to work for less than such mandatory minimum fair wage shall be no defense to such action At the request of any woman or minor worker paid less than the minimum wage to which he was entitled under a mandatory order the Secretary may take an assignment of such wage claim in trust for the assigning employe and may bring any legal action necessary to collect such claim and the employer shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court

Section 17 If any provisions of this act or the application thereof to any person or circumstances is held invalid the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby

Section 18 This act shall take effect immediately upon its approval by the Governor

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EDERER. Mr. Speaker and ladies and gentlemen of the House, I cannot let this act be voted on without saying a few words. First of all, I want to go on record as being in favor of the provisions of this bill.

I am voting in the negative on this measure and desire to file my reasons for so doing.

I am heartily in accord with the provisions set forth in this bill, am sincerely, honestly very strongly in favor of high wages and shorter hours but not at the expense of our Pennsylvania industries and labor.

In my humble opinion, laws of this nature should be enacted by our national congress so that each state in these United States be in a position to compete with other states.

At the present time we are working under the NRA making the provisions as set forth in this act a national matter.

We cannot predict how long the NRA will be operative. Our government frankly admits it is but an experiment.

Should this experiment fail and should this bill, House Bill No. 125, Printer's No. 72, be enacted into law, Pennsylvania will find herself in a non-competitive position with the result that industry will be forced to leave this Commonwealth and migrate to those states which appreciate the value of those industries and do everything within their power to encourage them rather than to continually harras them as has and is being done in Pennsylvania.

Industrialists and labor have everything in common. By voting in the affirmative on this measure you are voting Pennsylvania labor out of a job, you are voting Pennsylvania industries and the enormous income the state derives from them. out of the state.

The south has already been greatly enriched by the exodus of industry out of the north.

I know of entire cities in Massachusetts that are completely deserted due to misguided although well intentioned legislation of this nature.

I appeal to you to save Pennsylvania industry and labor by voting in the negative on this measure.

Mr. FITZGERALD. Mr. Speaker and members of the House, I am not going to burden you with a long discussion of the merits of this bill. I think you all understand it. We had it before us in our last session. It is the bill of the American Federation of Labor and I think that they answered the arguments of the gentleman from Montgomery, Mr. Ederer, in open letter the other day to you, wherein they stated, "The NRA codes will not last forever. When they are taken off it is imperative that there should be a bottom level below which the standard of living of women and children in Pennsylvania should not be allowed to go. We urge that you pass the same minimum wage bill which passed the House of Representatives in the regular session."

My friends, I told you yesterday, how the federal government had attempted to handle this. I have on my desk figures and compilations that would burden you. But I am going to merely ask you, and I am going to call your attention to one item in the Governor's speech which he called to your attention, and that was when he referred to the idea that acts of this kind are supposed to drive industry out of the state resulting in a loss of revenue. As this state is one of the largest industrial states in the United States I want to ask you in common, plain English, to give the women and children of this state a break and to do it by voting yes. To you who will vote no, I say, remember that they will have your vote before them and will see where you stand on this question.

Mr. HOOPES. Mr. Speaker and members of the House, I think that one brief statement should be sufficient. If there are industries in the state of Pennsylvania that are unable to pay their females and minor employes a wage which will permit them to maintain a decent standard of living, those industries do not deserve to be considered. If you are in favor of having the women and children in this state who are employed in these industries paid a living wage, and that is all this bill provides for, it sets up a commission which may only regulate wages when they find wages are being paid and which are insufficient and unfair and if there are industries which cannot pay wages of that kind they ought not to be permitted to go on. Let us protect the women and children of Pennsylvania by voting favorably on this measure

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Gartner,	Mason,	Schwartz,
Baker,	Gillette,	McBride,	Scott,
Baldi,	Gorman,	McCandless,	Sheffer,
Barnhardt,	Green,	McClure,	Shellenberger,
Bechtel,	Greenstein,	McCreary,	Shettel,
Beech,	Griffith,	McElwee,	Shortz,
Bennett,	Habbyshaw,	McGinnis,	Shugarts
Bernhard,	Hamilton,	McGrail,	Snyder,
Blumberg,	Harmuth,	McGregor,	Sowers,
Boyd,	Harris,	McKay,	Spann,
Brancato,	Hart,	McKinney,	Stank,
Brennan,	Hartman,	Merrell,	Steedle,
Brown, J. E.,	Hefferon,	Mohn,	Sterling, P.,
Brown, W. L.,	Hermansen,	Moore,	Sterling, R. B.,
Brownfield,	Hester,	Mumford,	Stevens,
Cannon,	Hewitt,	Munley,	Stiteler,
Caputo,	Himes, H. E.,	Murphy	Stone,
Carey	Himes, L. R.,	Myers,	Storb
Carson,	Hoffman	Nothnagle,	Stott,
Chervenak,	Holmes, J. B.,	O'Connor,	Surface,
Cohen,	Hoopes,	O'Keefe,	Tahl,
Conner,	Horst,	O'Neill,	Terry,
Cooke,	Hough	O'Rourke,	Turner,
Cordier,	Howard	Patterson,	Wade,
Craig,	Hutton,	Peelor,	Wagner,
Cramer,	Jaffe,	Pennock,	Walker, G. E.,
Dane	Jones,	Perry, D. R.,	Walker, W. A.,
Davies	Kane, J. J.,	Perry, J. J.,	Wall,
DeFrehn,	Kane, L. P.,	Peters,	Way,
Downey, G. E.,	King,	Powell,	Weidemann,
Downey, J. J.,	Kinney,	Powers,	Welsh
Dunmire,	Lane,	Quinn	Westrick,
Ederer,	Laubach	Raub,	White,
Emhardt,	Lewis,	Rectenwald,	Wike,
Eroe,	Long,	Reed,	Williams, G. W.,
Evans,	Lord,	Reilly,	Williams, J. J.,
Fitzgerald,	Lose,	Rhodes,	Wilson, L. M.,
Flanagan,	Lovett, J. E.,	Roan,	Wilson, T. B.,
Fleisher,	Lovett, W. S.,	Roth,	Witkin,
Flinchbaugh,	Lynch, J. R.,	Ruby,	Wood,
Flynn, J. W.,	Lynch, M.,	Ruth,	Woodside,
Forrest,	Male,	Sarig,	Wright,
Furman,	Malina,	Sautter,	Yourishin,
Gallagher, T. J.	Maloney,	Schrock,	Zimmerman,
Gallagher, W. J.	Marcks,	Schrope,	Talbot, Speaker.

NAYS—6

Flynn, J. M.,	Heffernan,	Meredith,	Trout
Haines,	Holmes, J. L.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 39.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds

HOUSE BILL No. 40.

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation and providing penalties

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

MR. HUTTON IN THE CHAIR

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 120, entitled:

An Act in aid of unemployment relief for the citizens of this Commonwealth by providing for preference to citizens of this Commonwelath in employment upon public works of this Commonwealth conferring certain duties on the Department of Labor and Industry and providing penalties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Gorman,	McCandless,	Schwartz,
Baker,	Green,	McClure,	Scorza,
Baldi,	Greenstein,	McCreary,	Scott,
Barnhardt,	Griffith,	McElwee,	Sheffer,
Bechtel,	Habbyshaw	McGrail,	Shellenberger,
Beech,	Haines,	McGregor,	Shenkel,
Bennett,	Hamilton,	McHenry,	Shettel,
Bernhard,	Harmuth,	McKay,	Shortz,
Blumberg,	Harris,	McKinney,	Shreiner,

Boyd,	Hart,	Melchiorre,	Shugarts,
Brancato,	Hartman,	Meredith,	Sinwell,
Brennan,	Heffernan,	Merrell,	Snyder,
Brown, J. E.,	Hefferon,	Mohn,	Sowers,
Brown, W. L.,	Heffner,	Moore,	Spann,
Brownfield,	Hermansen,	Mumford,	Stank,
Caputo,	Hester,	Munley,	Steedle,
Carey,	Hewitt,	Murphy,	Sterling, P.,
Carson,	Himes, H. E.,	Myers,	Sterling, R. B.,
Chervenak,	Himes, L. R.,	Negley,	Stevens,
Cohen,	Hoffman,	Nothnagle,	Stone,
Conner,	Holmes, J. L.,	O'Connor,	Storb,
Cooke,	Horst,	O'Keefe,	Stott,
Cordier,	Hough,	O'Neill,	Surface,
Craig,	Howard,	Patterson,	Tahl,
Cramer,	Hutton,	Peelor,	Terry,
Dane,	Jaffe,	Pennock,	Trout,
Davies,	Jones,	Perry, D. R.,	Turner,
DeFrehn,	Kane, J. J.,	Perry, J. J.,	Wade,
Denning,	Kane, L. P.,	Peters,	Wagner,
Downey, G. E.,	King,	Powell,	Walker, G. E.,
Downey, J. J.,	Kinney,	Powers,	Wall,
Duffy,	Labar,	Price,	Wasserman,
Dunmire,	Lane,	Quinn,	Way,
Ederer,	Laubach,	Raub,	Weidemann,
Emhardt,	Lenahan,	Rectenwald,	Welsh,
Eroe,	Lewis,	Reed,	Westrick,
Evans,	Long,	Reilly,	White,
Fitzgerald,	Lord,	Rhodes,	Wike,
Fleisher,	Lose,	Rice,	Williams, G. W.
Flinchbaugh,	Lovett, W. S.,	Roan,	Williams, J. J.,
Flynn, J. M.,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Flynn, J. W.,	Lynch, M.,	Ruby,	Witkin,
Forrest,	Male,	Ruth,	Wood,
Furman,	Malins,	Sarig,	Wright,
Gallagher, T. J.,	Maloney,	Sautter,	Yourishin,
Gallagher, W. J.,	Marcks,	Schrock,	Zimmerman
Gartner,	Mason,	Schrope,	Talbot,
Gillette,	McBride,	Schwab,	Speaker.

NAYS—3

Hoopes,	Wilson, L. M.,	Yeakel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 102, as follows:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That pursuant to the adoption by the people at the municipal election held in November one thousand nine hundred and thirty-three of an amendment to article nine of the Constitution of Pennsylvania which reads as follows

"Section 16 In addition to the purposes stated in article nine section four of this Constitution the General Assembly may provide by law for the issue of bonds to the amount of ten millions of dollars for the purpose of acquiring toll bridges and may by law provide that upon the acquisition of any such bridge tolls may be charged for the use thereof sufficient to pay the interest and sinking fund charges on such bonds and the cost of the maintenance of such bridges until the bonds issued have been retired and such bridges are freed of tolls"

the Governor the Auditor General and the State Treasurer in accordance with the provisions thereof and on the credit of the Commonwealth of Pennsylvania are hereby authorized and directed from time to time to borrow such sum or sums of money not exceeding in the aggregate the sum of ten million dollars ($10,000,000) as may be deemed necessary for the purpose of acquiring toll bridges wholly within the Commonwealth

Section 2 Bonds Issue Maturity Interest et cetera

(a) As evidence of the indebtedness herein authorized bonds of the Commonwealth of Pennsylvania shall be issued from time to time for such total amounts in such form in such denominations and subject to such terms and conditions of issue redemption and maturity rate of interest not to exceed six per centum per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall direct

(b) All bonds issued under the authority of this act shall bear the facsimile signatures of the Governor Auditor General and State Treasurer and a facsimile of the great seal of the Commonwealth of Pennsylvania and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agent of the Commonwealth

(c) The principal and interest of such bonds shall be payable in lawful money of the United States All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes

(d) Such bonds may be issued with or without interest coupons attached In case interest coupons are attached they shall contain facsimile signatures of the State Treasurer and the Auditor General

(e) The Governor the Auditor General and the State Treasurer shall proceed to have the necessary bonds prepared and printed The bonds as soon as they are prepared and printed shall be forthwith deposited with the duly authorized loan and transfer agent of the Commonwealth there to remain until sold in accordance with the provisions of this act

Section 3 Sale of Bonds Whenever bonds are so issued they shall be offered for sale at not less than par and accrued interest and shall be sold by the Governor the Auditor General and State Treasurer to the highest and best bidder or bidders after due public advertisement on such terms and conditions and upon such open competitive bidding as the Governor Auditor General and State Treasurer shall direct The manner and character of such advertisement and the times of advertising shall be prescribed by the Governor the Auditor General and the State Treasurer

Any portion of any bond issue so offered and not sold or subscribed for may be disposed of by private sale by the Governor the Auditor General and the State Treasurer in such manner and at such prices not less than par and accrued interest as the Governor shall direct No commission shall be allowed or paid for the sale of any bonds issued under the authority of this act

Section 4 Disposition and Use of Proceeds The Proceeds realized from the sale of bonds under the provisions of this act shall be paid into the State Treasury and deposited in a special fund to be known as the Toll Bridge Fund which is hereby created and shall be used for the payment of the cost of acquiring toll bridges and any necessary expenses connected therewith

Section 5 Registration of Bonds The Auditor General shall prepare the necessary registry books to be kept in the office of the duly authorized loan and transfer agent of the Commonwealth for the registration of any bonds at the request of owners thereof All bonds which are issued without interest coupons attached shall be registered in the registry books kept by the duly authorized loan and transfer agent of the Commonwealth

Section 6 Information to General Assembly It shall be the duty of the Governor during the biennial sessions of the General Assembly to give to the General Assembly full information relating to the issuance of bonds under the provisions of this act to enable the General Assembly to provide by appropriation any moneys necessary for the sinking fund of the Commonwealth for the payment of the interest on said bonds and the principal thereof at maturity

Section 7 Sinking Fund Investments Redemption of Bonds All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from the sinking fund For the specific purpose of redeeming said bonds at maturity and paying all interest thereon the General Assembly shall appropriate biennially the moneys necessary to pay the interest on said bonds and the principal thereof at maturity All moneys so appropriated shall be paid into the sinking fund by the State Treasurer All of such moneys not necessary to pay accruing interest shall be invested by the Board of

Finance and Revenue in such securities as are provided by law for the investment of the sinking funds of the Commonwealth

The investments and such moneys and the accumulations thereon in the sinking fund shall be devoted to and be used exclusively for the payment of the interest accruing on such bonds and their deremption at maturity Provided however That the Board of Finance and Revenue is authorized at any time to use any of such funds for the purchase and retirement of all or any part of the bonds issued under the authority of this act In the event that all or any part of said bonds shall be purchased by the Board of Finance and Revenue they shall be canceled and returned to the State Treasurer as canceled and paid bonds and thereafter all payments of interest thereon shall cease and the canceled bonds and coupons shall be destroyed within two years after cancellation in the presence of the Governor the Auditor General and the State Treasurer A certificate evidencing the destruction satisfactory to the duly authorized loan and transfer agent of the Commonwealth shall be furnished to it All canceled bonds and coupons shall be so marked as to make the canceled bonds and coupons non-negotiable

Section 8. The Board of Finance and Revenue shall determine the amount of money necessary for the sinking fund for the period between the date of issue of the bonds herein provided for and the end of the current biennium in which they are so issued, and the times and amounts which are to be paid into the sinking fund for such purposes; and the sums so determined shall be transferred to the sinking fund from the Motor License Fund by the State Treasurer, and, for such purposes, so much money as may be necessary is hereby specifically appropriated out of the Motor License Fund.

Section 9 Quorum Whenever in this act any action is to be taken or decision made by the Governor the Auditor General and the State Treasurer and the three officers shall not be able unanimously to agree the action or decision of the Governor and either the Auditor General or State Treasurer shall be binding and final except that it shall be the mandatory duty of the Governor the Auditor General and the State Treasurer to issue bonds to provide funds for the acquisition of any bridge or bridges when the Secretary of Highways with the approval of the Governor shall decide to do so

Section 10 Appropriation The sum of twenty-five thousand dollars or so much thereof as may be necessary is hereby specifically appropriated for the purpose of providing such bonds for the payment of the cost of advertising the same and for all other costs and expenses in connection with the issue of said sale and registration of said bonds Payments from said appropriation shall be made by requisition of the Auditor General after approval of vouchers by the Governor Auditor General and State Treasurer

Section 11 Effective Date This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Andrews,	Griffith,	McElwee,	Sheffer,
Baker,	Habbyshaw,	McGinnis,	Shellenberger,
Baldi,	Haines,	McGrail,	Shenkel,
Barnhardt,	Hamilton,	McGregor,	Shettel,
Bechtel,	Harmuth,	McHenry,	Shortz,
Beech,	Harris,	McKay,	Shreiner,
Bennett,	Hart,	McKinney,	Shugarts,
Blumberg,	Hartman,	Melchiorre,	Simon,
Boyd,	Heffernan,	Meredith,	Snyder,
Brancato,	Hefferon,	Merrell,	Sowers,
Brennan,	Heffner,	Mohn,	Spann,
Brown, J. E.,	Hermansen,	Moore,	Stank,
Brown, W. L.,	Hester,	Mumford,	Steedle,
Brownfield,	Hewitt,	Munley,	Sterling, P.,
Caputo,	Himes, H. E.,	Murphy,	Stevens,
Carey,	Himes, L. R.,	Myers,	Stiteler,
Carson,	Hoffman,	Negley,	Stone,
Chervenak,	Holmes, J. D.,	Nothnagle,	Storb,
Cohen,	Holmes, J. L.,	O'Connor,	Stott,
Conner,	Hoopes,	O'Keefe,	Surface,
Cooke,	Horst,	O'Neill,	Tahl,
Cordier,	Hough,	O'Rourke,	Terry,
Craig,	Howard,	Patterson,	Trout,
Cramer,	Hutton,	Peelor,	Turner,
Dane,	Jaffe,	Pennock,	Wade,
Davies,	Jones,	Perry, D. R.,	Wagner,
DeFrehn,	Kane, J. J.,	Peters,	Walker, G. E.,
Denning,	Kane, L. P.,	Powell,	Walker, W. A.,
Downey, G. E.,	King,	Powers,	Wall,
Downey, J. J.,	Labar,	Price,	Wasserman,
Duffy,	Lane,	Quinn,	Way,
Dunmire,	Laubach,	Raub,	Weidemann,
Ederer,	Lenahan,	Rectenwald,	Welsh,
Eroe,	Lewis,	Reed,	Westrick,
Evans,	Long,	Reilly,	White,
Fitzgerald,	Lord,	Rhodes,	Wike,
Flanagan,	Lose,	Rice,	Williams, G. W.,
Fleisher,	Lovett, J. E.,	Roan,	Williams, J. J.,
Flinchbaugh	Lovett, W. S.,	Royle,	Wilson, L. M.,
Flynn, J. M.,	Lynch, M.,	Ruby,	Wilson, T. B.,
Flynn, J. W.,	Male,	Ruth,	Wood,
Forrest,	Malina,	Sarig,	Woodside,
Furman,	Maloney,	Sautter,	Wright,
Gallagher, W. J.,	Marcks,	Schrock,	Yeakel,
Gartner,	Mason,	Schrope,	Yourishin,
Gillette,	McBride,	Schwab,	Zimmerman,
Gorman,	McCandless,	Schwartz,	Talbot,
Green,	McClure,	Scorza,	Speaker,
Greenstein,	McCreary,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 16, as follows:

An Act to amend Whereas clauses and sections one two and four of and to add sections eight and nine to the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred and twenty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Whereas clauses and sections one two and four of the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred and thirty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days in writs of execution and authorizing sales thereon without issuance of further writs" are hereby amended to read as follows

Whereas The present economic emergency has brought increasing distress [to home owners and farmers] and

Whereas Foreclosures in this emergency work tremendous inequities to [such persons] debtors and yield a minimum of satisfaction to execution creditors and

Whereas It is essential to the preservation of the health welfare and morals of the public as well as to the safety of this Commonwealth that executions against realty should not deprive families of shelter and the means of subsistence

Section 1 Definitions That when used in this act the following words and phrases shall have the meanings respectively ascribed to them by this section unless the context clearly requires a different meaning

"Writ of execution" shall mean any writ of fieri facias venditioni exponas levari facias or any other writ or form of execution for the sale of any [dwelling and the land appurtenant thereto or any farm where such dwelling or farm shall be occupied by an owner thereof as his or her residence] real property or any proceeding for the sale of real property as herein defined for failure to pay taxes

"Real property" shall mean any dwelling together with the land appurtenant thereto and any farm occupied by an owner of such dwelling or farm as a residence or any other real property a substantial portion of which is occupied by its owner in the pursuit of his livelihood

Section 2 Every court of common pleas of this Commonwealth shall have authority under the conditions hereinafter set forth to stay any writ of execution from time to time and for such periods as the court in its discretion may deem proper Such stays shall be allowed only upon application of an owner lienholder or any other person in interest and unless the plaintiff consent thereto only upon the applicant's showing to the court such facts including his economic and social status as the court may deem sufficient to warrant such relief [In granting any such stay or continuance the court may impose such condition as it deems proper as to payment of costs taxes accruing interest repairs advertising and notice of sale insurance and any other pertinent matters] If the petitioner is not the owner the owner shall be brought in by writ of scire facias

In granting any such stay or continuance the court shall require that either the debtor or the petitioner pay for and carry fire insurance upon such property to an amount fixed by the court The court shall also require that either the debtor or the petitioner undertake to pay and does pay all taxes water rents municipal assessments and other like charges which have already been assessed against such property within six months from the date of the presentation of the petition The court may also impose upon the debtor such conditions as it deems proper as to the payment of costs accruing interest expense of maintenance advertising notice of sale and any other pertinent matters taking into consideration the income derived from the property If the petitioner who is not the owner has advanced any sum or sums of money in the fulfillment of the imposed conditions he shall have a right to reimbursement by the debtor on the first Monday of June one thousand nine hundred and thirty-five

If after a stay is granted any of the conditions imposed by the court are not fulfilled the creditors may so state by petition and if the court so finds it shall order execution of the writ forthwith notwithstanding a continuance granted therefor

Section 4 The stay of any execution under this act shall from time to time continue the return day of the writ of execution to [the first] a future regular return day for such writs [which shall occur after a sale held under such writ] to be fixed by the court not later than the first Monday of June 1935 In the meantime the writ shall remain in full force and effect and sale may be made thereunder without the issuance of an alias or any other writ

Section 2 Said act is hereby amended by adding thereto the following new sections

Section 8 This act as amended shall apply to all cases pending and not finally adjudicated at the date these amendments take effect including cases pending in the Supreme and Superior Court which shall be remitted to the court of common pleas for which the appeal was taken for further consideration as well as to cases arising from mortgage or judgment obligations created thereafter

Section 9 The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Andrews,	Greenstein,	McGinnis,	Shettel,
Baker,	Griffith,	McGrail,	Shortz,
Baldi,	Habbyshaw,	McGregor,	Shreiner,
Barnhardt,	Haines,	McHenry,	Shugarts,
Bechtel,	Hamilton,	McKay,	Sinwell,
Beech,	Harmuth,	McKinney	Snyder,
Bennett,	Harris,	Melchiorre,	Sowers,
Bernhard,	Hart,	Meredith,	Spann,
Blumberg,	Hartman,	Merrell,	Stank,
Boyd,	Hefferon,	Mohn,	Steedle,
Brancato,	Heffner,	Moore,	Sterling, P.,
Brennan,	Hermansen,	Mumford	Sterling, R. B.,
Brown, J. E.,	Hewitt,	Munley,	Stevens,
Brown, W. L.	Himes, H. E.	Murphy,	Stiteler,
Brownfield,	Hoffman,	Myers,	Stone,
Caputo,	Holmes, J. B.,	Nothnagle	Storb,
Carey,	Holmes, J. L.	O'Connor,	Stott,
Carson,	Hoopes,	O'Keefe,	Surface,
Chervenak,	Horst,	O'Neill,	Tahl,
Cohen,	Hough,	O'Rourke,	Terry,
Conner,	Howard,	Patterson,	Trout,
Cooke,	Hutton,	Peelor,	Turner,
Cordier,	Jaffe,	Pennock,	Wade,
Craig,	Jones,	Perry, D. R.,	Wagner,
Cramer,	Kane, J. J.,	Perry, J. J.,	Walker, G. E.,
Dane,	Kane, L. P.,	Peters,	Walker, W. A.,
Davies,	King,	Powell,	Wall,
DeFrehn,	Kinney,	Powers,	Wasserman,
Downey, G. E	Labar,	Quinn,	Way,
Downey, J. J.,	Lane,	Raub,	Weidemann,
Duffy,	Laubach,	Rectenwald	Welsh,
Dunmire,	Lenahan,	Reed,	Westrick,
Ederer,	Lewis,	Reilly,	White,
Emhardt,	Long,	Rhodes	Wike,
Eroe,	Lord,	Rice,	Williams, G. W.
Evans,	Lose,	Roan,	Williams, J. J.,
Fitzgerald,	Lovett, J. E.,	Royle,	Wilson, L. M.,
Flanagan,	Lovett, W. S.,	Ruby,	Wilson, T. B.,
Fleisher,	Lynch, J. R.,	Ruth,	Witkin,
Flinchbaugh,	Lynch, M.,	Sarig,	Wood,
Flynn, J. M.,	Malina,	Sautter,	Woodside,
Forrest,	Maloney,	Schrock,	Wright,
Furman,	Marcks,	Schrope,	Yeakel,
Gallagher, T. J.,	Mason,	Schwab,	Yourishin,
Gallagher, W. J.,	McBride,	Schwartz	Zimmerman,
Gartner,	McCandless	Scorza,	Talbot,
Gillette,	McClure,	Scott,	Speaker.
Gorman,	McCreary	Sheffer,	
Green,	McElwee,	Shenkel,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 94, entitled:

An Act to repeal the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191

Andrews,	Hefferon,	McClure,	Scott,
Baker,	Griffith,	McElwee,	Sheffer,
Baldi,	Habbyshaw,	McGinnis,	Shellenberger,
Barnhardt,	Haines,	McGrail,	Shenkel,
Bechtel,	Hamilton,	McGregor,	Shettel,
Beech,	Harmuth,	McHenry,	Shortz,
Bennett,	Harris,	McKay,	Shugarts,
Blumberg,	Hart,	McKinney,	Simon
Boyd,	Hartman,	Melchiorre,	Snyder,

Brancato,	Heffernan,	Meredith,	Sowers,
Brennan,	Heffner,	Merrell,	Spann,
Brown, J. E.,	Hermansen,	Mohn,	Stank,
Brown, W. L.,	Hewitt,	Moore,	Steedle,
Brownfield,	Himes, H. E.,	Mumford,	Sterling, P.,
Cannon,	Himes, L. R.,	Munley,	Sterling, R. B.,
Caputo,	Hoffman,	Murphy,	Stevens,
Carey,	Holmes, J. B.,	Myers,	Stiteler,
Carson,	Holmes, J. L.,	Nothnagle,	Storb,
Chervenak,	Hoopes,	O'Connor,	Stott,
Cohen,	Horst,	O'Keefe,	Surface,
Conner,	Hough,	O'Neill,	Tahl,
Cooke,	Howard,	O'Rourke,	Terry,
Cordier,	Hutton,	Patterson,	Trout,
Cramer,	Jaffe,	Peelor,	Turner,
Dane,	Jones,	Pennock,	Wade,
Davies,	Kane, J. J.,	Perry, D. R.,	Wagner,
DeFrehn,	Kane, L. P.,	Perry, J. J.,	Walker, G. E.,
Denning,	King,	Peters,	Walker, W. A.,
Downey, G. E.,	Kinney,	Powell,	Wall,
Downey, J. J.,	Labar,	Powers,	Wasserman,
Duffy,	Lane,	Price,	Way,
Dunmire,	Laubach,	Quinn,	Weidemann,
Ederer,	Lenahan,	Raub,	Welsh,
Emhardt,	Lewis,	Rectenwald,	Westrick,
Eroe,	Long,	Reed,	White,
Evans,	Lord,	Reilly,	Wike,
Fitzgerald,	Lose,	Rhodes,	Williams, G. W.,
Flanagan,	Lovett, J. E.,	Rice,	Williams, J. J.,
Fleisher,	Lovett, W. S.,	Roan,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Root,	Wilson, T. B.,
Flynn, J. M.,	Lynch, M.,	Royle,	Wood,
Flynn, J. W.,	Male,	Ruby,	Woodside,
Furman,	Malina,	Sarig,	Wright,
Gallagher, T. J.,	Maloney,	Sautter,	Yeakel,
Gartner,	Marcks,	Schrock,	Yourishin,
Gillette,	Mason,	Schrope,	Zimmerman,
Gorman,	McBride,	Schwartz,	Talbot,
Green,	McCandless,	Scorza,	Speaker.
Greenstein,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 20, as follows:

An Act authorizing cities to acquire lands and provide for the erection thereon of dwellings for rental to its citizens and appropriate money secure advancements of money from certain Federal agencies and issue bonds therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the council of any city may by ordinance provided for the acquisition by gift or by purchase or by the right of eminent domain of any ground with or without the city for the erection thereon of dwellings for the renting of such dwellings to citizens of such city and for the maintenance management and operation thereof

Section 2 The proceedings for the condemnation of land under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be taken in the manner provided by law for the condemnation of land for public purposes by any such city

Section 3 The construction of dwellings under the provisions of this act shall be for the purpose of making homes in accord with proper standards of sanitation and safety available at fair rentals for citizens of such cities and to promote their health morals comfort convenience and safety

Section 4 For the purposes of this act such cities may appropriate money enter into arrangements with the Reconstruction Finance Corporation the Federal Emergency Administrator of Public Works or any other Federal agency now existing or hereafter created for the advancement of any grant of funds necessary or issue bonds based upon the faith and credit of the city and upon the rentals of such dwellings in such sums as may be from time to time required not to exceed the cost of such land and dwellings and the interest thereon Such bonds shall bear interest at a rate not to exceed six per centum per annum payable semiannually

The rental received from such dwellings shall be paid into the city treasury and placed to the credit of the sinking fund for the redemption of said bonds and the payment of the interest thereon as the same shall become due The method of redemption shall be provided for in the ordinance authorizing the issue of such bonds

Section 5 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHN L. HOLMES. Mr. Speaker, I do not wish to speak on the merits or the demerits of the bill. I just wish to ask the question whether it would be legal for us to pass the bill in its present form.

The SPEAKER. Does the gentleman desire to interrogate the sponsor of the bill?

Mr. JOHN L. HOLMES. No, Mr. Speaker, I merely want to point out an error in the printing, on lines 6 and 7. They are transposed. Is it legal to pass this bill in its present form?

The SPEAKER. The Chair desires to inform the gentleman from Centre, Mr. Holmes, that typographical errors can be corrected in the Senate, when the bill reaches that body and if not corrected there it can be corrected under the law by the Secretary of the Commonwealth.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—146

Andrews,	Hamilton,	Moore,	Shenkel,
Baldi,	Heffernan,	Mumford,	Shettel,
Barnhardt,	Heffner,	Munley,	Shortz,
Bechtel,	Hermansen,	Murphy,	Shreiner,
Beech,	Hester,	Myers,	Sinwell,
Bennett,	Hewitt,	O'Connor,	Snyder,
Bernhard,	Hoffman,	O'Keefe,	Sowers,
Blumberg,	Holmes, J. L.,	O'Neill,	Spann,
Boyd,	Hoopes,	O'Rourke,	Steedle,
Brancato,	Horst,	Patterson,	Sterling, P.,
Brennan,	Hough,	Peelor,	Sterling, R. B.,
Brown, J. E.,	Howard,	Pennock,	Stiteler,
Brown, W. L.,	Hutton,	Perry, D. R.,	Stone,
Brownfield,	Jaffe,	Peters,	Stott,
Caputo,	Jones,	Powell,	Tahl,
Carey,	Kinney,	Powers,	Terry,
Carson,	Lane,	Price,	Trout,
Chervenak,	Lenahan,	Quinn,	Wade,
Cohen,	Lewis,	Raub,	Wagner,
Conner,	Lose,	Rectenwald,	Walker, G. E.,
Cooke,	Lovett, J. E.,	Reed,	Walker, W. A.,
Cordier,	Lynch, J. R.,	Reilly,	Wall,
Craig,	Lynch, M.,	Rhodes,	Wasserman,
Cramer,	Male,	Roan,	Way,
Dane,	Malina,	Root,	Weidemann,
Davies,	Mason,	Roth,	Welsh,
DeFrehn,	McClure,	Royle,	Westrick,
Denning,	McCreary,	Ruby,	Wike,
Downey, G. E.,	McElwee,	Ruth,	Williams, J. J.,
Duffy,	McGinnis,	Sarig,	Wilson, L. M.,
Dunmire,	McGrail,	Sautter,	Woodside,
Eroe,	McHenry,	Schrock,	Wright,
Evans,	McKay,	Schrope,	Yeakel,
Fitzgerald,	McKinney,	Schwab,	Yourishin,
Forrest,	Melchiorre,	Schwartz,	Talbot,
Greenstein,	Merrell,	Scott,	Speaker.
Griffith,	Mohn,	Sheffer,	

NAYS—20

Baker,	Habbyshaw,	Nothnagle,	Surface,
Ederer,	Haines,	Perry, J. J.,	Turner,
Emhardt,	King,	Rice,	Wilson, T. B.,
Fleisher,	Long,	Shellenberger,	Wood,
Gillette,	McGregor,	Storb,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 103, as follows:

An Act to amend sections one two nine and eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred ninety-five) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" by providing for the purchase of such toll bridges wholly within the Commonwealth out of the Toll Bridge Fund the construction maintenance and repair of such bridges by the Department of Highways and further regulating the collection of tolls and reimbursing the Commonwealth for the cost of acquiring such bridges and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one two nine and eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred ninety-five) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" are hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "bridge" as used in this act shall mean any bridge whereon toll is charged and being a part of the route of a State Highway or connecting two State highways or a State highway and a street in any city borough or town and shall include the actual bridge the approaches thereto and all real and personal property including the franchise belonging to the owner or owners of such bridge and used in the operation and maintenance of the same

Section 2 The Secretary of Highways is hereby authorized to acquire on behalf of the Commonwealth toll bridges as defined in this act located wholly within the State of Pennsylvania [Provided That no bridge shall be acquired under the provisions of this act until road bond funds authorized by a Constitutional amendment shall become available to the Department of Highways for the improving and rebuilding of the highways of the Commonwealth]

The acquisition of said toll bridges may be either by purchase or by condemnation proceedings as the Secretary of Highways may deem expedient The cost of acquiring said bridges shall be paid by the Commonwealth from moneys in the [Motor License Fund] Toll Bridge Fund and for such purposes the moneys in such [Motor License Fund] Toll Bridge Fund are hereby specifically appropriated

Section 9 As soon as the Secretary of Highways and said owners shall have agreed upon the price of any such bridge or as soon as the Secretary of Highways shall have determined to acquire any such bridge by condemnation proceedings the Secretary of Highways if funds sufficient for the purchase of the bridge are available in the Toll Bridge Fund shall at once take possession of such bridge in the name of the Commonwealth of Pennsylvania

The purchase price agreed upon for any such bridge or the amount of any award or verdict under condemnation proceeding for the acquisition of any such bridge shall be paid out of moneys in the Toll Bridge Fund by the State Treasurer upon requisition of the Secretary of Highways

Section 11 The Secretary of Highways upon acquiring any such toll bridge is hereby directed to continue the collection of tolls and charges on such bridge or bridges or reconstructed bridges until the Commonwealth has been reimbursed to the full extent of the original cost of acquiring any and all of such bridges with interest thereon at the rate [of four] not exceeding six per centum and the cost of compensation of toll collectors All tolls and charges collected by the Secretary of Highways shall be paid into the Motor License Fund The Department of Highways shall reconstruct maintain and repair such bridges in the manner provided by law relating to State highways and bridges In case of the reconstruction of any such bridge the Secretary of Highways with the approval of the Governor may reconstruct such bridge on the same location or on a location within one mile thereof

Whenever the tolls collected from all of such bridges after deduction of all moneys expended by the Department for the cost of compensation of toll collectors shall have become sufficient to reimburse the Commonwealth in full for the cost of acquiring all of such bridges with interest thereon as aforesaid then all of such bridges shall become and be thereafter free bridges Such shall thereafter remain in the charge and be under the control of the Department of Highways and shall be thereafter maintained and kept in repair and be rebuilt by the Commonwealth in accordance with the laws relating to State highways and bridges but the Department of Highways may continue to charge public service corporations using any of such bridges in accordance with law The cost of such reconstruction maintenance and repair of said bridges after the same have been freed shall be paid out of moneys appropriated to the Department of Highways for the construction reconstruction and improvement of State highways

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Green,	McClure,	Sheffer,
Baker,	Greenstein,	McCreary,	Shellenberger,
Barnhardt,	Griffith,	McElwee,	Shenkel,
Bechtel,	Habbyshaw,	McGinnis,	Shettel,
Beech,	Haines,	McGregor,	Shortz,
Bennett,	Hamilton,	McHenry,	Shreiner,
Bernhard,	Harris,	McKay,	Simon,
Blumberg,	Hart,	McKinney,	Sinwell,
Boyd,	Hartman,	Melchiorre,	Snyder,
Brancato,	Heffernan,	Meredith,	Sowers,
Brennan,	Hefferon,	Merrell,	Spann,
Brown, J. E.,	Heffner,	Mohn,	Stank,
Brown, W. L.,	Hermansen,	Moore,	Steedle,
Cannon,	Hester,	Mumford,	Sterling, P.,
Caputo,	Hewitt,	Munley,	Sterling, R. B.,
Carey,	Himes, H. E.,	Murphy,	Stevens,
Carson,	Himes, L. R.,	Myers,	Stiteler,
Chervenak,	Hoffman,	Negley,	Stone,
Cohen,	Holmes, J. B.,	Nothnagle,	Storb,
Conner,	Holmes, J. L.,	O'Connor,	Stott,
Cooke,	Hoopes,	O'Keefe,	Surface,
Cordier,	Horst,	O'Neill,	Tahl,
Craig,	Hough,	O'Rourke,	Terry,
Cramer,	Howard,	Peelor,	Trout,
Dane,	Hutton,	Pennock,	Turner,
Davies,	Jones,	Perry, D. R.,	Wade,
DeFrehn,	Kane, J. J.,	Perry, J. J.,	Wagner,
Denning,	Kane, L. P.,	Peters,	Walker, G. E.,
Downey, G. E.,	King,	Powell,	Walker, W. A.,
Downey, J. J.,	Kinney,	Powers,	Wall,
Duffy,	Labar,	Quinn,	Wasserman,
Dunmire,	Lane,	Raub,	Way,
Ederer,	Laubach,	Reed,	Weidemann,
Emhardt,	Lenahan,	Reilly,	Welsh,
Eroe,	Lewis,	Rhodes,	Westrick,
Evans,	Long,	Rice,	White,
Fitzgerald,	Lord,	Roan,	Wike,
Flanagan,	Lose,	Royle,	Williams, G. W.,
Fleisher,	Lovett, J. E.,	Ruby,	Williams, J. J.,
Flinchbaugh	Lovett, W. S.,	Ruth,	Wilson, L. M.,
Flynn, J. M.,	Lynch, J. R.,	Sarig,	Wilson, T. B.,
Forrest,	Lynch, M.,	Sautter,	Wood,
Furman,	Malina,	Schrock,	Woodside,
Gallagher, T. J.,	Maloney,	Schrope,	Wright,
Gallagher, W. J.,	Marcks,	Schwab,	Yeakel,
Gartner,	Mason,	Schwartz,	Yourishin,
Gillette,	McBride,	Scorza,	Zimmerman,
Gorman,	McCandless,	Scott,	Talbot,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 114 (Senate Bill No. 19), entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191

Andrews,	Greenstein,	McCandless,	Scott,
Baker,	Griffith,	McClure,	Sheffer,
Baldi,	Habbyshaw,	McCreary,	Shellenberger,
Barnhardt	Haines,	McElwee,	Shenkel,
Bechtel,	Hamilton,	McGinnis,	Shettel,
Beech,	Harmuth,	McGregor,	Shortz,
Bennett,	Harris,	McHenry,	Shugarts,
Bernhard,	Hart,	McKay,	Simon,
Boyd,	Hartman,	McKinney,	Sinwell,
Brancato,	Heffernan,	Melchiorre,	Snyder,
Brennan,	Hefferon,	Meredith,	Sowers,
Brown, J. E.,	Heffner,	Merrell,	Spann,
Brown, W. L	Hermansen,	Mohn,	Stank,
Brownfield,	Hewitt,	Moore,	Steedle,
Cannon,	Himes, H. E.,	Mumford,	Sterling, P.,
Caputo,	Himes, L. R.,	Murphy,	Sterling, R. B.,
Carey,	Hoffman,	Myers,	Stevens,
Carson,	Holmes, J. B.,	Negley,	Stiteler,
Cohen,	Holmes, J. L.,	Nothnagle,	Stone,
Conner,	Hoopes,	O'Connor	Storb,
Cooke,	Horst,	O'Keefe,	Stott,
Cordier,	Hough,	O'Rourke,	Surface,
Craig,	Howard,	Patterson,	Tahl,
Cramer,	Hutton,	Pennock,	Trout,
Dane,	Jaffe,	Perry, D. R.,	Turner,
Davies,	Jones,	Perry, J. J.,	Wade,
DeFrehn,	Kane, J. J.,	Peters,	Wagner,
Dunning,	Kane, L. P.,	Powell,	Walker, G. E.,
Downey, G. E.,	King,	Powers,	Walker, W. A.,
Downey, J. J.,	Kinney,	Price,	Wall,
Duffy,	Labar,	Quinn,	Wasserman,
Ederer,	Lane,	Raub,	Way,
Emhardt,	Laubach,	Rectenwald,	Weidemann,
Eroe,	Lenahan,	Reed,	Welsh,
Evans,	Lewis,	Reilly,	White,
Fitzgerald,	Long,	Rhodes,	Wike,
Flanagan,	Lord,	Rice,	Williams, G. W.,
Fleisher,	Lose,	Roan,	Williams, J. J.,
Flinchbaugh,	Lovett, J. E.,	Royle,	Wilson, L. M.,
Flynn, J. M.,	Lovett, W. S.,	Ruby,	Wilson, T. B.,
Forrest,	Lynch, J. R.,	Ruth,	Witkin,
Furman,	Lynch, M.,	Sarig,	Wood,
Gallagher, T. J.,	Male,	Sautter,	Woodside,
Gallagher, W. J.,	Malina,	Schrock,	Yeakel,
Gartner,	Maloney,	Schrope,	Yourishin,
Gillette,	Marcks,	Schwab,	Zimmerman,
Gorman,	Mason,	Schwartz,	Talbot,
Green,	McBride,	Scorza,	Speaker.

NAYS—2

Munley,	O'Neill,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 161 (Senate Bill No. 17), entitled:

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties or city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by excluding interest bearing accounts in any bank or banking institution savings institution or trust company from the provisions thereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I desire to be on record as opposed to this measure. It is the same old Einstein Bill, dedicated to the theory, the Einstein theory, that real estate should pay all taxes. This measure appeared in the regular session, and at the regular session the proponents of this particular idea pased the measure, and as they thought, repealed the four mill tax. When the smoke had cleared away, they found that instead of repealing the four mill tax they had simply transferred the four mill tax to the bank. At the present time the bank pays the four mill tax. This measure is designed to relieve the bank from that obligation, an obligation which I presume the bank can transfer to the depositor. Having spoken upon this measure yesterday, or upon the principle contained in the Baker measure, I shall not take the time of this House to discus it further. The proposition is as I stated to you yesterday. Any tax that you take off of money you put on real estate, and I protest against the theory that money should be exempt and real estate penalized, and therefore I oppose this measure.

Mr. HOOPES. Mr. Speaker, I too want to be on record as being aginst this bill for the same reasons that I stated yesterday against the Baker Bill. We were told Monday evening of this week that the financial condition of this Commonwealth was precarious, and it is very doubtful whether we would get as much money from the various liquor measures as has been estimated, and even if we do, we will have difficulty in meeting the needs for old age pensions, old age assistance and mothers' assistance, for unemployment insurance, for the schools, and other matters which we must take care of. This is not a time to repeal a tax measure. I do not consider this an ideal tax measure. I can think of several tax measures that are much better than this. Nevertheless, it is one that we have and one from which we have been deriving considerable revenue heretofore. At the last regular session by the action of this House, it was transferred from the depositors to the banks. The banks will probably, as the gentleman from Cambria has suggested, transfer it back to the depositors, and I suspect that they have already done that in having reduced the interest rates on savings accounts and I doubt very much if they will add

it again if this bill passes. I don't think we should relieve the banks before they relieve the unemployed and the aged, and our financially handicapped school districts. I therefore urge you to vote against this bill and to keep this tax measure on the books.

Mr. WILSON. Mr. Speaker and members of the House, I have no interest in this matter except that I want to make a statement to the House to clarify the situation, if I can.

At the last session of the Legislature certain legislation was attempted. After that legislation was all over, it was announced in the papers, but not announced with the consent of the Attorney General or with his name attached to it, that we had put the tax on the banks instead of on the depositors. That was not so. This question was taken into the courts, and we have a decision which was handed down by the courts of Allegheny County, in which they decided that the tax was not on the banks nor on the depositors, due to the fact that the word "indebtedness" does not apply to bank deposits. In other words, the only way it could be a tax on the bank or the depositors was in case that that it was decided that this was a debt due to the depositor from the bank, but the courts have decided that it is not a debt, and I think that every member of the House who will look at this question seriously will see that you could not institute a suit at any time to recover it, and if that is the case, it is not a debt of the bank. It is money that they hold on deposit for you, but the banks don't owe you that money.

This tax will not be on the bank and it will not be on the individual. We will not get the money any way. These taxes will not come out of the treasury of the State of Pennsylvania. I think that no lady or gentleman in this House would accuse me of asking for this if I thought it would take the money out of the treasury.

I realize that we are not going to have enough money to get through, leaving out the social legislation which is proposed. If none of it was passed you are not going to have money enough to go through the biennium; you are not going to have money enough to go until your next session of the Legislature. If I thought or if I had a suspicion that this would take any money of the treasury, I would not vote for it. The money will not come to the treasury any way, whether you pass it or do not pass it, but this measure clears up the situation and puts us in accord with what the courts have held in deciding this question. It won't take a dollar from the treasury of Pennsylvania, because we won't get it any way, whether the tax is on the bank or on the individual.

Mr. COHEN. Mr. Speaker and members of the House, when the Einstein Bill was finally enacted at the last session, the Attorney General issued a statement that it imposed the tax, or shifted it from the depositors to the bank, and that $8,000,000 would be thereby collected. That $8,000,000 had been taken into consideration by the leaders of the House and by the Administration and Organization leaders of the House, and there was no denial at that time by any of these so-called leaders that they contemplated receiving the $8,000,000 from the bank. That $8,000,000 of a tax imposition on the banks was undoubtedly known to the leaders on both sides, but only after the banks of the State created opposition to the bill and an attempt made to destroy that bill. We passed the Coyne Bill, which you know was vetoed by the Governor, because that had made no provision for the $8,000,000, and the gentleman from McKean, Mr. Wilson, intimates that the courts will not hold this act constitutional or will not hold the act as an effective tax measure. I say to the gentleman from McKean, let that burden rest on the courts, and not on the membership of the House. We have heard a whole lot about the money that was on deposit in the banks in the State of Pennsylvania. I don't know exactly how much money is on deposit in the Commonwealth, but I think that the gentleman in the discussion in the last session intimated there was three and a half billion on deposit in savings accounts. If that sum of money can exist in this Commonwealth, three and a half millions of dollars, without any attempt being made in any manner to make them share in bearing the expenses of the Government. I think that we are not justified in passing this measure and imposing additional taxes on real estate. I say it is not right that three and a half million dollars should go untaxed when we have numerous and innumerable landlords who are not getting any rent for their properties, innumerable property owners who cannot pay their taxes. I say that the responsibility should be placed on the courts to decide this question, and not on the membership of the House, and I ask the membership of this House to defeat this bill.

Mr. STORB. Mr. Speaker and ladies and gentlemen of the House, I think this bill is the same bill that was passed at the regular session or the Spring session of the Legislature, the Einstein Bill which was passed, which relieved depositors in savings bank and trust companies from taxes on deposits. That Act was unconstitutional because the Constitution of the State of Pennsylvania says that you cannot tax John Brown's money and let John Jones' money go free. You cannot tax money on interest and mortgages and promissory notes four mills, and let the man that has his money in savings deposits go free. It is unconstitutional. Another thing, you cannot tax the banks for moneys which they don't own.

Banks don't own these deposits; they belong to the depositors and not to the bank. The National banks particularly are the creature of the Federal Government and they allow the tax to be placed by the State of Pennsylvania on National banks of a four mill tax, the same as they tax other citizens of Pennsylvania, and the capital stock, surplus and other funds. You cannot tax National banks. This will clear up the situation as it was before the law was passed and leave the tax on the depositor where it belongs. It is the depositor that gets the interest and he should pay the taxes. The banks don't get the interest, they pay interest. I think this would get the State of Pennsylvania out of the hole. The Governor knows that he cannot collect these taxes and he is willing to go along. You should vote for this bill and clear up this situation and let the State of Pennsylvania collect the taxes from the owner of the money.

Mr. FLINCHBAUGH. Mr. Speaker and members of the House, I don't like to disagree with my colleague from York but I want to say I think this is a very meritorious measure and should be enacted. Very considerable thought was given to the passage of the Einstein bill last session and the net result has reduced the interest on savings deposits. I think there is an erroneous impression on the part of the members of this House that the passage of this bill would place an additional burden on real estate and that if he attempted to put this act on the statute books real estate would be relieved of some of the burden it carries. Whether we pass this act or not I think that real estate would bear the same burden of taxation as it has heretofore because since I have been a member of this House, for three or four sessions past, we have passed many measures imposing taxes on the people of the Commonwealth. We have all talked about tax re-

ductions and here is one opportunity for a reduction of taxes, a reduction of taxes upon a class of people who are not at all wealthy. This tax is not paid by the wealthy man. The cry is that we want to soak the rich. This bill doesn't do it because the rich man is not investing his money in saving accounts, he invests his money in tax-free securities.

I know of a bank that has a great many saving accounts and the treasurer told me just recently that few of them run as much as a thousand dollars. The average savings accounts are in moderate sums running from one hundred to five hundred dollars and often less. It is the little money that the working man, the mechanic, the man of small means has placed aside for a rainy day, or an emergency, or a time when sickness comes to his family, or times when it may be necessary to bear some funeral expenses or some other vital expenses that he may have the funds on hand. I think in deference to the small man, the man of small means, the man who has saved for a rainy day, I think there is nothing better than we can do than to vote for this measure.

Mr. WILSON. Mr. Speaker and members of the House, I don't want to weary you but I just want to get myself on record as to the effect that this bill will have on the present situation. There is no tax now on bank deposits bearing interest, or on the bank and there is an uncertainty in the banks of the State of Pennsylvania whether or not they have to pay this tax and they are uncertain what they should pay on time deposits. There is no way on earth to collect this tax and the Commonwealth of Pennsylvania has never attempted to collect it, no money has been collected from this tax and no money will be. The only way that it could be collected would be to determine that an interest bearing account was a debt from the bank to the owner of that account, and the courts have held that it is not a debt, and for that reason there won't be a dollar coming to the Commonwealth. The passage of this bill will only let the banking authorities know what their position is. We thought in passing this bill that we took the burden off the interest bearing accounts and that we were relieving them of that and putting it on the banks. That is not the law. We didn't do that. I want to call the attention of the Legislature to this fact. We thought we were putting the tax on the bank instead of on the account. We didn't do any such thing. That was not the fact and there cannot be and there is no tax today on these accounts. The only thing that this bill will do will be to clear the situation and let the banks know where they are at, and let them know that they do not have to pay this tax and relieve the entire situation. I think that we should pass it.

Mr. McCREARY. Mr. Speaker and members of the House, this same bill in another form came up yesterday. This is one of those controversial questions that appear from time to time. If a question is controversial, that indicates it is not good for everybody, or else they would not controvert it.

I wonder if you know that this bill that is referred to here, dates back to 1913, twenty years ago, when this four mill tax was changed from a State tax to a county tax and was put on all classes of intangibles, including deposits in banks and would go to the counties, but during these twenty years the county commissioners in nine-tenths of the sixty-seven counties in the State of Pennsylvania who were elected to represent the people, have neglected their jobs. They laid down on their jobs, which you elected them to do, by not instructing their assessors to assess this intangible property. I will take for instance Erie County. There are between one hundred and thirty and one hundred and forty millions of dollars of intangible taxes in Erie County, and only thirty million dollars have ever paid this four mill tax, and it is an injustice to every man who owns a farm or owns a home, because his taxes have been increased, till he is paying now nine times as much tax as he did in 1913. In Erie County there are over forty-three million dollars in the banks on interest bearing accounts, and only ten per cent. of that has ever been acknowledged to the assessor and paid this four mill tax. If you are going to pay taxes, there is only one way to pay them. You have to pay taxes with money, you have to have money to pay your taxes, and you have to have an income of some kind. If you put it in the bank you get interest and you have an income from it. Where you have a man with a two thousand dollar home, he will be assessed at thirty mills. If he has two thousand dollars in a savings account, he is only assessed four mills. You ask this man with a savings account to pay four dollars on a thousand, and you ask a man with a home to pay sixty-six dollars on his home. I know that this is a controversial question, and I say to you that if you vote yes on this bill you will vote to make the home and the farm owner pay that much more tax. I protest against this, and every thinking man should say the same thing, vote no on this bill.

Mr. J. E. BROWN. Mr. Speaker and members of the House, I don't know as I am going to make you a flowery speech, but I am familiar with some of the points of this, and I think I would not attend to my duties unless I attempted to say a word or two.

Mr. Speaker and members of the House, I am a little ashamed of myself that I have not attempted to speak a few words before. I am not a banker, but I happen to know a little bit about this. To start with, last January I was handed a letter by my banker which had been received from the Banker's Association, asking that a bill be presented to dispense with the four mills tax on savings accounts. It didn't look right to me. I have a property and I pay taxes on it. I am also going to tell you that I have a little bit of money in the bank, not very much, but it is there because I cannot get it out, and sometimes I go to another bank and try to borrow a little money when I need the money. I am willing to pay four mills on that money which I have in bank, and I have pretty nearly as much money in the bank as I am assessed for my property. I am only assessed four mills on my savings account, but I am assessed probably twenty-five or thirty mills on my home. I have never objected to that. I would not care how much money I had in the bank; I would be perfectly willing to have a lot of money in the bank and pay taxes on it. We stand for an equalization of taxes. We have a lot of young folks who make a small salary and who put it in a bank in a savings account. We want these young people to learn to pay taxes. As long as the money is well spent I have never bucked a tax yet. If they don't get the money, if there is no money derived from these savings accounts, it is the fault of the officers. . We have the law. . Every year the assessor comes around to my house, and I am usually not at home, and he leaves me a slip asking if I have any savings account, and I fill out the slip and I say "yes" and I pay my fourteen dollars. Therefore, I cannot see how the member from McKean, Mr. Wilson, can say that no one derives any revenue from this source. I know I pay my fourteen dollars. That is certainly revenue. We want an equalization of taxation. This tax will help reduce our tax on real estate. It should be collected. There is no question but what we are liable

to need a whole lot more money than what we are getting. You will find in the next year that we will be short of revenues. This State cannot be drunk in order to raise money on liquor taxes. We cannot drink enough whisky to raise revenue enough to run this State. I am for equalization. The only way to get money is to go where it is. Don't try to tax the farmer and the home owner who don't have any money to pay his taxes. You cannot get any money from a turnip, therefore I certainly will vote against this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. McCREARY. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—129

Baker,	Hefferon,	Meredith,	Snyder,
Baldi,	Heffner,	Merrell,	Sowers,
Bechtel,	Hermansen,	Mohn,	Spann,
Bennett,	Hewitt,	Moore,	Stank,
Blumberg,	Himes, H. E.,	Mumford,	Steedle,
Brancato,	Himes, L. R.,	Munley,	Sterling, P.,
Brennan,	Hoffman,	Murphy,	Sterling, R. B.,
Brown, W. L.,	Holmes, J. B.,	Myers,	Stiteler,
Conner,	Holmes, J. L.,	O'Neill,	Stone,
Cooke,	Horst,	O'Rourke,	Storb,
Cordier,	Hough,	Patterson,	Stott,
Craig,	Hutton,	Peelor,	Tahl,
DeFrehn,	Jaffe,	Pennock,	Terry,
Ederer,	Jones,	Perry, D. R.,	Trout,
Emhardt,	King,	Perry, J. J.,	Turner,
Eroe,	Laubach,	Peters,	Wade,
Evans,	Lord,	Powell,	Walker, G. E.,
Flanagan,	Lose,	Price,	Walker, W. A.,
Fleisher,	Lovett, W. S.,	Rectenwald,	Wall,
Flinchbaugh,	Lynch, J. R.,	Reed,	Way,
Forrest,	Lynch, M.,	Rhodes,	Weidemann,
Gallagher, W. J.,	Malina,	Rice,	White,
Gartner,	Maloney,	Roan,	Wike,
Gillette,	Mason,	Ruby,	Williams, G. W.
Green,	McBride,	Sautter,	Williams, J. J.,
Greenstein,	McCandless,	Schrock,	Wilson, T. B.,
Habbyshaw,	McClure,	Schrope,	Witkin,
Haines,	McElwee,	Schwartz,	Wood,
Hamilton,	McGregor,	Scott,	Wright,
Harris,	McHenry,	Sheffer,	Yourishin,
Hart,	McKay,	Shellenberger	Zimmerman,
Hartman,	McKinney,	Shettel,	Talbot,
Heffernan,	Melchiorre,	Shortz,	Speaker.

NAYS—59

Andrews,	Dane,	Kane, L. P.,	Quinn,
Barnhardt,	Davies,	Kinney,	Raub,
Beech,	Downey, G. E.,	Lane,	Reilly,
Bernhard,	Downey, J. J.,	Lenahan,	Roth,
Boyd,	Dunmire,	Lewis,	Ruth,
Brown, J. E.,	Fitzgerald,	Long,	Sarig,
Brownfield,	Flynn, J. W.,	Lovett, J. E.,	Shenkel,
Cannon,	Furman,	Male,	Shugarts,
Caputo,	Gorman,	McCreary,	Stevens,
Carey,	Harmuth,	McGinnis,	Wagner,
Carson,	Hester,	McGrail,	Welsh,
Chervenak,	Hoopes,	O'Connor,	Westrick,
Cohen,	Howard,	O'Keefe,	Wilson, L. M.,
Cramer,	Kane, J. J.,	Powers,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

BILL ON FINAL PASSAGE

Mr. BAKER. Mr. Speaker, I desire to call up at this time House Bill No. 119, Printer's No. 37, on page 11 of today's calendar, bill on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Baker,

The House resumed the consideration on final passage of House Bill No. 119, entitled:

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended construing the word "indebtedness" as used in said section and denying the right of the Commonwealth to collect taxes on deposits in banks banking institutions saving institutions and trust companies

On the question recurring,

Shall the bill pass finally?

Mr. HOOPES. Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Union, Mr. Baker, permit himself to be interrogated?

Mr. BAKER. I will, Mr. Speaker.

Mr. HOOPES. Mr. Speaker, I desire to ask, what does this bill do that the one which we just passed doesn't do?

Mr. BAKER. Mr. Speaker, this does the same thing that the other bill does.

Mr. HOOPES. Mr. Speaker, why should we do the same thing twice.

Mr. BAKER. Because it is a House Bill, and the other is a Senate Bill.

Mr. HOOPES. Mr. Speaker, it seems to me that this bill can be dropped from the calendar. I cannot see any earthly reason why we should pass this bill.

The SPEAKER. The Chair asks the gentleman from Berks, Mr. Hoopes, if he makes a motion to that effect?

MOTION TO DROP BILL FROM CALENDAR

Mr. HOOPES. Mr. Speaker, I move that this bill be dropped from the calendar.

On the question,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—114

Baker,	Heffner,	Mumford,	Snyder,
Baldi,	Hermansen,	Murphy,	Sowers,
Bennett,	Hewitt,	Myers,	Spann,
Blumberg,	Himes, H. E.,	Nothnagle,	Stank,
Brancato,	Himes, L. R.,	O'Neill,	Steedle,
Brennan,	Hoffman,	O'Rourke,	Sterling, P.,
Brown, W. L.,	Horst,	Patterson,	Stiteler,
Cooke,	Hough,	Peelor,	Storb,
Cordier,	Hutton,	Pennock,	Stott,
Craig,	Jaffe,	Perry, D. R.,	Tahl,
Cramer,	Jones,	Perry, J. J.,	Terry,
Davies,	Kane, L. P.,	Peters,	Trout,
DeFrehn,	King,	Powell,	Turner,
Denning,	Labar,	Price,	Wade,
Duffy,	Laubach,	Rectenwald,	Wall,
Ederer,	Lose,	Reed,	Way,
Flanagan,	Lovett, W. S.,	Rhodes,	Weidemann,
Fleisher,	Lynch, J. R.,	Rice,	White,
Flynn, J. M.,	Malina,	Roan,	Wike,
Forrest,	Mason,	Ruby,	Williams, G. W.,
Gillette,	McBride,	Sautter,	Williams, J. J.,

Green,	McCandless,	Schrock,	Wilson, T. B.,
Greenstein,	McClure,	Schwartz,	Witkin,
Griffith,	McElwee,	Scott,	Wood,
Habbyshaw,	McGregor,	Sheffer,	Woodside,
Haines,	McKay,	Shellenberger,	Wright,
Hart,	McKinney,	Shenkel,	Yeakel,
Hartman,	Meredith,	Shortz,	Talbot,
Heffernan,	Mohn,	Shreiner,	Speaker.
Hefferon,	Moore,		

NAYS—55

Andrews,	Downey, G. E.,	Lane,	Roth,
Barnhardt,	Downey, J. J.,	Lenahan,	Ruth,
Bechtel,	Emhardt,	Lewis,	Sarig,
Beech,	Fitzgerald,	Long,	Schrope,
Bernhard,	Furman,	Lord,	Shugarts,
Boyd,	Gallagher, T. J.,	Lovett, J. E.,	Sterling, R. B.,
Brown, J. E.,	Gallagher, W. J.,	Male,	Stevens,
Brownfield,	Gartner,	McCreary,	Surface,
Cannon,	Gorman,	McGinnis,	Wagner,
Caputo,	Harris,	McGrail,	Welsh,
Carson,	Hester,	Melchiorre,	Westrick,
Chervenak,	Hoopes,	O'Connor,	Wilson, L. M.,
Cohen,	Howard,	Quinn,	Yourishin,
Conner,	Kane, J. J.,	Raub,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 78, entitled:

An Act making an appropriation out of The State Stores Fund to the Department of Welfare for old age assistance

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Green,	McClure,	Shellenberger,
Baker,	Greenstein,	McCreary,	Shettel,
Baldi,	Griffith,	McElwee,	Shortz,
Barnhardt,	Habbyshaw,	McGinnis,	Shreiner,
Bechtel,	Haines,	McGrail,	Shugarts,
Beech,	Hamilton,	McGregor,	Simon,
Bennett,	Harmuth,	McKay,	Snyder,
Bernhard,	Harris,	McKinney,	Sowers,
Blumberg,	Hart,	Melchiorre,	Spann,
Boyd,	Hartman,	Meredith,	Stank,
Brancato,	Heffernan,	Merrell,	Steedle,
Brennan,	Hefferon,	Mohn,	Sterling, P.,
Brown, J. E.,	Heffner,	Mumford,	Stevens,
Brown, W. L.,	Hester,	Munley,	Stiteler,
Brownfield,	Hewitt,	Murphy,	Stone,
Cannon,	Himes, L. R.,	Myers,	Storb,
Caputo,	Hoffman,	Nothnagle,	Stott,
Carey,	Holmes, J. B.,	O'Connor,	Surface,
Carson,	Holmes, J. L.,	O'Keefe,	Tahl,
Chervenak,	Hoopes,	O'Neill,	Terry,
Cohen,	Horst,	O'Rourke,	Trout,
Conner,	Hough,	Peelor,	Turner,
Cooke,	Howard,	Pennock,	Wade,
Cordier,	Hutton,	Perry, D. R.,	Wagner,
Craig,	Jaffe,	Perry, J. J.,	Walker, W. A.,
Cramer,	Jones,	Peters,	Wall,
Davies,	Kane, J. J.,	Powell,	Wasserman,
DeFrehn,	Kane, L. P.,	Powers,	Way,
Denning,	King,	Price,	Weidemann,
Downey, G. E.,	Kinney,	Quinn,	Welsh,
Downey, J.,	Lane,	Rectenwald,	Westrick,
Duffy,	Laubach,	Reed,	White,
Ederer,	Lenahan,	Rhodes,	Wilt,
Emhardt,	Lewis,	Rice,	Williams, G. W.
Eroe,	Long,	Roan,	Williams, J. J.,
Evans,	Lose,	Royle,	Wilson, L. M.,
Fitzgerald,	Lovett, J. E.,	Ruby,	Wilson, T. B.,
Flanagan,	Lovett, W. S.,	Ruth,	Witkin,
Fleisher,	Lynch, J. R.,	Sarig,	Wood,
Flynn, J. M.,	Lynch, M.,	Sautter,	Woodside,
Flynn, J. W.,	Male,	Schrock,	Wright,
Forrest,	Malina,	Schrope,	Yeakel,
Furman,	Maloney,	Schwartz,	Yourishin,
Gallagher, T. J.,	Marcks,	Scorza,	Zimmerman,
Gallagher, W. J.,	Mason,	Scott,	Talbot,
Gartner,	McCandless,	Sheffer,	Speaker.
Gorman,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 18, as follows:

An Act providing for assistance to aged poor persons and for the sharing of such assistance by the Commonwealth and poor districts providing for the appointment of county boards for the assistance to the aged to administer the provisions hereof and for the payment of their expenses and for the appointment of a State Supervisor and necessary assistants and prescribing his powers and duties imposing duties and liabilities upon the Department of Welfare counties the State Treasurer and the authorities having in charge the administration of local poor relief providing for the acceptance of the provisions hereof by county commissioners and the authorities in poor districts and prescribing penalties

Whereas The appropriation of State moneys for the care of indigent and infirm persons without means or ability to sustain themselves is a recognized function of the State goverment and

Whereas The financial burden of caring for all persons who are without means or ability to sustain themselves has become increasingly burdensome on local communities and

Whereas It is in keeping with the established policy of the Commonwealth and within its constitutional powers to aid poor districts in the care of indigent and infirm persons and

Whereas In the exercise of that power the Commonwealth may itself care for the indigent and infirm or assist poor districts by assuming a portion of such burden and

Whereas It is within the constitutional power of the Legislature to classify poor persons for the purpose of assistance when such classification is based on genuine and substantial distinctions and

Whereas This Legislature is of the opinion that it is proper to classify all such persons into two classes one of which shall consist of all indigent and infirm persons under the age of seventy years who are without means or ability to sustain themselves and the other class consisting of all such persons over the age of seventy years in order that the Commonwealth may assume part of the burden of caring for its dependents therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each county of the Commonwealth which by the action as hereinafter provided accepts the provisions of this act the Governor shall appoint a board composed of seven residents of the county to be called the Board for Assistance to the Aged

Except as herein otherwise provided the members of such board shall hold office for a term of six years and until their successors are duly appointed and qualified

Whenever any county has accepted the provisions of this act the first board shall be appointed as follows Two for two years each two for four years each and three for six years each from the date of their respective appointments.

As the terms of members expire or in cases of vacancies the Governor shall appoint successors for terms of six years each

Section 2 The Secretary of Welfare shall appoint a State Supervisor for assistance to the aged qualified by training and experience. The State Supervisor shall in addition to his or her salary be entitled to all necessary traveling

and office expenses The Secretary of Welfare shall appoint such assistants to the State Supervisor as may be deemed necessary to perform the duties imposed by this act

Section 3 The State Supervisor shall

(a) Have general supervision over the boards of the several counties and shall act as general field organizer

(b) Formulate adopt and issue to the boards of the various counties rules of procedure by which they shall be governed to the end that uniformity of interpretation and practice shall obtain throughout the Commonwealth

(c) Visit twice each year the boards of the several counties accepting the provisions of this act

(d) As general field organizer visit the counties which have not availed themselves of the provisions of this act and shall explain to proper authorites the benefits accruing from the act and the advantages of coming within its provisions

(e) Assist such authorities in establishing the system of assistance provided by this act

Section 4 The administration of this act within the several counties shall be solely in the hands of the boards appointed by the Governor subject however to the rules adopted and issued by the State Supervisor The members of the boards shall serve without compensation but shall receive all actual and necessary expenses incurred in the performance of their duty to be paid by the county treasurer from the moneys of the county in the same way as other expenses of the county

Section 5 The county commissioners of the counties accepting the provisions of this act shall provide the boards with suitable headquarters and shall appoint such competent investigators and clerical assistants as may be necessary for the proper assistance of the board and shall provide suitable furnishings and stationery and provide for the payment of salaries and incidental expenses

Section 6 It shall be the duty of each board to provide financial assistance from the funds made available under the provisions of this act to persons over the age of sixty-five years who by reason of age or other causes are without means or ability to sustain themselves and who are entitled under existing laws to receive poor relief from the poor districts in which they have legal settlements

Section 7 The boards of the various counties shall in no case recommend payment of any assistance under the provisions of this act except upon application therefor by the authorities having in charge the relief of the poor in the district in which the person for whom assistance is desired shall have a legal settlement and not until after an investigation as hereinafter provided

Section 8 The maximum payment allowed by any board shall in no case exceed twenty dollars per month for one person and thirty dollars for a husband and wife

Section 9 Whenever an application is made for relief by any poor authorities for any aged poor person the board directly or through an investigator shall promptly make investigations and after hearing the applicant if he so request if it approve the applications shall decide upon the amount of the assistance to be allowed

Section 10 Before any payment is made to any persons under the provisions of this act a complete report of such person shall be made on such form as may be required by the Department of Welfare one copy of such report shall be placed on file in the office of the board as a record one copy shall be forwarded to the State Supervisor and two copies shall be forwarded with the first application for a warrant for the use of the Auditor General and the treasurer of the proper poor district The copies forwarded to the Auditor General and such treasurer shall be approved by a majority of the board

Section 11 All payments made under the provisions of this act shall continue at the will of the trustees but not beyond the time when any person receiving relief shall have come into possession of sufficient property or income to sustain himself

Section 12 All payments made under the provisions of this act by the State Traesurer and by treasurers of poor districts shall be made direct to the recipient thereof by warrant

Section 13 The State Treasurer after deducting from the entire amount appropriated and reappropriated from time to time by the General Assembly the sums designated for the payment of salaries and expenses in the office of the State Supervisor shall divide the balance of such appropriations into two equal sums One equal part of each sum shall be distributed for the first fiscal year among the several counties according to the classification of the counties as provided in the act making an appropriation to carry into effect the provisions of this act

Section 14 All moneys apportioned and allocated to any county accepting the provisions of this act in which there are two or more poor districts shall be allocated among such poor districts by the State Supervisor

Section 15 No poor district shall receive its allotment of the State appropriation available for any year under the classification appointed by the act making an appropriation to carry into effect the provisions of this act unless the county in which said district is situated has accepted the provisions of this act as herein provided and the poor district or poor districts therein have placed at the disposal of the board a sum equal to the amount available from the State appropriation for such year

Section 16 Acceptance of this act on behalf of a county shall be made in writing by the county commissioners and by the directors or guardians of the poor in any county in which the poor district is coextensive with the county and in other counties by the county commissioners and by the directors overseers departments or other agencies representing poor districts containing at least one-half of the population of the entire county

No poor district shall be entitled to the benefits of this act unless it has accepted the same as above provided which acceptance may be effected after the county has accepted the act as above provided

Section 17 On the first day of June of the second fiscal year following each State appropriation the State Treasurer shall apportion among the various counties which have accepted the provisions of this act before the end of the first fiscal year for the use of the poor district or poor districts therein a sum equal to the amount apportioned to such county during the first fiscal year according to the aforesaid classification including therein all unexpended balances from the previous fiscal year credited to the several counties accepting the provisions of this act which unexpended moneys shall remain available during the second fiscal year for use in the counties to which theretofore credited and excluding all moneys apportioned to the several counties which have not availed themselves of the provisions of this act He shall likewise exclude from said apportionment all moneys appropriated for the second fiscal year for counties which have not accepted the provisions of this act before the end of the first fiscal year

Section 18 All funds set aside from year to year for counties which have not availed themselves of the provisions of this act shall be set aside into a surplus fund The surplus fund shall be available during the second fiscal year in the counties which have availed themselves of the provisions of this act before the end of the first fiscal year but no county shall be entitled ton an amount from such fund in excess of twenty-five per centum of the aggregate sum apportioned and set aside by the State Treasurer to that county for the two year period and no such county shall participate in such surplus fund unless the poor district or poor districts therein shall in addition to the appropriations hereinbefore required appropriate a sum equal to the amount which it desires from the surplus fund

Section 19 Any person securing any assistance contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment for a period not exceeding one year or both at the discretion of the court

Section 20 A detailed report of the number of beneficiaries the amount expended and the advantages and disadvantages of the system with recommendations for improvement shall be made by the State Supervisor to the General Assembly at the beginning of each session of the General Assembly

Section 21 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SARIG. Mr. Speaker and members of the House, this is one of the measures upon which action has been taken by the Democratic members in caucus, and I have been asked to explain their attitude on this measure.

The Democratic delegation, of course, as heretofore, still stands first, last and all the time, for a real old age pension bill, but inasmuch as the last regular session of the Legislture defeated the joint resolution necessary for such a referendum, we accept the substitute in lieu thereof. If we were forced to vote only on one bill, we would support this bill. As it is, however, there are two substitutes placed before us, either one of the them being an old age assistance. Between the two we favor the other bill, because on this bill half of the burden reverts back to a tax on real estate. In other words, the county will have to furnish half of the money and the county must raise this money almost entirely by a tax on real estate. It so happens that a great many counties in Pennsylvania are not in a financial position to take advantage of this matter and if this bill were to become a law it would mean that we would have old age assistance only in spots instead of having old age assistance over the State in general. For that reason we prefer the other bill, the Blumberg bill, which places the entire burden upon the State, and in other words, provides for the money to be taken out of the State Stores Fund.

We have already passed an appropriation bill for $8,000,000, providing this money is available. If we now pass this bill, we are already throwing back into uselessness one half of that money, because under this act only one-half would be paid by the State. For this reason we prefer the other bill inasmuch as it does not add to the burden of real estate more than the setting up of the machinery, which is not such a very heavy item.

Mr. QUINN. Mr. Speaker and members of the House, brevity is the soul of unit and I am going to try to merit your everlasting admiration by being brief on this measure, one of the many pieces of social legislation that we hear so much about, one of the things that the newspapers call "human interest," and which is going to be paramount, I believe, for the next few days, and I believe for the rest of the session. It is well at this time that we get a comprehensive view of this proposition, that we get a mutual understanding, that we get a close view of the subject at hand, so that we may better understand it.

My dear men and women, this thing of socialization has been man's highest ambition and desire since he came out of the woods as a semi-savage. He socialized the thing nearest to him, the tree, and he created the greatest invention ever made, the round wheel, because it lifted him from the class of the beast of burden.

Society, civilization, religion, morality, has travelled in cycles. We have socialized everything except the human being. We have never been able to keep social measures at a high plane. War has brought on degradation, misery and poverty, that period through which we have passed. Great wealth of this nation brought to us an era of immorality or unmorality, if you wish; then followed an era of dire need or direst hunger and misery. As the poet says "One touch of nature makes the whole world kin." Then men began to think in new ways of things; they began to think that they should socialize that thing. the noblest work of God, man.

My dear men and women, it is inevitable. We are in a new day, we are in a new era, we are, if you please, if you choose to accept the Democratic term, in a New Deal, or Better Deal. Fellow feeling makes equals of all mankind, and this sort of feeling we will develop to the highest altitude, so that we can better realize the Divine command "Thou shalt love thy neighbor as thyself."

In the socialization program today I am amazed that a small group represented by certain manufacturers, by certain commercial bodies should be so narrow, so contracted that they fail to see the handwriting on the wall.

I question whether in the great Commonwealth of Pennsylvania any real industry, any big league manufacturer, having outstanding prominence or eminence opposes socialization, knowing as does every man who employes labor that the most vital factor he has is labor, that the happy and contented workmen are the best workmen. If he fears that the slight burden of taxation that may be imposed upon him will force him to leave this State then I say that he should leave this State. The manufacturer who cannot pay more than a living wage has no business to clutter up the avenues of industry, and stop the prograss of progressive manufacturers. Any commercial body which poses as an exponent of high ideals after all appreciates the fact that the greatest thing that Pennsylvania has is its manhood and its wormanhood. The one dread and the one worry of man has been poverty, dread of the poorhouse, that in the twilight of his life he and that aged companion must travel over the hills to the poorhouse.

My dear men and women we must remove that worry; we must remove that fear, that dread which overshadows man. We must make him a free man but before doing that we must deny the rich, the small portion of greedy rich, who unfortunately need education when they oppose the progress of humanity.

This bill has been explained to you, and our attitude as Democratic members of this House, by the former speaker as a makeshift. Let us face this issue of social legislation manfully, heroically, courageously. Let us say "We are my brother's keeper." Let us be true to ourselves, let us be true to our State, let us place Pennsylvania where it rightfully belongs with this social legislation, in uplift, in progress, among the great states of the Union. Let us vote for every social bill, even if it helps but one man or one woman it will be better than having nothing.

Mr. BENNETT. Mr. Speaker and members of the House, I too, like my friend from Allegheny County, Mr. Quinn, will be brief, but I feel that I would be remiss in my duties as a Republican member of this House to sit in my place and hear my distinguished colleague speak of the New Deal by the President nationally and tying it up wrongly with social legislation in the State of Pennsylvania. I wish to call to the attention of my friend and colleague from Allegheny, the statement made by our distinguished Governor when he addressed this body yesterday and spoke of the social legislation that had its inspiration and beginning and inception during the administration of former Governor Brumbaugh of this State, a Republican. At any time, and it doesn't take any stretch of imagination or memory, to know that the minority party in this House numbered less than twenty, and that the inspirer and the creator and the backer, and the man who did the heroic work and who put over that legislation, the Mothers' Assistance Fund and various measures aimed at the improvement and benefit of mankind and of labor, and I speak very directly for those who labor, since I learned my trade in my youth and spent ten years at it, the leader of that party at that time was the late Senator Edward Vare of Philadelphia, the Republican leader then of the city of Philadelphia. When they speak of social legislation for the

State of Pennsylvania, and by inference and by innuendo seem to impeach and indict this great glorious State and its people, employe and employer alike, let us go back to what the gentleman who has just taken his seat has said, and let us call his attention to what was mentioned recently by Miss Perkins of Washington, who belongs to the Cabinet of the New Deal, when she said that the people of the South were shoeless and that the shoe industry of the north and of the east would increase their production and their wealth a quarter and would reap a glorious harvest if it were made possible to purchase a pair of shoes for each person in the South.

I do not like, and I refuse to sit in this House and have the State of Pennsylvania indicted by men who can very well turn their attention to the most heinous offenses that are committed against society in the direction of labor conditions in the south below the Mason and Dixon Line, that is the father and mother and home of the perpetuators of the great Democratic Party that has been in existence in this country since the beginning of this Nation. As far as I am concerned, as an humble man, without investment in mine, mill, foundry, factory or farm, I don't presume to set in this House at any time and allow any member of the minority party, with all due respect for them, speak in the sense of any narrow partisanship or any provincialism or parochialism, I don't intend to sit here, to repeat again and hear this great State's name villified and indicted by tying up every piece of social legislation with the New Deal. I take my hat off to the New Deal. I give it endorsement, as I said here two weeks ago that the Republican Party nationally are giving it, and I don't speak for my party. I am a meek, halting, inarticulate voice almost in the great party that I belong to, but as a single member of the great party to which I belong, I do hope and pray that the same loyal cooperation and the same fine patriotic service that has been given since the election of Franklin D. Roosevelt to the presidency by the leaders of the Republican Party in Congress, will continue unalloyed, unadulterated and as patriotically as it has been given in the past eleven or twelve months. But notwithstanding that, I do say that as a member of that party, as a citizen of this State, I will not sit here at any time and hear the villification and indictment by dragging every mention of social legislation under the banner of the New Deal.

The Republican Party since the days of the Civil War when it struck its mightiest blow for the abolition of slavery and the improvement of social conditions, when it raised its banners, spent its money, spilt its blood on the fair fields of this land, North and South; they struck the first great blow for social justice and social legislation which they abolished slavery by the blood of hundreds of thousands of the fairest men and women that ever graced civilization in the North. From that day the Republican Party has no apology, it has nothing to retract, it has everything to be proud of when it comes to social legislation. It began with the abolition of slavery in the Nation. This grand, glorious prosperous, unique, Keystone State, led by an overwhelmingly Republican vote, led by Republican leaders, governed by a Republican governor and the members of this House and Senate on the other side, overwhelmingly Republican, passed the most recent, most constructive and the most humanitarian piece of social legislation, and I have been connected in that endeavor for the past twenty years, when it passed the Mothers' Assistance Fund in this House and made it a Republican measure in committee deliberations in enactment and in fact. I hope that the men, the members and my friends and colleagues who are here to which I might say appropo the words of the great Alexander Pope, the famous poet will apply,

> "A little learning is a dangerous thing;
> Drink deep or touch not the Pyrem spring;
> For shallow draughts intoxicate the brain,
> While drinking deeply sobers us again."

Let them not be so intoxicated with sixty-five members in this House as to think they can indict not only the living but the dead men who have ruled this State and filled the executive seat and this membership of this deliberate body for the past seventy years, I will not plead guilty to that indictment; I will not remain silent, and I have no brief for my party.

I do say in conclusion, the Republican Party as far as timber is concerned is for every social measure that comes before this House; the Republican Party has stood for every social measure and enacted it by acts written in our statute books. I will not sit here and hear my State nor my party indicted nor its component members in their efforts in behalf of humanity in the name and under the seemingly hypnotic plea of the New Deal. I hope the New Deal does not turn into a Raw Deal, but whether it does or does not, that is not the responsibility of this House, and speaking for myself, let us enact here a legislation that belongs in Pennsylvania, without forever this seeming intimation that if you don't do so you are opposed to the President of the United States. We have never been disloyal to a President of the United States, the Republican Party, since it came into being. We have given constructive advice, cooperation and service, and we have written the greatest page of human history that the world has ever recorded from the days of ancient Babylon to the present era, in the history of the Republican Party for the past seventy years in this great Nation. I thank you, my friends.

Mr. EDERER. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Forrest, Storb, Laubach, Baker, Peters, McElwee, Wall, George W. Williams, Conner, Mumford, Harry E. Himes, McGregor, Pennock, Heffernan, Hewitt, McCandless, Habbyshaw, John L. Holmes, Shelfer, Surface, Haines, Horst and others.

On the question,

Shall the main question be now put?

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—62

Baker,	Hamilton,	Merrell,	Trout,
Baldi,	Heffner,	Munley,	Turner,
Bennett,	Hoffman,	O'Neill,	Wade,
Bernhard,	Holmes, J. L.,	O'Rourke,	Wall,
Brennan,	Hough,	Patterson,	Weidemann,
Carey,	Hutton,	Peelor,	White,
Dane,	Jaffe,	Rectenwald,	Williams G. W.,
Davies,	Kane, L. P.,	Reed,	Williams, J. J.,
DeFrehn,	King,	Rhodes,	Wilson, I. B.,
Ederer,	Lewis,	Rice,	Witkin,
Evans,	Lose,	Root,	Wood,
Flynn, J. M.,	Lynch, J. R.,	Schrock,	Wright,
Forrest,	McElwee,	Sheffer,	Yeakel,
Gallagher, W. J.,	McGregor,	Snyder,	Zimmerman,
Gillette,	McKay,	Spann,	Talbot,
Haines,	McKinney,	Storb,	Speaker.

NAYS—101

Andrews,	Gartner,	Malina,	Sarig,
Barnhardt,	Gorman,	Maloney,	Sautter,
Bechtel,	Green,	Marcks,	Schrope,

Beech,	Greenstein,	Mason,	Schwartz,
Boyd,	Harmuth,	McClure,	Scott,
Brancato,	Hartman,	McGinnis,	Shellenberger
Brown, J. E.,	Heffernan,	McGrail,	Shettel,
Brown, W. L.,	Hermansen	McHenry,	Shortz,
Brownfield,	Hester,	Melchiorre,	Shugarts,
Caputo,	Hewitt,	Mohn,	Sowers,
Carson,	Himes, L. R.,	Moore,	Stank,
Chervenak,	Holmes, J. B	O'Connor,	Sterling, P.,
Cohen,	Hoopes,	O'Keefe,	Sterling, R. B
Conner,	Howard,	Pennock,	Stevens,
Craig,	Jones,	Perry, D. R.,	Stiteler,
Cramer,	Kane, J. J.,	Perry, J. J.,	Surface,
Downey, G. E.,	Labar,	Powell,	Tahl,
Downey, J.,	Lane,	Powers,	Terry,
Emhardt,	Laubach	Price,	Wagner,
Eroe,	Lenahan,	Quinn,	Walker, W. A.,
Fitzgerald,	Long,	Raub,	Way,
Fleisher,	Lovett, J. E.,	Reilly,	Welsh,
Flinchbaugh,	Lovett, W. S.,	Roan,	Westrick,
Furman,	Lynch, M.,	Ruby,	Wilson, L. M.,
Gallagher, T. J.,	Male,	Ruth,	Yourishin,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE

Mr. RUBY. I vote against House Bill No. 18, Printer's No. 79, because the next bill on the calendar is a better method of extending Old Age Assistance. House Bill No. 18 would put an additional burden on the already overburdened real estate of every county.

The next bill to be voted on, House Bill No. 77, provides that the cost of Old Age Assistance shall be paid by the State. That is only fair since the State is deriving the entire profit of the State Liquor Stores, established for that very purpose.

I realize that either bill is only a substitute for real Old Age Pensions, which I favor. Nevertheless I support a substitute in the belief that half a loaf is better than none and feeling it is a step in the right direction, a forward step to eliminate the inhuman and wasteful poorhouse.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 77, entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare the trustees who administer mothers' assistance in the several counties and others making counties liable for certain expenses providing penalties and making an appropriation

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHN J. KANE. Mr. Speaker and members of the House, I am going to support this bill because I believe in giving those who are sincerely interested in old age pensions to the people of the State of Pennsylvania a start in that direction.

There is only one way that we can have a satisfactory old age pension bill in the State of Pennsylvania and that is by the procedure of amending the Constitution, which was attempted in the regular session this year and defeated by the interests who domineered the Republican party in the State of Pennsylvania at that time.

The gentleman from Philadelphia got very far away from the question, and I am not going to trespass on the time of the House to say that I will do the same thing, but Mr. Speaker and members of the House, it is too late now for an act of contrition. The record of the regular session on social legislation will stand in so far as the people who are interested in the cause of the working classes of the State of Pennsylvania are concerned. I am not speaking particularly now for political parties, I am speaking for the groups interested in the economic organizations, labor organizations and social and welfare organizations, which asked and pledged with the General Assembly in 1933 to abolish from Pennsylvania such laws as the coal and iron police, to establish a minimum wage and abolish sweat shops, and it was necessary in that session as the records will indicate that we were compelled to discharge committees in this House in order that we could get an opportunity to express our opinion on legislation of that kind.

So, in supporting this bill, Mr. Speaker and members of the House, I am supporting it with one provision: It is the best we can get at this particular time. It is not going to fool those sincerely interested in establishing a substantial old age pension law in the State of Pennsylvania.

I say in conclusion that the records of this session will not be taken by the people who are interested in the real, sincere endeavors to establish favorable conditions for the working classes of Pennsylvania. The record of the regular session is the record that will stand, and it is too late now for an act of contrition.

Mr. BLUMBERG. Mr. Speaker and members of the House, I regret very exceedingly that the question of partisan politics has arisen in this discussion as to the merits of the two bills that we have here today. They are not political in character, they are real, social humanizing legislation.

May I remind the members of this House that the Philadelphit delegation in this House at the regular session was compelled to resort to a move to discharge a committee in order to bring this legislation within the House, and that this House gave its approval to old age pensions.

Now, unfortunately, it was impossible to enact the resolution for an amendment into law. We now have before us the only process by which we legally can render old age assistance. The Attorney General of this State has said that this method is legal, and he is fortified, he tells me, by excellent legal authorities.

I do not believe it necessary to discuss with you or argue with you either the necessity or the desirability for old age pensions. This House has spoken before. I might point out to you, however, that the United States is probably the only civilized country in the world that does not have some sort of state administered old age assistance. In the last ten years twenty-five of the states have enacted some form of old age assistance either by contribution by the counties or completely by the state. All of our neighboring states have it.

So far as this particular bill is concerned, might I state that it applies to citizens of the United States and residents of Pennsylvania who are seventy years of age and who are indigent. It provides the amount of thirty dollars a month for the first member of the family and fifteen dollars for every additional member of the family who can qualify.

The system will be administered by the Department of Welfare and the board of trustees of the Mothers' Assistance Fund. It was felt that in that way there would be no more new boards or commissions created with the large expense attendant thereon. The work will be done by the same investigators and employers so far as possible of the Mothers' Assistance Fund. The only contribution that the county

makes in the administration proposed under this bill is for the services of such investigators as may additionally be needed, and that in no event is to exceed six per cent of the amount allotted to that particular county. There is also a provision in this bill than an aged indigent citizen over seventy years of age may be buried if he leaves an estate not sufficient to take care of those expenses, that amount, however, not to exceed one hundred dollars.

The bill, of course, is not completely perfect, but it is felt that a start ought to be made.

An amendment yesterday was offered to reduce the age to sixty-five. By doing so we might cause a practical nullification of the bill, because the State's finances would not permit of so large a grant.

Based on the statistics of Massachussetts and Maryland and comparable with the population, industrial in character, that we have in this State, we think there will be about four out of every thousand or probably thirty-eight thousand people in this State who may become eligible.

As the administration of this bill continues it is hoped that further amendments will be introduced so that my friend might rest assured that in a short time we will have a perfect old age system in Pennsylvania.

This is a conservative start, and we ask your approval of that start.

Mr. SOWERS. I would feel, Mr. Speaker and ladies and gentlemen of the House, that I would be derelict if I did not on this occasion say something.

I am for old age pensions one hundred per cent and not being able to obtain them at this time, I am for this assistance bill one hundred per cent, nothwithstanding my own personal thought is that the bill ought to fix the age at sixty-five and I say that for this reason: I feel that when you fix it at seventy you are granting an old age pension or assistance to a dead man.

Mr. Speaker and members of the House, my reasons for being for old age assistance are little different from those that have been advanced by others. I regard this bill as a step in the right direction for unemployment relief. To me it seems that the rule, that is the rule of rugged individualism should be changed so that there should be competition for strong, healthy and robust workers, and that the rule should be changed to give to the old and the decrepit and the blind a preference in the way of a pension or assistance.

I say it is a step in the right direction for this reason: We have mass production, we have machinery that is taking the first place and human labor the second place. We have machinery that is putting out of employment the old and the aged, and this bill means that you give them a preference, you give them compensation, you give them assistance when they retire. You cannot have mass production unless you have mass consumption, and this bill is a step in the direction of giving to the retired workers compensation so as to keep on the mass purchasing power.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Green,	McCreary,	Shellenberger,
Baker,	Greenstein,	McElwee,	Shenkel,
Baldi,	Habbyshaw,	McGrail,	Shettel,
Barnhardt,	Haines,	McGregor,	Shortz,
Bechtel,	Hamilton,	McHenry,	Shreiner,
Beech,	Harmuth,	McKay,	Shugarts,
Bennett,	Harris,	McKinney,	Sinwell,
Bernhard,	Hart,	Melchiorre,	Snyder,
Blumberg,	Hartman,	Meredith,	Sowers,
Boyd,	Heffernan,	Merrell,	Spann,
Brancato,	Hefferon,	Moore,	Stank,
Brennan,	Heffner,	Mumford,	Steedle,
Brown, J. E.,	Hermansen	Munley,	Sterling P.,
Brown, W. L.,	Hester,	Myers,	Sterling, R. B.,
Brownfield,	Hewitt,	Nothnagle,	Stevens,
Cannon,	Himes, H. E.,	O'Connor	Stiteler,
Caputo,	Himes, L. R.,	O'Keefe,	Storb,
Carey,	Hoffman,	O'Neill,	Stott,
Carson,	Holmes, J. L.,	O'Rourke,	Surface,
Chervenak,	Hoopes,	Patterson,	Tahl,
Cohen,	Horst,	Peelor,	Terry,
Conner,	Hough,	Pennock,	Trout,
Cooke,	Howard,	Perry, D. R.,	Turner,
Cordier,	Hutton,	Perry, J. J.,	Wade,
Craig,	Jaffe,	Peters,	Wagner,
Cramer,	Jones,	Powell,	Walker, G. E.,
Dane,	Kane, J. J.,	Powers,	Walker, W. A.,
Davies,	Kane, L. P.,	Price,	Wall,
DeFrehn,	King,	Quinn,	Wasserman,
Denning,	Kinney,	Raub,	Way,
Downey, G. E.,	Lane,	Rectenwald,	Weidemann,
Downey, J. J.,	Laubach,	Reed,	Welsh,
Dunmire,	Lenahan,	Reilly,	Westrick,
Emhardt,	Lewis,	Rhodes,	White,
Eroe,	Long,	Rice,	Wike,
Evans,	Lord,	Roan,	Williams, G. W.,
Fitzgerald,	Lose,	Root,	Williams, J. J.,
Flanagan,	Lovett, J. E.,	Royle,	Wilson, L. M.,
Fleisher,	Lovett, W. S.,	Ruby,	Wilson, T. B.,
Flinchbaugh,	Lynch, J. R.,	Ruth,	Witkin,
Flynn, J. M.,	Lynch, M.,	Sarig,	Wood,
Flynn, J. W.,	Male,	Sautter,	Woodside,
Forrest,	Malina,	Schrock,	Wright,
Furman,	Maloney,	Schrope,	Yeakel,
Gallagher, T. J.,	Marcks,	Schwab,	Yourishin,
Gallagher, W. J.	Mason,	Schwartz,	Zimmerman,
Gartner,	McBride,	Scorza,	Talbot,
Gillette,	McCandless,	Scott,	Speaker.
Gorman,	McClure,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADJOURNMENT

Mr. WEIDEMANN. Mr. Speaker, I move that this House do now adjourn until Monday evening, December 11, 1933, at 9:00 o'clock.

On the question,

Will the House agree to the motion?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HOOPES. Mr. Speaker, before we pass upon a motion to adjourn, I would like to arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Berks, Mr. Hoopes, will state his question of parliamentary inquiry.

Mr. HOOPES. Mr. Speaker, I would like to have the Speaker interpret the parliamentary meaning of the word "immediately."

The SPEAKER. "Immediately" means "at once." It is the antithesis of "mediate."

Mr. HOOPES. Mr. Speaker, this House on Monday evening, December 4th, passed a resolution that the chairmen of the committees to which bills have been referred are hereby directed to immediately call meetings thereof——

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentlemen from Philadelphia, Mr. Witkin will state his point of order.

Mr. WITKIN. Mr. Speaker, there is nothing before the House except a motion to adjourn, which is not debatable.

The SPEAKER. The point of order is well taken, and the only matter now before the House is on the motion to adjourn.

Mr. HOOPES. Mr. Speaker, I am rising to a question of parliamentary inquiry. I am not debating the motion at all.

The SPEAKER. The gentleman is out of order. There is only one question before the House and that is the motion to adjourn.

Mr. HOOPES. Mr. Speaker, I ask for the floor on that motion.

The SPEAKER. On the motion to adjourn?

Mr. HOOPES. Yes, Mr. Speaker.

The SPEAKER. The motion to adjourn, the gentleman is informed, is not debatable.

Mr. HOOPES. Mr. Speaker, I ask for a roll call.

Mr. MELCHIORRE. I second the call for a roll call.

The SPEAKER. The roll will be called, the question being whether this House will adjourn on the motion of the gentleman from Delaware Mr. Weidemann, adjourning until Monday, December 11, 1933, at 9:00 o'clock P. M.

Those voting in the affirmative vote to adjourn. Those voting in the negative vote not to adjourn and the House will then remain in session.

Mr. BENNETT. Mr. Speaker, may I respectfully call to your attention the fact, before the roll is called, that quite a few members have left their seats and have gone to the cloak room at the present moment.

The SPEAKER. The roll will be called.

The roll was called by the Clerk.

Mr. HOOPES. Mr. Speaker, I ask for a verification of the roll.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. JOHN E. BROWN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Washington, Mr. Brown, will state his question of parliamentary inquiry.

Mr. JOHN E. BROWN. Mr. Speaker, I want to ask if those members who have not answered to their names will be recorded on the roll.

The SPEAKER. In answer to the question of parliamentary inquiry of the gentleman from Washington, Mr. Brown, the Chair desires to state that every member who is within the hall of the House has the constitutional right to vote. He may arise and state to the Chair that his name was not heard or that he voted under a misapprehension, and whatever statement or reason the gentleman sees fit to give to the Chair, the Chair must accept that statement.

Mr. HOOPES. Mr. Speaker, I would ask that the doors be closed and no members who were not here when the roll call was made be permitted to enter.

The SPEAKER. The order has been made for the verification of the roll and the affirmative roll will now be called.

Mr. HOOPES. Mr. Speaker, do I not have a right to make that request? In other words, if members come in under your former ruling and say they were in the House they could be counted.

The SPEAKER. The Chair informs the gentleman from Berks that the roll will be properly protected by the Chair.

There is nothing in order except the verification of the roll.

Mr. JOHN E. BROWN. Mr. Speaker, according to Rule 76, no member shall be permitted to record his vote who neglects to vote when his name is first called by the Clerk.

The SPEAKER. In answer to that question of the gentleman from Washington, Mr. Brown, the Chair recalls that the other day the same question was placed before the Chair. The point is that if a member is within the hall of the House at the time of the calling of the roll he is entitled by constitutional law to his right to vote.

The roll was verified and was as follows:

YEAS—80

Baker,	Green,	McKay,	Sowers,
Baldi,	Haines,	McKinney,	Spann,
Bennett,	Heffner,	Merrell,	Stiteler,
Blumberg,	Hewitt,	Mohn,	Storb,
Brennan,	Himes, H. E.,	Moore,	Stott,
Brown, W. L.,	Horst,	Myers,	Surface,
Carey,	Hough,	Patterson,	Turner,
Conner,	Hutton,	Pennock,	Wade,
Craig,	Jaffe,	Perry, D. R.,	Wall,
Cramer,	Kane, L. P.,	Peters,	Way,
Dane,	Laubach,	Price,	Weidemann,
Davies,	Lewis,	Rectenwald,	Williams, G. W.,
DeFrehn,	Lose,	Reed,	Williams, J. J.,
Denning,	Lovett, W. S.,	Reilly	Witkin,
Dunmire,	Lynch, J. R.,	Rice,	Wood,
Ederer,	McBride,	Ruby,	Wright,
Evans,	McClure,	Schrock,	Yeakel,
Flynn,	McCreary,	Sheffer,	Zimmerman,
Forrest,	McElwee,	Shellenberger,	Talbot,
Gillette,	McGregor	Snyder,	Speaker.
Gorman,	McHenry,		

NAYS—63

Andrews,	Emhardt,	Lenahan,	Roan,
Barnhardt,	Eroe,	Long,	Roth,
Bechtel,	Fitzgerald,	Lord,	Ruth,
Beech,	Flinchbaugh,	Lovett, J. E.,	Sarig,
Bernhard,	Furman,	Male,	Schropp,
Boyd,	Gallagher, T. J.,	Malina,	Scott,
Brancato,	Gartner,	Mason,	Shettel,
Brown, J. E.	Harmuth,	McGinnis,	Shortz,
Brownfield,	Hartman,	McGrail,	Shugarts,
Cannon,	Hermansen,	Melchiorre,	Stank,
Caputo,	Hester,	O'Connor,	Sterling, R. B.,
Carson,	Hoffman,	O'Keefe,	Stevens,
Chervenak,	Hoopes,	Perry, J. J.,	Welsh,
Cohen,	Howard,	Powers,	Westrick,
Downey, G. E.,	Kane, J. J.	Quinn,	Wilson, L. M.,
Downey, J. J.,	Lane,	Raub,	Yourishin,

So the question was determined in the affirmative, and the motion was agreed to, and (at 3:11 P. M.) the House adjourned until Monday, December 11, 1933, at 9:00 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

MONDAY, December 11, 1933.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Our Heavenly Father, we thank Thee this night that so many of the members of the Senate, and of its employees, are here. Be with the Senate this week as they transact the business that comes before it; and as we pray for ourselves we pray for all those who are in want and suffering this night. Bring friends to help them, and do Thou help us to help everyone who is in affliction.

We ask Thy blessing upon us all. In Thy name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. FRAZIER, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

The Chair asked and obtained an extension for one week of the leave of absence granted to the Senator from Philadelphia, Mr. Woodward.

The Chair also asked and obtained an extension for one week of the leave of absence granted to the Senator from Delaware, Mr. McClure.

ANNOUNCEMENT

The PRESIDENT There will be a joint hearing held by the Committees on Judiciary General and Appropriations on Tuesday afternoon at two o'clock in the Senate Caucus Room, to which all members of the Senate are invited. Senators Ealy and Bell, chairmen.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House of Representatives as follows:

House Bill No. 77 (Senate Bill No. 104), entitled:

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, assistance to and the burial of certain aged indigent persons, and the administration of this act by the Department of Welfare, the trustees, who administer mothers' assistance in the several counties and others; making counties liable for certain expenses; providing penalties; and making an appropriation.

Which was committed to the Committee on Appropriations.

House Bill No. 16 (Senate Bill No. 105), entitled:

An Act to amend title, Whereas clauses, and sections one and four of the act approved the eighteenth day of May, one thousand nine hundred and thirty-three (P. L. 826), entitled, "An act authorizing the courts of common pleas to stay writs of execution against and tax sales of certain property in certain cases; providing for the continuance of return days of writs of executions; and authorizing sales thereon without issuance of further writs."

Which was committed to the Committee on Judiciary General

House Bill No. 20 (Senate Bill No. 106), entitled:

An Act authorizing cities to acquire lands and provide for the erection thereon of dwellings for rental to its citizens and appropriate money and issue bonds therefor

Which was committed to the Committee on Municipal Affairs.

House Bill No. 45 (Senate Bill No. 107), entitled:

An Act making home loan bonds, issued by the United States Government, legal investments for trust funds.

Which was committed to the Committee on Banks and Building and Loan Associations.

House Bill No. 78 (Senate Bill No. 108), entitled:

An Act making an appropriation out of The State Stores Fund to the Department of Welfare for old age assistance.

Which was committed to the Committee on Appropriations.

House Bill No. 94 (Senate Bill No. 109), entitled:

An Act to repeal the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (P. L. 34), entitled: "Prohibition Enforcement Law (Snyder-Armstrong Act)."

Which was committed to the Committee on Law and Order.

House Bill No. 102 (Senate Bill No. 110), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges defining the powers and duties of the Governor the Auditor General and State Treasurer and the Board of Finance and Revenue in relation thereto providing fo the payment of interest on and the redemption of such bonds and making an appropriation

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 103 (Senate Bill No. 111), entitled:

An Act to amend sections one, two, nine and eleven of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 395), entitled, "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing for the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation;" extending the provisions thereof to all bridges wholly within the Commonwealth, and providing for the payment of the cost of acquiring such bridges out of the Toll Bridge Fund.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 119 (Senate Bil No. 112), entitled:

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "Intangible Personal Property Tax Law," as amended construing the word "indebtedness" as used in said section and denying the right of the Commonwealth to collect taxes on deposits in banks banking institutions saving institutions and trust companies

Which was committed to the Committee on Finance.

House Bill No. 120 (Senate Bill No. 113), entitled:

An Act in aid of unemployment relief for the citizens of this Commonwealth by providing for preference to citizens of this Commonwealth in employment upon public works of this Commonwelath, conferring certain duties on the Department of Labor and Industry, and providing penalties.

Which was committed to the Committee on Judiciary General.

House Bill No. 125 (Senate Bill No. 114) entitled:

An Act for the protection of the health safety and welfare of women and minors in any occupation trade or industry except domestic service in private homes and farm labor by regulating under the police power of the Commonwealth the minimum wage which shall be paid to such women and minors providing for wage boards their powers and the procedure to determine the necessity for and to establish the minimum wage standard in any industry where the health safety and welfare of women and minors is jeopardized by the payment of an oppressive and unreasonable wage creating powers and imposing duties on the Department of Labor and Industry the Secretary of Labor and Industry and such director as he may appoint to carry out this act imposing certain duties on employers and requiring certain records to be kept and information to be furnished by him permitting publication after hearing of the names of violators of minimum wage standards prohibiting contracts for and payments of less than the minimum wage standards and providing penalties

Which was committed to the Committee on Judiciary General.

HOUSE CONCURS IN SENATE BILL No. 17

He also returned to the Senate, Senate Bill No. 17, entitled:

An Act to amend section seventeen of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred seven), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by excluding interest bearing accounts in any bank or banking institution, savings institution, or trust company from the provisions thereof.

with the information that the House has passed the same without amendment.

SENATE BILL No. 19 RETURNED WITH AMENDMENTS

He also returned to the Senate Senate Bill No. 19, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. HOWELL. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foergoing bill.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend Section one, page 4, line 19 by striking out after the word "of" the word "three" and inserting in lieu thereof the word "four"; also section 11, page 11, line 11 by striking out after the word "done" the word "of" and inserting in lieu thereof the word "on"; also section 20, page 22, line 8 by striking out after the word "marks" the word "peculiarties" and inserting in lieu thereof the word "peculiarities"; also section 28, page 28, line 20 by striking out after the word "said" the word "petition" and inserting in lieu thereof the word "petition"; also line 25 by striking out after the word "with" the word "which" and inserting in lieu thereof the word "whom"; also section 32, page 33, line 24 by striking out after the word "odd" the word "odd"; also section 36, page 40, line 23 by inserting after the word "clerks" the words "or inspectors"; also page 41, line 14 by inserting after the word "voters" the following: "shall be immediately sealed in envelopes and shall be returned to the custody of the prothonotary or county commissioners as required by law"; also section 38, page 42, line 24 by striking out after the word "his" the word "resignation" and inserting in lieu thereof the word "registration"; also section 43, page 48, line 16 by striking out after the word "to" the letters "bw" and inserting in lieu thereof the word "be"; also section 45, page 59, line 10 by striking out at the beginning of the line the word "sout" and inserting in lieu thereof the word "suit".

On the question,

Will the Senate agree to the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Armstrong,	Einstein,	Lanius,	Rice,
Batchelor,	Fay,	Mansfield,	Roberts,
Baumer,	Frazier,	Miller,	Salus,
Bell,	Gelder,	Norton,	Scott,
Bennett,	Graff,	Owlett,	Snyder,
Brandt,	Harris,	Parkinson,	Sones,
Buckman,	Harvey,	Pethick,	Sordoni,
Chapman	Homsher,	Pierson,	Staudenmeier,
Clark,	Howell,	Prince,	Thompson,
Coyne,	Hunsicker,	Quigley,	Williamson,
Ealy,	Krause,	Reed,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 17, entitled:

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties or city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by excluding interest bearing accounts in any bank or banking institution savings institution or trust company from the provisions thereof.

Senate Bill No. 19, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

Whereupon,

The PRESIDENT (Lieutenant Governor Edward C. Shannon) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. ARMSTRONG, from the Committee on Elections, re-reported as amended, Senate Bill No. 49, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, and boards of school directors; and imposing penalties.

Mr. HARRIS, from the Committee on Elections, reported as committed, Senate Bill No. 59, entitled:

An Act to amend section four of the act, approved the fifth day of March, one thousand nine hundred and six (P. L. 78), entitled, "An act to regulate nomination and election expenses, and to require accounts of nomination and election expenses to be filed, and providing penalties for the violation of this act," as amended.

Mr. EINSTEIN, from the Committee on Elections, reported as amended, Senate Bill No. 66, entitled:

An Act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, county commissioners, registrars, inspectors of registration and other appointees of county commissioners, election officers, municipal officers, departments, and bureaus, police officers, courts, judges, prothonotaries, sheriffs, peace officers, county treasurerers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of schools directors; and imposing penalties.

BILLS INTRODUCED

Mr. BENNETT read in his place and presented to the Chair Senate Bill No. 115, entitled:

An Act authorizing counties, cities, boroughs, townships, incorporated towns and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds, and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding, and limiting any compensation payable therefor.

Which was committed to the Committee on Municipal Affairs.

Mr. REED read in his place and presented to the Chair Senate Bill No. 116, entitled:

An Act invoking the police power of this Commonwealth and authorzing Courts of Common Pleas to stay writs of eviction, distress and other writs of possession; under certain circumstances, and providing procedure therefor, for the period of not exceeding eighteen months from the enactment of this act.

Which was committed to the Committee on Judiciary General.

Mr. FRAZIER read in his place and presented to the Chair Senate Bill No. 117 entitled:

An Act to protect the owners of mortgaged property during the present emergency; prohibiting foreclosures and suits on bonds and other obligations secured by mortgage for default of principal only during a certain period.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 118, entitled:

An Act to protect the owners of mortgaged property during the present emergency; restricting the right to proceed on mortgage bonds and the amounts recoverable thereon during a certain period.

Which was committed to the Committee on Judiciary General.

MINUTE ON THE DEATH OF MAJOR GENERAL CHARLES H. MUIR

Mr. PETHICK offered the following resolution, which was twice read:

In the Senate, December 11, 1933.

In the death of Major General Charles H. Muir, on December 8, 1933, at Baltimore, Maryland, one of the great figures of

the World War so intimately associated in that struggle with the young men of Pennsylvania has passed away. General Muir commanded the Twenty-eighth Division from December 15, 1917, until October 21, 1918, and participated in all of the major operations, winning for his troops and himself imperishable glory.

General Muir was assigned to command the Fourth Corps, Second Army, October 22, 1918 and served with the Army of Occupation until April 17, 1919 when he again was reassigned to command of the Twenty-Eighth Division remaining with it and returning with it to the United States where it was demobilized May 17, 1919.

General Muir was a great soldier. He was born in Michigan, July 18, 1860, was appointed to the United States Military Academy July 1, 1881, graduated eighth in the class of 1885 and advanced through the various grades of the regular army until he became a Major General of the National Army, November 28, 1917. General Muir retired from the United States Army, permanent establishment, July 18, 1924, being at the time in command of the Third Corps Area with station at Baltimore, Maryland.

General Muir was awarded the Distinguished Service Cross for extraordinary heroism in action at Santiago, Cuba, during the Spanish American War, the Distinguished Service Medal for meritorious service during the World War as commanding general of the Twenty-eighth Division and the Silver Star Citation in 1900 for gallantry in action during the Philippine Insurrection. He was decorated with the French Legion of Honor, the French Croix-de-Guerre with Palm and was a Knight Commander of the British Order of St. Michael and St. George.

The Senate of Pennsylvania recognizes in the death of General Muir the passing of a distinguished soldier whose name will forever be associated with the splendid achievements of the troops of Pennsylvania and it, therefore, adopts this minute of respect to his memory, realizing the serious loss sustained by the State. The sympathy of the Senate is hereby extended to his widow, to whom a copy of this minute will be sent.

Mr. PETHICK. Mr. President, I move the adoption of the minute just read.

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

It was unanimously agreed to

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 37 on third reading, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, nine hundred five), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by adding a new section thereto for protecting the safety of the public by limiting the size and weight of vehicles which may be operated between the hours of twelve o'clock noon Saturday and twelve o'clock midnight of the following Sunday in any week and on legal holidays.

be recommitted to the Committee on Public Roads and Highways.

Mr. ARON. Mr. President, I second the motion

The motion was agreed to.

BILL OVER IN ORDER

Mr. SCOTT. Mr. President, I ask unanimous consent that Senate Bill No. 84 (House Bill No. 41), on third reading entitled:

An Act making an appropriation for the payment of preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 85 (House Bill No. 55), entitled:

An Act making an appropriation out the State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. BUCKMAN. Mr. President, I would like someone to explain the need of this bill, or the picture of the State finances with reference to welfare and relief. I understand that this bill appropriates $40,000,000.

We made a fair appropriation at the regular session of 1933, and I would like to know the need for this much money at this time; and where the money is coming from. Otherwise, I shall be obliged to vote against the bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Fay,	Miller,	Salus,
Aron,	Frazier,	Norton,	Scott,
Batchelor,	Gelder,	Owlett,	Shapiro,
Baumer,	Graff,	Parkinson,	Snyder,
Bell,	Harris,	Pethick,	Sones,
Bennett,	Harvey,	Pierson,	Sordoni,
Boyd,	Homsher,	Prince,	Staudenmier,
Brandt,	Howell,	Quigley,	Thompson,
Chapman,	Hunsicker,	Reed,	Trainer,
Coyne,	Krause,	Rice,	Williamson,
Ealy,	Lanius,	Roberts,	Ziesenheim,
Einstein,	Mansfield,		

NAYS— 2

Buckman, Clark,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 89, as follows:

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects providing for the payment of damages by counties and townships as a result of relocating widening or constructing said highways or bridges and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Highways is hereby authorized to accept grants of funds from the President of the United States or other Federal agency for the construction of public highways and related projects Such moneys shall be held by the State Treasurer as custodian for the Department of Highways and shall be paid out on requisition of the Department of Highways without further appropriation If required by the Federal Government the Department of Property and Supplies shall provide the necessary bonds for the State Treasurer in his capacity as custodian

Section 2 Where any highway or bridge which is not a part of the State Highway System of the Commonwealth has been or may be designated to be improved with funds received from the Federal Government the Department of Highways shall have all of the powers and authority in the relocating widening or construction of such highway which are now or may hereafter be conferred upon it with respect to State highways Any damages sustained by reason of taking of property in the relocation widening or construction of any such highway shall be ascertained in accordance with laws applicable to the ascertainment of damages in relocating widening or constructing State highways and such damages when ascertained shall be paid by the county or township or both as may be agreed upon between the said township and county Provided however that no work as aforesaid shall be undertaken until the county or county and township affected by the liability for damages shall have agreed thereto

Section 3 Where any highway or bridge is to be constructed under contract and to be paid for wholly or in part from Federal funds and the project involves additional work to be contracted and paid for by municipal subdivisions or local authorities the advertisement by the Department of Highways in compliance with the rules and regulations of the proper Federal authorities shall be the only advertising necessary any other acts or requirements to the contrary notwithstanding

Section 4 The Department of Highways shall have authority to make and carry out contracts and to do every other act necessary to carry out any project heretofore or hereafter undertaken which is to be paid for in whole or in part from Federal funds and in every way to conform to the requirements and rules and regulations of the proper Federal authorities with respect to such projects but no limitation contained in this Act shall in anywise diminish any authority or powers now or hereafter conferred on the Department of Highways by any other Act of Assembly

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

Section 6 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. TRAINER. Mr. President, I move that Senate Bill No. 90 on third reading, entitled:

An act relating to advertising by holders of licenses to sell liquors or malt liquors for consumption on the premises.

be recommitted to the Committee on Law and Order.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 26, as follows:

An Act accepting the provisions of an Act of Congress for the establishment of a national employment system and authorizing the Department of Labor and Industry to cooperate with the Federal Employment Service under that act and providing for the custody and disbursement of funds granted to the Commonwealth by the Federal government thereunder

Whereas the Congress of the United States has passed an act approved by the President June sixth one thousand nine hundred and thirty-three entitled "An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system and for other purposes" and

Whereas it is provided in Section five of the said act that the grants of money therein authorized shall be paid to each State which by action of its Legislature shall accept the provisions of the act and designate or authorize the creation of a State agency which shall have the authority to cooperate with the United States Employment Service under the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commonwealth of Pennsylvania hereby accepts the provisions of the Act of Congress of June sixth one thousand nine hundred thirty-three entitled "An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system and for other purposes"

Section 2 The Department of Labor and Industry of this Commonwealth is hereby designated as the State agency to cooperate with the United States Employment Service under said Act of Congress and said Department shall have full authority to do all things necessary to effect such cooperation

Section 3 All moneys granted to the Commonwealth by the Federal Government under the said Act of Congress shall be received by the State Treasurer as custodian and he shall disburse such funds on requisition of the Department of Labor and Industry for the purposes of the grant without further appropriation

Section 4 This act shall become effective immediately upon its final enactment

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 93, entitled:

An Act to amend section ten of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 284), entitled "An act imposing a State tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereundr; and providing pnalties"; regulating the refund of taxes paid on malt liquors.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eighty-four) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" is hereby amended to read as follows

Section 10 In case any [beverages] malt liquors upon which stamps or crowns have been placed by [manufacturers or distributors] a manufacturer or distributor have been sold and shipped by him to a licensed or regular dealer in such [beverages] malt liquors in another state [the seller] such manufacturer or distributor in this Commonwealth shall be entitled to a refund of the actual amount of tax paid by him upon condition that the seller in this Commonwealth shall make affidavit that the [beverages] malt liquors were so sold and shipped and that he shall furnish from the purchaser [a written acknowledgment] in affidavit that he has received such [beverages] malt liquors for sale or consumption outside the Commonwealth and the amount of stamps or crowns thereon together with the name and address of the purchaser [whereupon the department shall with the approval of the Board of Finance and Revenue issue to the seller in this Commonwealth stamps or crowns of sufficient value to cover the refund]

Upon application to the Board of Finance and Revenue the board shall refund to the seller in this Commonwealth the amount of the tax so paid Such refund shall be either in cash or in the form of stamps or crowns of sufficient value to cover the refund as the seller in this Commonwealth shall elect When such refund is made in stamps or caps such stamps or caps shall be issued by the department All applications for refunds shall be acted upon by the Board of Finance and Revenue within thirty days after application has been made and refunds in cash stamps or crowns shall be made within fifteen days after a refund has been allowed by the board

As much of the revenue accruing from this act as is necessary for the payment of refunds in cash is hereby appropriated to the Board of Finance and Revenue for the payment of the refunds authorized by this section

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 1, page 2, line 13, by inserting after the word "distributor" the words "or other persons"; also line 15, by inserting after the word "State" the following: "or all malt liquors on which a tax has already been paid"; also line 16, by inserting after the word "distributor" the following: "or person"; also line 25, by inserting after the word "purchaser" the following: "or upon condition that the seller in this Commonwealth shall make affidavit that the tax has been previously paid on such malt liquors at the time he paid the tax thereon, and that he shall furnish an affidavit from the person who first paid such tax and the amount of stamps or crowns thereon, together with the name and address of the first taxpayer"; also page 3, by inserting between lines 16 and 17, the following paragraph: "Refunds shall also be made in accordance with this act for taxes paid prior to the effective date of this act in any case where the procedure for refund has not been completed."

Mr. GELDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to.

Section 2 This act shall become effective immediately upon final enactment

The title of the bill was read as follows and agreed to.

An Act to amend section ten of the act, approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eighty-four) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" regulating the refund of taxes paid on malt liquors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 101 (House Bill No. 87), entitled:

An Act appropriating the moneys in the State Stores Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows:

APPROVAL OF SENATE BILL NO. 7.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg., December 7, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 7, Printer's No. 40, en-

titled, "An Act Authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class and on school taxes in school districts of the first class.

GIFFORD PINCHOT.

APPROVAL OF SENATE BILL NO. 29

APPROVAL OF RESOLUTION AUTHORIZING PRINTING OF PROCEEDINGS OF CONVENTION WHICH RATIFIED THE TWENTY-FIRST AMENDMENT TO THE FEDERAL CONSTITUTION.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 11, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 29, Printer's No. 9, entitled:

An Act to amend paragraph (a) of section nine of article three of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the Commission, its officers, counsels, and employes; prescribng and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said Commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals'; and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" by authorizing the Commission in special cases to grant relief to common carriers from the long and short haul and the aggregate of intermediate rates provisions.

Resolution of the Senate and House of Representatives authorizing the printing of the proceedings of the convention which ratified the Twenty-first Amendment to the Federal Constitution.

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 11, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Martha Mancos, Glassport.

BLAIR COUNTY

Clair L. Clark, Hollidaysburg.

DAUPHIN COUNTY

Charles E. Deibler, Linglestown.
John D. Paul, Harrisburg.

DELAWARE COUNTY

Harry E. Barrett, Upper Darby.
W. C. Henderson, Crum Lynne.
H. W. Kent, Upper Darby.
James C. Owens, Eddystone.
Wm. J. Wolf, Chester.

FAYETTE COUNTY

Francis J. Gehrlein, Uniontown.

PHILADELPHIA COUNTY

Leo J. Donnelly, Philadelphia, 280 Bourse Building.
A. C. Downs, Philadelphia, 1500 Chestnut Street.
Miss Mary A. McGuigan, Philadelphia, 239 S. 13th Street.
Robert Mkitarian, Philadelphia, 6051 Market Street.
Miss Jeanne Tomlinson, Philadelphia, 7981 Oxford Avenue.

WASHINGTON COUNTY

Miss Mae S. McMillen, Canonsburg.

WESTMORELAND COUNTY

Theodore Capoone, New Kensington.

GIFFORD PINCHOT.

MEMBER OF STATE BOARD OF EXAMINERS FOR REGISTRATION OF NURSES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 11, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Miss Emma S. Ballamy, of Wilkes-Barre, Luzerne County, as a member of the State Board of Examiners for the Reg-

istration of Nurses, vice Miss Esther J. Tinsley, of Pittston, whose term expired, for the term of six years, and until her successor is appointed and qualified.

ALDERMAN

Lyle W. Orr, of Erie, Erie County, as Alderman of the 4th Ward of the City of Erie, Erie County, vice Edward Shugart, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 11, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Frank J. Blair, of Columbia, Lancaster County, as Justice of the Peace in the Borough of Columbia, Lancaster County, vice Bruner B. Stevenson, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

BILLS INTRODUCED

Mr. BELL. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BELL read in his place and presented to the Chair Senate Bill No. 119, entitled:

An Act to amend section four and section five as amended, of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purpose of this act"; by placing upon the Commonwealth the cost of constructing, maintaining and reconstructing certain structures on such streets

Which was committed to the Committee on Public Roads and Highways.

Mr. BOYD (by request). Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BOYD read in his place and presented to the Chair Senate Bill No. 120, entitled:

An Act to amend section one thousand seven hundred nine of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating and changing the law relating thereto," by making optional the levying of taxes upon occupations.

Which was committed to the Committee on Finance.

Mr. SCOTT. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT read in his place and presented to the Chair Senate Bill No. 121, entitled:

An Act to amend act number one, approved the twenty-second day of November, one thousand nine hundred and thirty-three, entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified: describing the method and manner of collection of such tax; conferring powers and imposing duties on certain State officers and departments, and certain individuals, firms and corporations; and imposing penalties," by providing for an extension of time for payment in certain cases.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 122, entitled:

An Act to amend section three, clause (b), and sections nineteen and twenty-three of the act approved the fifth day December, one thousand nine hundred thirty-three (Act Number Six), entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engageing in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties."

Which was committed to the Committee on Finance.

Mr. EALY. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY read in his place and presented to the Chair Senate Bill No. 123, entitled:

An Act to amend the title and section one of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1019), entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes; authorizing the county commissioners to sell the same at private sale under the circumstances," by extending the provisions thereof to unseated lands.

Which was committed to the Committee on New Counties and County Seats.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No. 124, entitled:

An Act to further amend sections one, two, three, ten, eighteen, and nineteen, of the act, approved the thirteenth day of January, one thousands eight hundred and seventy-four (Pamphlet Laws thirty-one), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended pursuant to Amendment Number Five to the Constitution of the Commonwealth, adopted November seventh, one thousand nine hundred thirty-three, eliminating the tax-paying qualification for voters.

Which was committed to the Committee on Elections.

RESOLUTION URGING THE HIGHWAY DEPARTMENT TO USE TAR ON ROADS WHERE BITUMINOUS MATERIALS ARE REQUIRED.

Mr. SORDONI offered the following resolution which was twice read:

In the Senate, December 11, 1933.

Resolved, That since the use of road tar creates employment in the mines, on the railroads and in the steel mills of Pennsylvania, which produces one third of all the tar of the United States, and inasmuch as the value of road tar has been demonstrated in many years of service, the Senate requests the Highway Department of Pennsylvania to give special consideration to the use of a larger proportion of tar in the construction and maintenance of roads on which bituminous materials are required.

Mr. SORDONI. Mr. President, I move the adoption of the resolution just read.

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

It was unanimously agreed to.

MOTION TO RECONSIDER SENATE BILL NO. 101 (HOUSE BILL NO. 87).

Mr. SCOTT. Mr. President, I move to reconsider the vote by which Senate Bill No. 101 (House Bill No. 87), entitled:

An Act appropriating the moneys in The State Stores Fund

passed second reading

The PRESIDENT. How did the Senator vote?

Mr. SCOTT. Mr. President, I voted "aye."

Mr. BUCKMAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "aye"

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and reconsideration of Senate Bill No. 101 (House Bill No. 87),

An Act appropriating the moneys in The State Stores Fund

And the question recurring,

Will the Senate agree to transcribe the bill for a third reading?

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. SCOTT. Mr. President, I move to reconsider the vote by which the title of the bill was agreed to.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the title?

Mr. SCOTT. Mr. President, I move to reconsider the vote to which the second section of the bill was agreed to.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to reconsider the vote by which the first section of the bill was agreed to.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That as much of the moneys from time to time in The State Stores Fund as may be necessary are hereby appropriated to the Pennsylvania Liquor Control Board for the proper conduct of its work in establishing maintaining and operating Pennsylvania Liquor Stores warehousing and testing liquor issuing liquor licenses to hotels restaurants clubs and public service companies and otherwise administering and enforcing the Pennsylvania Liquor Control Act as follows

(a) For the payment of the salaries wages or other compensation and traveling and other necessary expenses of such superintendents managers assistant superintendents assistant chiefs assistant engineers draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers laborers and other assistants and employes as may be required in the performance of the duties above-mentioned and such special deputy attorneys general assistant deputy attorneys general and attorneys as may be assigned by the Attorney General to the board or for handling any legal business pertaining to its work

(b) For the purchase maintenance and repair of furniture furnishings stationery supplies materials equipment fuel and printing and binding and for the payment of the premiums on policies of insurance covering motor vehicles operated by employes of the board and surety bonds for officers or employes of the board required to furnish such bonds but all such purchases and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as purchasing agent

(c) For the purchase of automobiles and other automotive equipment through the Department of Property and Supplies the maintenance and operation of automobiles and for the payment of mileage charges to the Department of Property and Supplies for the use of automobiles

(d) For the purchase of liquors to be sold in or through Pennsylvania Liquor Stores

(e) For the payment of postage telegrams telephone rentals and toll charges and rentals for or royalties upon leased office equipment or other devices or machines

(f) For the payment of rentals for buildings or other accommodations leased by the board through the Department of Property and Supplies for use by or in connection with Pennsylvania Liquor Stores or for the storage or testing of liquors purchased by the board

(g) For the payment of premiums upon policies insuring the Commonwealth against workmen's compensation liability to employes or dependents of employes of the board

(h) For all other expenses of every kind and description necessary for the performance by the board of the aforesaid work

And the question recurring,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section **1**, page 1, line 14 by inserting at the beginning of the line before the word "such" the words: "the members of the board and"; also page 1, line 3, by adding at the end of the line after the article "the" the following: "authority of the same That"; also page 3 by inserting between lines 9 and 10 the following: "(i) For reimbursing the Department of Revenue for expenditures made by that department in anticipation of this appropriation to assist the board in issuing licenses to hotels, restaurants, clubs and public service companies prior to the ratification of the Twenty-first Amendment."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 This act shall become effective immediately upon its approval by the Governor.

The title of the bill was read as follows and agreed to:

An Act appropriating the moneys in The State Stores Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until 10 o'clock.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

FINAL ADJOURNMENT

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows:

In the House of Representatives, December 11, 1933.

RESOLVED (if the Senate concur), That this Special Session of the General Assembly adjourn sine die Thursday, December 21, 1933, at 12 o'clock noon.

Mr. SCOTT. Mr. President, I move that the resolution be adopted.

Mr. BUCKMAN. Mr. President, I second the motion.

On the question.

Will the Senate agree to the motion?

Mr. HARRIS. Mr. President, I would not be consistent if I did not oppose this resolution. On last Monday night I presented a resolution to this body asking them to remain in session until such time as the programme of social legislation could be passed. I predict to you, and I say this advisedly, that if this session adjourns without the passage of a real programme of social legislation it will spell the defeat of the Republican party next November.

The people of this State demand this legislation. It has been prepared carefully; it has not even yet been properly considered by this body; and I urge every member of this Senate to think well before casting his vote on this resolution.

In the House just now there was a very close vote on this resolution. It is time now, and there is still sufficient time, to save the Republican party. Everyone here knows that this is a piece of political strategy in an effort to stifle and kill this programme of social lgeislation that the Governor has proposed; and I ask every member of this Senate to think long and carefully before he casts his vote on this resolution.

Let us stay here, as I said last Monday night, until we finish our work. I predict, if the passage of this resolution results in the failure of the programme of social legislation, that every member of this body who votes for this resolution will have to answer for it to his constitutents. I ask the members of the Senate to vote "No" on this resolution.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Harris and Mr. Bennett.

Mr. HARRIS. Mr. President, I ask for a verification of the roll.

The PRESIDENT. The roll will be verified.

The roll was verified and was as follows:

The yeas and nays were required by Mr. Harris and Mr. Bennett, and were as follows, viz:

YEAS—30

Aron,	Coyne,	Hunsicker,	Salus,
Batchelor,	Ealy,	Krause,	Scott,
Baumer,	Einstein,	Norton,	Shapiro,
Bell,	Fay,	Quigley,	Sones,
Boyd,	Frazier,	Reed,	Sordoni,
Buckman,	Harvey,	Rice,	Williamson,
Chapman,	Homsher,	Roberts,	Ziesenheim,
Clark	Howell,		

NAYS—12

Armstrong,	Harris,	Pethick,	Staudenmier,
Bennett,	Mansfield,	Prince,	Thompson,
Brandt,	Miller,	Snyder,	Trainer,

So the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

QUESTION OF PERSONAL PRIVILEGE

Mr. SALUS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Salus, will state his question of personal privilege.

Mr. SALUS. Mr. President, and members of the Senate: The Philadelphia delegation voted for this resolution on adjournment. They voted on it with an express understanding that all this social legislation will be considered by this Senate after adjournment. There is a lot of time for us to consider every piece of this legislation; and it was with the express promise that all this legislation will be considered thoroughly, and acted on, by this Senate between now and the twenty-first; and I, representing the members of this Senate from Philadelphia, and also the members of the House from Philadelphia, wish to go on record and serve warning that our delegation from Philadelphia will be active in every way possible to see that this social legislation is acted on; and if any effort is made by any committee to prevent the reporting out of any of this legislation, we shall be compelled to ask for the discharge of any committee that holds any of this legislation back, without giving this Senate an opportunity to act on it.

For the first time in my experience as a legislator I now say that I, personally, will make a motion to discharge any committee that fails to report any of this legislation to the Senate for action. The report may be negative or affirmative,—that does not interest us; but a report must be made on this legislation or else the entire Philadelphia delegation will vote to discharge any committee that attempts to hold up these bills, without reporting them to the Senate.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, I hesitated for some time to vote on this resolution to adjourn December 21st; but, on the asurance that had been given, as expressed by Senator Salus, I voted "Aye" on it.

I take the position that this Senate should not adjourn until it has at least considered and acted upon every piece of legislation which is the subject matter of the call of the Governor of this Commonwealth. As I have been assured that it can be done,—that there is sufficient time to enable us to do that before adjourning on the twenty-first, I am voting in favor of this resolution. Otherwise, if the development should be that it cannot be done, that we shall not be able to consider all of this legislation, I, too, personally reserve the right to ask for a reconsideration of this action.

QUESTION OF PERSONAL PRIVILEGE

Mr. FRAZIER. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Frazier, will state his question of personal privilege.

Mr. FRAZIER. Mr. President, I want to say, along the line of the remarks of the Senators from Philadelphia, Mr. Salus and Mr. Shapiro, that I was placed, by the President Pro Tempore of the Senate, on a very important committee having to do with the work of this welfare legislation. And I wish to state that our committee reported in favor of the enactment of certain legislation along the line of social welfare, and that the recommendation of our committee was put into the form of bills, which bills have been approved by the House and are either on the way over here or are over here.

I feel, as my colleagues from Philadelphia feel, that if this resolution to adjourn on the twenty-first is an attempt to stifle this so-called social legislation, it is contrary to the report of our committee on those bills, which I reported out, on welfare legislation; and I reserve to myself the same right that has been reserved by the other Senators from Philadelphia.

HOUSE MESSAGE

JOINT COMMITTEE TO MAKE AN INVESTIGATION OF CONDITIONS EXISTING AT THE EASTERN PENITENTIARY.

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Judiciary General:

In the House of Representatives, December 5, 1933.

Whereas, Several serious outbreaks have occurred recently at the Eastern Penitentiary in Philadelphia; and

Whereas, The public is entitled to know whether such outbreaks are the result of negligence in the management of said institution, and due to conditions which have existed for some time, or whether they were unavoidable and due to the character of prisoners detained in said institution; therefore be it

Resolved (if the Senate concur), That the Speaker of the House of Representatives shall appoint three members, and the President Pro Tempore shall appoint two Senators, who together shall constitute a joint legislative committee whose duty it shall be to make a searching and impartial investigation of conditions existing at the Eastern Penitentiary, and to determine the causes of the recent outbreaks among the prisoners in said institution and to make report of its findings and recommendations to the General Assembly not later than February 1st, 1935;

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

QUESTION OF PERSONAL PRIVILEGE

Mr. GRAFF. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Armstrong, Mr. Graff, will state his question of personal privilege.

Mr. GRAFF. Mr. President, I had been called out of the Senate chamber before the resolution on adjournment was voted on. I desire to be recorded as voting "Aye" on this resolution.

REPORTS FROM COMMITTEES

Mr. FRAZIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FRAZIER, from the Committee on New Counties and County Seats reported as committed, Senate Bill No. 123, entitled:

An Act to amend the title and section one of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1019), entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes; authorizing the county commissioners to sell the same at private sale under the circumstances," by extending the provisions thereof to unseated lands.

Mr. ARON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 86 (House Bill No. 56), entitled:

An Act to amend sections one thousand seven hundred and seventy-six two thousand one hundred and twelve and two thousand one hundred and forty-one of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" lengthening the time for which assessment bonds for street and sewer improvements may be issued regulating notice where sewer-works are constructed without the limits of a borough

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 115, entitled:

An Act authorizing counties, cities, boroughs, townships, incorporated towns and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds, and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding, and limiting any compensation payable therefor.

Mr. ARMSTRONG. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARMSTRONG, from the Committee on Appropriations, reported as committed Senate Bill No. 88 (House Bill No. 88), entitled:

An Act making an appropriation out of the General Fund to the Pennsylvania Liquor Control Board for the administration and enforcement of the Pennsylvania Liquor Control Act

including the establishment operation maintenance and equipmet of Pennsylvania Liquor Stores and places for the storing and testing of liquors and providing for the partial reimbursement of the General Fund by making an appropriation from The State Stores Fund to be transferred in installments to the General Fund.

QUESTION OF PERSONAL PRIVILEGE

Mr. OWLETT. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Tioga, Mr. Owlett, will state his question of personal privilege.

Mr. OWLETT. Mr. President, I had been called out of the Senate chamber before the vote was taken on the resolution for adjournment. I desire to be recorded as voting "Aye" on the resolution.

BILLS INTRODUCED

Mr. SORDONI. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SORDONI read in his place and presented to the Chair Senate Bill No. 125, entitled:

An Act to amend the act approved the fifteenth day of May, One Thousand Nine Hundred and Thirty-three (Pamphlet Laws six hundred twenty-four), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons, restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts" by providing for establishment, maintenance, and operation of branch banks, branch offices and agencies and by further providing for the powers and limitations upon the facts of corporations and persons authorized to engage in a banking or a fiduciary business, or both, and of affiliates of such corporations or persons, and of officers, directods, trustees, and employees of such corporations and persons.

Also read in his place and presented to the Chair Senate Bill No. 126, entitled:

An act to amend sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession and conducting or liquidating the business and property of of corporations, associations and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan associations, providing for the payment of the expenses of the Department of Banking by supervised corporations, associations or persons and appropriating the Banking Department Fund, authorizing the Department of Banking under certain circumstances to examine corporations, associations or persons affiliated or having business transactions with supervised corporations, associations or persons, authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions and officers, authorizing certain local public officers and State departments to collect fees for services rendered under this act, providing penalties, and repealing certain acts and parts of acts" by further limiting the exemption of certain private bankers and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision.

REPORT FROM COMMITTEES

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there ojection? The Chair hears none.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOMINATIONS BY THE GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November, 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

MEMBERS OF THE BOARDS OF TRUSTEES OF THE MOTHERS' ASSISTANCE FUND

LUZERNE COUNTY

(Mrs.) Bessie W. Bryant, Nanticoke, from May 6, 1933, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Edna R. Girard, Hazleton, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Cora M. Davenport, West Pittston, from May 6, 1933, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Patterson, Wilkes-Barre, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Marya A. Porwit, Wilkes-Barre, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Laura H. Montz, Kingston, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Anna B. O'Malley, Wilkes-Barre, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

ERIE COUNTY

(Mrs.) Maude H. Barnes, Corry, from August 9, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Ina M. Barringer, Erie, from November 3, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Flora Pardee Kitchen, Erie, from November 3, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

CUMBERLAND COUNTY

Miss Margaret R. Stuart, Carlisle, from August 1, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Margaret L. Krall, Shippensburg, from August 3, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

JUNIATA COUNTY

(Mrs.) Edith S. Hartman, Mifflintown, from August 9, 1933, until June 1, 1939, and until her successor is duluy appointed and qualified.

(Mrs.) Pearl Basom, Richfield, from August 22, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MIFFLIN COUNTY

(Miss) Jennie G. Muthersbaugh, Lewistown, from August 1, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Pearl A. Bell, Lewistown, from August 2, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary Calhoun McNitt, Milroy, from August 2, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Janet B. Sweigart, Belleville, from August 4, 1933, until June 1, 1935, and until her successor is duly appointed and quaified.

(Mrs.) Mary B. Shaver, Newton Hamilton, from August 4, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Carolyn H. Brastow, Lewistown, from August 7, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Miss) Rhoda M. McNitt, Reedsville, from August 14, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

VENANGO COUNTY

(Mrs.) Jessie H. Wilson, Pleasantville, from August 3, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Exa Grove Lindsay, Utica, from August 7, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

WARREN COUNTY

(Mrs.) Lizzie E. Hawkey, Tidioute, from August 22, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Helen Pierce Hall, Warren, from August 22, 1932, until June 1, 1939, and until her successor is duly appointed and qualified.

BEDFORD COUNTY

(Mrs.) Mary Alice Sponsler, New Enterprise, from August 8, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Helen R. Samuel, Bedford, from August 14, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

SOMERSET COUNTY

(Mrs.) Myrtle E. Beggs, Confluence, from August 28, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary O. Cook, Meyersdale, from September 1, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

CRAWFORD COUNTY

(Mrs.) Clara M. Allison, Cochranton, from August 28, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MERCER COUNTY

(Miss) Myrtle L. Allen, Sharon, from August 18, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Sylva Yeager Taylor, Stoneboro, from August 29, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

GREENE COUNTY

Miss Mary W. Denny, Waynesburg, from August 22, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Eva K. Bowlby, Waynesburg, from August 23, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

WASHINGTON COUNTY

(Mrs.) Jane D. Dickson, McDonald, from July 31, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary D. Farquhar, California, from July 31, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

FAYETTE COUNTY

(Mrs.) Ada C. Crow, Uniontown, from August 16, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Clara L. McCormick, Uniontown, from August 16, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

BLAIR COUNTY

(Mrs.) Clara S. Bobb, Roaring Spring, from May 6, 1933, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Marguerite L. Giles, Tyrone, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Mary M. Sawtelle, Altoona, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Julia S. Scheeline, Hollidaysburg, from May 6, 1933, until June 1, 1933 and until her successor is duly appointed and qualified.

(Mrs.) Lydia F. Woodcock, Hollidaysburg, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Nellie Whittaker, Williamsburg, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Annie C. Wolf, Altoona, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

HUNTINGDON COUNTY

(Mrs.) Matilda C. Longacre, Mount Union, from August 3, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary A. Kyper, Mount Union, from August 7, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

ADAMS COUNTY

(Mrs.) Maude A. Neely, Fairfield, from August 2, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Elizabeth McPherson, Gettysburg, from August 9, 1933, until June 1, 1933, and until her successor is duly appointed and qualified.

FRANKLIN COUNTY

(Mrs.) Mary A. Corbett, Waynesboro, from August 2, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary E. Long, Chambersburg, from August 4, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

BERKS COUNTY

(Mrs.) Matilda C. Greenawald, Boyertown, from August 3, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary B. Nelson, Reading, from August 4, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

WESTMORELAND COUNTY

(Mrs.) Lydia Irwin Altman, Irwin, from June 5, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Anna McAfee Stoner, Mt. Pleasant, from June 5, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

COLUMBIA COUNTY

(Mrs.) Wilhelmina W. Moyer, Bloomsburg, from October 4, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

LYCOMING COUNTY

(Mrs.) Louise N. Brown, Williamsport, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Blanche S. Wood, Muncy, from July 24, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Burgwin Brock, Muncy, from July 26, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MONTOUR COUNTY

(Mrs.) Charella Myers, Danville, from August 9, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary J. Murray, Danville, from August 10, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

LEHIGH COUNTY

(Mrs.) Lillie C. Steckel, Slatington, from August 18, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

Miss Carrie A. Miller, Allentown, from August 22, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

LANCASTER COUNTY

(Mrs.) Agnes S. Hostetter, Lancaster, from August 29, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary Malone Zimmerman, Lancaster, from September 5, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

CHESTER COUNTY

(Mrs.) Christine I. Passmore, Nottingham, from July 28, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Virginia T. Galt, Glen Moore, from August 11, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

CAMBRIA COUNTY

(Mrs.) Catharine A. Montieth, Patton, from July 5, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Minnie Walker, Johnstown, from July 5, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Anna C. Seigh, Johnstown, from July 5, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

BUCKS COUNTY

Miss Laura C. Haines, Doylestown, from August 10, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mabel R. Briggs, Yardley, from August 18, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBERS OF THE STATE WELFARE COMMISSION

Thomas Kennedy, Hazleton, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBER OF THE STATE ATHLETIC COMMISSION

Harry T. Farrell, Wilkes-Barre, from July 10, 1933, for the term of two years.

MEMBERS OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

Miss Josepha Kutzki, Nanticoke, from May 6, 1933, for the term of four years, and until her successor is qualified.

Charles Wright, Glen Lyon, from May 6, 1933, for the term of four years, and until his successor is qualified.

A. G. Lewandowski, Nanticoke, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF HAZLETON STATE HOSPITAL

T. E. Snyder, Hazleton, from May 6, 1933, for the term of four years, and until his successor is qualified.

Chas. F. Johnson, Kis-Lyn, from May 6, 1933, for the term of four years, and until his successor is qualified.

Sefellen E. Stofflett, Hazleton, from May 6, 1933, for the term of four years, and until his successor is qualified.

Thomas Kennedy, Hazleton, from May 6, 1933, for the term of four years, and until his successor is qualified.

George B. Markle, Jr., Hazleton, from May 6, 1933, for the term of four years, and until his successor is qualified.

R. Emerson Buckley, Hazleton, from May 6, 1933, for the term of four years, and until his successor is qualified.

Joseph G. Saricks, Freeland, from May 6, 1933, for the term of four years, and until his successor is qualified.

H. M. Neale, Upper Lehigh, from May 6, 1933, for the term of four years, and until his successor is qualified.

Leo J. Kroner, Hazleton, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBER OF THE STATE BOARD FOR THE EXAMINATION OF PUBLIC ACCOUNTANTS

Harold S. Irwin, Carlisle, from May 6, 1933, for the term of four years.

MEMBER OF THE STATE MILITARY RESERVATION COMMISSION

C. V. Homer, Greenville, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE BOARD OF OSTEOPATHIC EXAMINERS

L. S. Irwin, Washington, from May 6, 1933, for the term of four years.

E. Clair Jones, Lancaster, from May 6, 1933, for the term of four years.

MEMBER OF THE BOARD OF FISH COMMISSIONERS

Kenneth A. Reid, Connellsville, from May 6, 1933, for the term of six years.

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

Louis F. Arensberg, East Millsboro, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBER OF THE STATE WELFARE COMMISSION

Paul N. Schaeffer, Reading, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBER OF THE STATE ATHLETIC COMMISSION

Robert J. Nelson, Reading, from May 6, 1933, for the term of two years.

MEMBER OF THE BOARD OF TRUSTEES OF EASTERN STATE PENITENTIARY

Henry G. Brock, Muncy, from May 6, 1933, for the term of four years, and until his successor is qualified.

MEMBERS OF THE WASHINGTON CROSSING PARK COMMISSION

(Mrs.) Jean Macbeth Huber, Macungie, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

Louis H. Hitchler, Oxford, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

Thomas Scott, Bristol, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

C. Wilson Roberts, Southampton, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

(Mrs.) Dora A. Miller, Huntingdon, from May 6, 1933, for the term of four years, and until her successor is qualified.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

MEMBER OF THE BOARD OF TRUSTEES OF STATE INDUSTRIAL HOME FOR WOMEN

Miss Helen L. McFarland, of Harrisburg, Dauphin County, vice P. M. Newman, deceased, for the term of four years, and until her successor is qualified.

ALDERMEN

J. L. Madden, Jr., of Harrisburg, Dauphin County, as Alderman of the 2nd Ward of the City of Harrisburg, Dauphin County, vice William H. Charters, deceased, until the first Monday in January, 1934.

C. H. Stuck, of Oil City, Venango County, as Alderman of the 3rd Ward of the City of Oil City, Venango County, vice William J. Brown, resigned, until first Monday in January, 1936.

GIFFORD PINCHOT.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 29, 1933.

To the Tonorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advise and consent of the Senate the appointment of Claude Dankel, of Summit Hill, Carbon County, as Justice of the Peace in the Borough of Summit Hill, Carbon County, vice James A. Cunningham, deceased, until the first Monday in January, 1936

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Ralph M. Ewers, Indianalo.
John Maccarone, Pittsburgh, 1253 Columbus Avenue.

NORTHAMPTON COUNTY

Oliver F. Evans, Easton.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 4, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation.

LACKAWANNA COUNTY

Miss Maude S. Dawkins, Scranton

LEHIGH COUNTY

Richard H. Clauss, Allentown

LEHIGH COUNTY

Nevin P. Fegely, Cementon
Mrs. Estella K. Knappenberger, Allentown

LYCOMING COUNTY

Jay H. Campbell, Williamsport

MONTGOMERY COUNTY

Mrs. Eleanor S. Cadmus, Pottstown

PHILADELPHIA COUNTY

Albert J. Lashner, Philadelphia, 1602 Pine Street

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 5, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BERKS COUNTY

Miss Beatrice Crowell, Reading.
Paul A. Holzman, Tulpehocken.

BLAIR COUNTY

William F. Neugebauer, Tyrone.

BUTLER COUNTY

J. S. Spence, Evans City.

LANCASTER COUNTY

Miss F. Ethel Adams, Lancaster.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 6, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BUCKS COUNTY

Nero S. Fretz, Bedminster.

FAYETTE COUNTY

Ewing R. Harmon, Connellsville.

LACKAWANNA COUNTY

Frank P. McGovern, Scranton.

PHILADELPHIA COUNTY

Henry Sork, Philadelphia, 1303 North American Building.

UNION COUNTY

R. C. Mahoney, Lewisburg.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and that the Senate do now resolve itself into Executive Session for the purpose of acting upon the foregoing nominations:

Which was agreed to

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. EINSTEIN. Mr. President, I move that the Executive Session do now rise.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 15, entitled:

An Act to amend the title and certain sections of the act approved the third day of May, one thousand nine hundred and thirty-three (Act No. 91), entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by limiting the provisions of the act to malt liquors, as defined therein.

Whereupon,

The PRESIDENT (Lieutenant Governor Edward C. Shannon) in the presence of the Senate signed the same.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. COYNE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Elections, reported as committed, Senate Bill No. 124, entitled:

An Act to further amend sections one, two, three, ten, eighteen, and nineteen, of the act, approved the thirteenth day of January, one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended, pursuant to Amendment Number Five to the Constitution of the Commonwealth, adopted November seventh, one thousand nine hundred thirty-three, eliminating the taxpaying qualification for voters.

Also, from the Committee on Municipal Affairs, reported Senate Bill No. 100, entitled:

A Supplement to an act approved the Seventh day of March One Thousand nine hundred and one (Pamphlet Laws 20) entitled "An act for the government of cities of the second class" creating the position of Solicitor for the Department of City Controller.

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Banks and Building and Loan Associations, reported as committed Senate Bill No. 125, entitled:

An Act to amend the act approved the fifteenth day of May, One Thousand nine hundred and Thirty-three (Pamphlet Laws six hundred and twenty-four), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers; and of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons, restricting the exercise of banking powers by any other corporations, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts" by providing for establishment, maintenance, and operation of branch banks, branch offices and agencies and by further providing for the powers and limitations upon the facts of corporations and persons authorized to engage in a banking or a fiduciary business, or both, and of affiliates of such corporations or persons, and of officers, directors, trustees, and employes of such corporations and persons.

Also, from the Committee on Banks and Building and Loan Associations, reported as committed Senate Bill No. 126, entitled:

An Act to amend sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations, associations and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan asociations, providing for the payment of the expenses of the Department of Banking by supervised corporations, associations or persons and appropriating the Banking Department Fund, authorizing the Department of Banking under certain circumstances to examine corporations, associations or persons affiliated or having business transactions with supervised corporations, associations or persons, authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions and officers, authorizing certain local public officers and State departments to collect fees for services rendered under this act, providing penalties, and repealing certain acts and parts of acts" by further limiting the exemption of certain private banks and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision.

Also, from the Committee on Banks and Building and Loan Associations, reported as committed Senate Bill No. 39, entitled:

An Act to amend sections fifteen, two hundred one, and one thousand five of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (Pamphlet Laws, five hundred sixty-five), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by extending its provisions to all private bankers and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision.

MOTION TO READ BILLS THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 39, entitled:

An Act to amend sections fifteen, two hundred one, and one thousand five of the act, approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws, five hundred sixty-five), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts" by extending its provisions to all private bankers and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeablye to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 59, entitled:

An Act to amend section four of the act, approved the fifth day of March, one thousand nine hundred and six (P. L. 78), entitled "An act to regulate nomination and election expenses, and to require accounts of nomination and election expenses to be filed, and providing penalties for the violation of this act," as amended.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 66, entitled:

An Act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, county commissioners, registrars, inspectors of registration and other appointees of county commissioners, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 86 (House Bill No. 56), entitled:

An act to amend sections one thousand seven hundred and seventy-six two thousand one hundred and twelve and two thousand one hundred and forty-one of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising and amending and consolidating the law relating to borough'" lengthening the time for which assessment bonds for street and sewer improvements may be issued regulating notice where sewer-works are constructed without the limits of a borough.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 100, entitled:

A Supplement to an act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws 20), entitled "An act for the government of cities of the second class" creating the position of Solicitor for the Department of City Controller.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 115), entitled:

An Act authorizing counties, cities, boroughs, townships, incorporated towns and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds, and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding, and limiting any compensation payable therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 123, entitled:

An Act to amend the title and section one of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1019), entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes; authorizing the county commissioners to sell the same at private sale under the circumstances," by extending the provisions thereof to unseated lands.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 124, entitled:

An Act to further amend sections one, two, three, ten, eighteen, and nineteen, of the act, approved the thirteenth day of January, one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended, pursuant to Amendment Number Five to the Constitution of the Commonwealth, adopted November seventh, one thousand nine hundred thirty-three, eliminating the tax-paying qualification for voters.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 125, entitled:

An act to amend the act approved the fifteenth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers; and of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons, restricting the exercise of such powers by any other corporations, asociation, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts" by providing for establishment, maintenance, and operation of branch banks, branch offices and agencies and by further providing for the powers and limitations upon the facts of corporations and persons authorized to engage in a banking or a fiduciary business, or both, and of affiliates of such corporations or persons, and of officers, directors, trustees and employes of such corporations and persons.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 126, entitled:

An Act to amend sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidiating the business and property of corporations, associations and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan associations, providing for the payment of the expenses of the Department of Banking by supervised corporations, associations or persons and appropriating the Banking Department Fund, authorizing the Department of Banking under certain circumstances to examine corporations, associations or persons affiliated or having business transactions with supervised corporations, associations or persons, authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions and officers, authorizing certain local public officers and State departments to collect fees for services rendered under this act, providing penalties, and repealing certain acts and parts of acts" by further limiting the exemption of certain private banks and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENTS

The PRESIDENT. The Secretary will make announcements.

The SECRETARY. The Governor and Mrs. Pinchot are giving a Christmas Party to the members of the General Assembly and their wives on Tuesday evening, December 12, at 8 o'clock in the Governor's Reception Room. Informal dress. Invitation is by card of admission.

COMMITTEE HEARINGS

There will be a joint hearing by the Committees on Judiciary General and Appropriations at 2 o'clock Tuesday afternoon, in the Senate Caucus Room on social legislation. Senators are invited to attend.

Following the joint hearing there will be an Executive Session by the Committees on Appropriations and Judiciary General.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 11 o'clock.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.34 P. M. until 11 o'clock Tuesday morning, December 12, 1933.

HOUSE OF REPRESENTATIVES

MONDAY, December 11, 1933

The House met at 9 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Most Holy God, our heavenly Father, we hail with heartfelt thanksgiving, this long coveted day, with its opportunities for building a better social order for our people. Millions of our citizens have been and are sorely distressed because of the breakdown of the old social order, and the inadequacy of many human laws and institutions. Grant, O God! that the General Assembly will turn opportunity into accomplishment.

Graciously shed thy light upon these thy servants as they give serious thought and action to the urgent needs of our sorely beset multitudes.

May the legislative work of this week be with justice to all, and favoritism to none, that the legitimate needs of all Pennsylvanians may be served. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, December 6, 1933.

The Clerk proceeded to read the Journal of Wednesday, December 6, 1933, when, on motion of Mr. Lane, the further reading of was dispensed with and the Journal approved.

GOVERNOR GRANTED USE OF HALL OF HOUSE

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I move that His Excellency, the Governor of the Commonwealth, be granted the privilege of the Hall of the House, Tuesday, December 12, 1933.

The motion was agreed to

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make the following announcement:

The Christmas Party to be given by His Excellency, the Governor and Mrs. Pinchot, will be held in the Governor's reception room at the Capitol, and not at the Mansion, on Tuesday evening, December 12.

COMMUNICATION FROM THE CHIEF CLERK

The SPEAKER laid before the House a communication from the Chief Clerk which was read by the Clerk as follows:

Office of the Chief Clerk, House of Representatives,
Harrisburg, Pa., December 11, 1933.

My dear Mr. Speaker:

I respectfully request that I be granted a further leave of absence (without pay) as Chief Clerk from December 12, 1933 until the next Session of the Legislature.

If the decision in the case now pending in adverse to me, I will, of course, resign my office as Chief Clerk.

Very sincerely yours,
E. F. WHITE.

LEAVE OF ABSENCE GRANTED CHIEF CLERK

Mr. HUTTON. Mr. Speaker, I move that the request of the Chief Clerk be granted, and that he be given a further leave of absence as stipulated in his letter, and upon the conditions as set forth in the letter.

On the question.

Will the House agree to the motion?

The yeas and nays were required by Mr. Quinn and Mr. Beech.

YEAS—112

Andrews,	Habbyshaw,	Mumford,	Shortz,
Baldi,	Harris,	Murphy,	Shreiner,
Barnhardt,	Hart,	Myers,	Simon,
Bechtel,	Heffernan,	Negley,	Snyder,
Bennett,	Hewitt,	Nothnagle,	Sowers,
Bernhard,	Holmes, J. L.,	O'Connor,	Spann,
Blumberg,	Horst,	O'Rourke,	Steedle,
Brennan,	Hough,	Patterson,	Sterling, P.,
Carey,	Hutton,	Pennock,	Stevens,
Chervenak,	Jaffe,	Perry, D. R.,	Stiteler,
Conner,	Jones,	Perry, J. J.,	Stott,
Cooke,	Kane, L. P.,	Peters,	Tahl,
Cordier,	King,	Powell,	Turner,
Craig,	Laubach,	Price,	Wasserman,
Dane,	Long,	Rectenwald,	Weidemann,
Davies,	Lord,	Reed,	White,
DeFrehn,	McBride,	Rice,	Wike,
Denning,	McCandless,	Roan,	Williams, G. W.,
Downey, J. J.,	McClure,	Root,	Williams, J. J.,
Duffy,	McCreary,	Roth,	Wilson, T. B.,
Ederer,	McElwee,	Royle,	Witkin,
Emhardt,	McGregor,	Ruby,	Woodside,
Flynn, J. M.,	McKay,	Schwartz,	Wright,
Forrest,	McKinney,	Scorza,	Yeakel,
Gallagher, W. J.,	Meredith,	Scott,	Yourishin,
Gartner,	Merrell,	Sheffer,	Zimmerman,
Gillette,	Mohn,	Shellenberger,	Talbot,
Gorman,	Moore,	Shenkel,	Speaker.
Green,			

NAYS—75

Baker,	Flynn, J. W.,	Lovett, J. E.,	Schrope,
Beech,	Furman,	Lovett, W. S.,	Schwar,
Boyd,	Gallagher, T. J.,	Lynch, M.,	Shettel,
Brancato,	Griffith,	Male,	Shugarts,
Brown, J. E.,	Harmuth,	Maloney,	Stank,
Brown, W. L.,	Hartman,	Marcks,	Sterling, R. B.,
Brownfield,	Heffner,	McGinnis,	Stone,
Cannon,	Hermansen,	McGrail,	Trout,
Caputo,	Hester,	McHenry,	Wade,
Carson,	Himes, H. E.,	Melchiorre,	Wagner,
Cohen,	Himes, L. R.,	O'Keefe,	Walker, G. E.,
Cramer,	Holmes, J. B.,	Peelor,	Walker, W. A.,
Downey, G. E.,	Hoopes,	Powers,	Wall,
Dunmire,	Howard,	Quinn,	Way,
Eroe,	Kane, J. J.,	Raub,	Welsh,
Evans,	Kinney,	Reilly,	Westrick,
Fitzgerald,	Labar,	Ruth,	Wilson, L. M.,
Flanagan,	Lane,	Sarig,	Wood,
Flinchbaugh,	Lose,	Schrock,	

So the question was determined in the affirmative and the motion was agreed to.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk.

URGING ABOLITION OF COAL AND IRON POLICE

Citizens of Indiana.

Referred to the Committee on Municipal Corporations and Counties.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 17

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 8, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 17, Printer's No. 59, entitled:

An Act to amend the title and certain sections of the act approved the nineteenth day of February one thousand nine

hundred twenty-six (Pamphlet Laws sixteen), entitled "A supplement to the act approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four), entitled 'An act concerning alcoholic liquors prohibiting the manufacture, advertising, furnishing, traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties, forfeitures and the abatement of nuisances and depealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permits through a Pennsylvania Alcohol Pemit Board created in the Department of Welfare the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, recovery, reuse, holding in bond, holding in storage by bailees, for hire, sale at wholesale and transportation for hire of any alcohol or alcoholis liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid, also declaring certain places nuisances and providing for their abatement, also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by providing that the act shall be administered by the Pennsylvania Liquor Control Board making the act consistent with the repeal of the Eighteenth Amendment changing definitions and exemptions, bringing rectifiers and blenders within the act allowing appeals to the courts providing for the abatement of nuisances and increasing fees.

GIFFORD PINCHOT.

LEAVES OF ABSENCE

Mr. MUMFORD asked and obtained leave of absence for Mr. Wheeler for the balance of the week.

Mr. McKAY asked and obtained leave of absence for Mr. Stevenson on account of sickness.

Mr. SHEFFER asked and obtained leave of absence for Mr. Surface on account of illness.

Mr. RAUB asked and obtained leave of absence for Mr. Sinwell for the balance of the week on account of illness.

REPORTS FROM COMMITTEES

Mr. TAHL, from the Committee on Elections, reported as amended, House Bill No. 151, entitled:

An Act to amend sections two, three, five, six, seven, eight, ten, eleven, twelve, section thirteen as amended, sections fourteen, nineteen, twenty, twenty-one, twenty-two, twenty-four, twenty-six, thirty-two, thirty-three, thirty-four, thirty-six, thirty-seven, section forty-three as amended, sections forty-seven, forty-nine of, and to add sections eight and one-tenth, twelve and one-tenth, twenty-three and one-tenth, twenty-three and two-tenths, twenty-five and one-tenth, forty-nine and one-tenth, forty-nine and two-tenths, forty-nine and three-tenths to the act approved the tenth day of July, one thousand nine hundred and nineteen, P. L. 857), entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections, and their enrollment as members of political parties as a further condition of their right to vote at primaries, in cities of the first class of this Commonwealth, by removing from office all existing registration commissioners and their appointees in said cities, and authorizing the Governor to appoint registration commissions therein; defining the jurisdiction of said commissions, and the powers and duties of the commissioners constituting same, and of their appointees, including registrars, inspectors of registration, clerks, and counsel; fixing their qualifications, terms of office, and compensation; granting them certain immunity from arrest on registration days; and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence, as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof, to copy or demand a list of the lodgers therein, and to supervise the conduct of registrars; regulating the registration of electors at polling places by registrars, and at the offices of commissions by commissioners, and the right of parties or bodies of electors to have watchers thereat, and the prepration and use of street lists and other records of those registered; allowing the names of persons not entitled to vote to be struck from the registers in certain cases; permitting all records regarding registration to be inspected and copies by any elector under certain conditions; directing how the registers shall be used at elections and primaries; compelling the attendance of witnesses and payment of witness fees; and providing penalties for refusal to obey subpoenas; directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor; authorizing such clerks to administer oaths, sign subpoenas and vouchers, and to collect and disburse witness fees; prescribing a method for challenging persons applying for registration, and the procedure for the correction of registers, and for appealing from actions of registrars to said commissions; and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas; imposing certain duties upon election officers and upon the councils, treasurers, controllers, receivers of taxes, police officers, and other officials of said cities and upon the courts, judges, prothonotaries, sheriffs, commissioners, peace officers, and other officials of the judicial districts and counties in which said cities are situated or with which they are co-extensive; legalizing certain acts required hereby if done on any Sunday or legal holiday; requiring said cities to provide for the maintenance of said commissions, and the compensation of their appointees, and the payment of all expenses necessary to carry out the provisions of this act, and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions; punishing and fixing penalties for violations hereof; and repealing all legislation inconsistent herewith"; providing a system of permanent personal registration for such cities; changing the number of the members of the registration commission, removing the existing registration commissioners, and providing for the appointment of the new members thereof; and imposing additional duties and restrictions upon the registration commissioners, county commissioners, registrars, and inspectors of registration.

Mr. WOODSIDE, from the Committee on Judiciary General, reported as committed, House Bill No. 95, entitled:

An Act to provide for the investigation and study of wages of men, women and minors employed in trade and industry in the Commonwealth of Pennsylvania, and for the determination and establishment of minimum fair wage standards for such workers and for the purpose of preventing unfair and oppressive exploitation of such workers; providing procedure to enforce the payment of such minimum wages; and prescribing penalties.

Mr. TURNER, from the Committee on Judiciary General, reported as committed, House Bill No. 200, entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

Mr. HERMANSEN, from the Committee on Labor, reported as amended, House Bill No. 124, entitled:

An Act to amend the act approved the thirteenth day of May, one thousand nine hundred fifteen (Pamphlet Laws, two hundred eighty-six), entitled "An act to provide for the health, safety, and welfare of minors; by forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment, by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the

period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance, authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by prohibiting employment of minors between fourteen and sixteen years of age, except in certain types of work which will not interfere with school attendance; further limiting the occupations in which minors between fourteen and eighteen years of age may be employed or permitted to work and the hours of labor; further regulating employment certificates and requiring minors under eighteen to procure such certificates, imposing on school districts to issue such certificates and repealing certain sections and acts.

Mr. STOTT, from the Committee on Labor, reported as committed, House Bill No. 149, entitled:

An Act to amend section four of the act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1024), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," by changing the hours during which females may be employed.

Mr. GORMAN, from the Committee on Judiciary General, reported as committed, House Bill No. 98, entitled:

An Act to regulate commerce and prevent unfair competition; defining fair prices, prescribing remedies to uphold the same, and providing penalties.

Mr. RECTENWALD, from the Committee on Cities, reported as committed, House Bill No. 171, entitled:

An Act to amend section one of article six of the act approved the seventh day of March, one thousand nine hundred and one, (P. L. 20), entitled "An act for the government of cities of the second class," as amended, by providing for the assessment of a less rate of tax upon buildings than upon land, graded over a period of years, until the rate upon buildings shall become one-fifth of the rate upon land.

Mr. SPANN, from the Committee on Judiciary General, reported as committed, House Bill No. 199, entitled:

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made.

Mr. BALDI, from the Committee on Municipal Corporations, reported as committed, House Bill No. 35, entitled:

An Act providing for, requiring and regulating the installation, through the budget secretary of the Commonwealth of budget and accounting systems for certain political subdivisions of the Commonwealth; regulating tax levies, appropriation expenditures, contracts, and purchases by and requiring certain reports from such political subdivisions; imposing duties upon the officers of such political subdivisions and the budget secretary; and prescribing penalties.

Mr. CORDIER, from the Committee on Judiciary General, reported as committed, House Bill No. 196, entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder," as amended by extending the time for appeals from the referee's decision to the board.

Mr. TAHL, from the Committee on Municipal Corporations, reported as committed, House Bill No. 86, entitled:

An Act to prohibit discrimination and intimidation on account of race or color in employment under contracts for public buildings or public works, and fixing penalties therefor.

Mr. McGREGOR, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 144, entitled:

A Joint Resolution proposing an amendment to section seven, article nine of the Constitution of the Commonwealth of Pennsylvania.

Mr. EDERER, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 153, entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

Mr. YOURISHIN, from the Committee on Labor, reported as committed, House Bill No. 117, entitled:

An act to regulate the payment of wages or compensation for labor or service in private employments; establishing regular pay days; providing that notices as to pay days must be kept posted by the employer; and providing penalties.

Mr. THOMAS J. GALLAGHER, from the Committee on Labor, reported as committed, House Bill No. 5, entitled:

An Act athorizing the adoption by employers in certain cases of a "check off" system whereby the union dues of employes and the wages of check weighmen, or other persons, may be deducted from the wages of employes; making unlawful other deductions and providing a penalty.

Mr. DUNMIRE, from the Committee on Labor, reported as committed, House Bill No. 121, entitled:

An Act requiring wages to be paid in cash, check, or other evidence of indebtedness, redeemable in lawful money of the United States.

Mr. RUBY, from the Committee on Judiciary General, reported as committed, House Bill No. 197, entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board.

Mr. MELCHIORRE, from the Committee on Labor, reported as committed, House Bill No. 63, entitled:

An Act creating an Unemployment Insurance Commission defining the powers and duties of said Commission and making an appropriation.

Mr. O'CONNOR, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 145, entitled:

A Joint Resolution proposing an amendment to section eighteen, article three of the Constitution of the Commonwealth of Pennsylvania.

Mr. SHUGARTS, from the Committee on Labor, reported as committed, House Bill No. 142, entitled:

An Act to amend section four of the act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1024) entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for the violation thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," prohibiting the employment of females in foundries.

Mr. McELWEE, from the Committee on Judiciary General, reported as committed, House Bill No. 138, entitled:

An Act to further amend clause (e) of section three hundred and six of the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," by permitting the extension of time for hospitalization to ninety days at the option of the employer or insurer; and fixing the date when this act becomes effective.

Mr. GRIFFITH, from the Committee on Labor, reported as committed, House Bill No. 57, entitled:

A Joint Resolution creating an Unemployment Insurance Investigation Commission; defining the powers and duties of said Commission; and making an appropriation.

Mr. JAMES E. LOVETT, from the Committee on Labor, reported as committed, House Bill No. 21, entitled:

An Act relating to labor; declaring the policy of the Commonwealth as to the hours of, and prohibiting the employment of persons for more than six hours in any one day, or for more than thirty hours in any one week; providing for overtime employment and attaching penalties thereto, and providing penalties for violations hereof.

Mr. WAGNER, from the Committee on Labor, reported as committed, House Bill No. 207, entitled:

An Act to amend an act approved the twenty-fifth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand twenty-four), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commisisoner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," by excepting from the provisions of the act domestic service in private homes and further regulating the hours of labor.

Mr. ROTH, from the Committee on Cities, reported as committed, House Bill No. 177, entitled:

An Act providing that one-third of the cost of the board of revision of taxes and of the assessors other than personal property assessors in counties of the first class, shall be paid by the school district co-extensive therewith.

Mr. WOOD, from the Committee on Agriculture, re-reported as amended, House Bill No. 139 (Senate Bill No. 35), entitled:

An Act relating to milk and the products thereof; declaring an emergency with respect to their production and marketing; creating a Milk Control Board in the Department of Agriculture; defining its jurisdiction, powers, and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery, and sale of milk and the products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring licensees to furnish bonds for the protection or producers; authorizing the examination of the business, papers, and affairs of, and requiring the filing of reports by, licensees and other milk dealers, and permitting with limitations the dissemination of information obtained therefrom; authorizing the issuance of subpoenas by the Board or its agents, and conferring jurisdiction upon courts to punish contempts; providing for appeals to the courts from decisions of the Milk Control Board; imposing penalties; and making an appropriation.

BILLS ON FIRST READING

Mr. McGREGOR asked and obtained unanimous consent for House Bill No. 144 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 144, entitled:

An Act proposing amendment to section seven, article nine of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. EDERER asked and obtained unanimous consent for House Bill No. 153 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 153, entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. YOURISHIN asked and obtained unanimous consent for House Bill No. 117 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 117, entitled:

An Act to regulate the payment of wages or compensation for labor or service in private employments; establishing regular pay days; providing that notice as to pay days must be kept posted by the employer; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. THOMAS J. GALLAGHER asked and obtained unanimous consent for House Bill No. 5 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 5, entitled:

An Act authorizing the adoption by employers in certain cases of a "check off" system whereby the union dues of employes and the wages of check weighmen, or other persons, may be deducted from the wages of employes; making unlawful other deductions and providing a penalty.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. DUNMIRE asked and obtained unanimous consent for House Bill No. 121 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 121, entitled:

An Act requiring wages to be paid in cash, check, or other evidence of indebtedness, redeemable in lawful money of the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. RUBY asked and obtained unanimous consent for House Bill No. 197 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 197, entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. MELCHIORRE asked and obtained unanimous consent for House Bill No. 63 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 63, entitled:

An Act creating an Unemployment Insurance Commission defining the powers and duties of said Commission and making an appropriation.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Mr. O'CONNOR asked and obtained unanimous consent for House Bill No. 145 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 145, entitled:

An Act proposing an amendment to section eighteen, article three of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. SHUGARTS asked and obtained unanimous consent for House Bill No. 142 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 142, entitled:

An Act to amend section four of the act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1024), entitled 'An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain santiary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," prohibiting the employment of females in foundries.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. McELWEE asked and obtained unanimous consent for House Bill No. 138 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 138, entitled:

An Act to further amend clause (e) of section three hundred and six of the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," by permitting the extension of time for hospitalization to ninety days at the option of the employer or insurer; and fixing the date when this act becomes effective.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. GRIFFITH asked and obtained unanimous consent for House Bill No. 57 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 57, entitled:

A Joint Resolution creating an Unemployment Insurance Investigation Commission; defining the powers and duties of said Commission; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. JAMES E. LOVETT asked and obtained unanimous consent for House Bill No. 21 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 21, entitled:

An Act relating to labor; declaring the policy of the Commonwealth as to the hours of, and prohibiting the employment of persons for more than six hours in, any one day, or for more than thirty hours in any one week; providing for overtime employment and attaching penalties thereto, and providing penalties for violations hereof.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Mr. WAGNER asked and obtained unanimous consent for House Bill No. 207 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 207, entitled:

An Act to amend an act approved the twenty-fifth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand twenty-four) entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," by excepting from the provisions of the act domestic service in private homes and further regulating the hours of labor.

And said bill having been read at length the first time

Ordered, To be laid aside for second reading.

Mr. ROTH asked and obtained unanimous consent for House Bill No. 177 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 177, entitled:

An Act providing that one-third of the cost of the board of revision of taxes and of the assessors other than personal property assessors in counties of the first class, shall be paid by the school district coextensive therewith.

Ordered, To be laid aside for second reading.

And said bill having been read at length the first time,

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 15,

An Act to amend the title and certain sections of the act approved the third day of May, one thousand nine hundred and thirty-three (Act No. 91), entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by limiting the provisions of the act to malt liquors, as defined therein and clarifying certain provisions of the act.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION NO. 13

Mr. BALDI. Mr. Speaker, I desire to call up at this time Resolution No. 13, Printer's No. 64.

The resolution was read by the Clerk as follows:

In the House of Representatives, December 5, 1933.

Whereas Several serious outbreaks have occurred recently at the Eastern Penitentiary in Philadelphia and

Whereas The public is entitled to know whether such outbreaks are the result of negligence in the management of said institution and due to conditions which have existed for some time or whether they were unavoidable and due to the character of prisoners detained in said institution therefore be it

Resolved (if the Senate concur) That the Speaker of the House of Representatives shall appoint three Members and the President Pro Tempore shall appoint two Senators who together shall constitute a joint legislative committee whose duty it shall be to make a searching and impartial investigation of conditions existing at the Eastern Penitentiary and to determine the causes of the recent outbreaks among the prisoners in said institution and to make report of its findings and recommendations to the General Assembly not later than February first one thousand nine hundred and thirty-five

Resloved That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books papers records and documents as the committee may deem necessary Such subpoenas may be served upon any any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases

On the question,

Will the House adopt the resolution?

Mr. PHILIP STERLING. Mr. Speaker and members of the House, I have no special interest in this resolution which it seems sets up a legislative inquiry with reference to the riots or break-outs, that lately we have read, and know, occurred at the Eastern Penitentiary in Philadelphia. But I believe before the membership of the House should vote on the resolution that it should know that there is presently in process two investigations seeking to find the information that this resolution seeks to find. It is true that this body is entitled to know the cause for the riots, but it seems to me that adding a third inquiry to the two already in existence will be confusion more confounded and more especially is that true when one of the bodies making the investigation is the Grand Jury of the County of Philadelphia, lately appointed and instructed to proceed by His Honor, Judge McDevitt.

There appeared in the public press within the last few days a distasteful, embittered quarrel between Judge McDevitt and Mr. Robinson, an appointee of Governor Pinchot, but not yet confirmed by the Senate.

A committee was appointed by the Governor some weeks ago to make an investigation of the causes of the rioting. That committee was composed of our own Mr. Adams, Major Adams, the head of the State Police, Mr. Robinson, a well known penologist, and T. Henry Walnut, of Philadelphia, an outstanding lawyer and ex-district attorney. Now, with that one group, proceeding with the investigation, as I have previously stated, Judge McDevitt of Philadelphia County has lately ordered and instructed the Grand Jury to make a similiar investigation. It seems to me that two investigating bodies working concurrently will be quite sufficient in an institution of that type, and it seems further to me that this Legislature should bide its time and ascertain, first, the result of these two investigations, or at least one of them, before it proceeds to embark on its own individual investigation. For the sake of the institution and for the sake of the inmates of that institution, considering its nature and their nature, it seems to me the best interests of the Commonwealth will be served if this resolution is defeated at this time.

Mr. BALDI. Mr. Speaker and members of the House, I listened attentively to my colleague, Mr. Sterling, from Philadelphia, relative to House Resolution No. 13. He told the truth of the two investigations going on at the present time. When I introduced this resolution, I was aware of the first investigation, but it so happened that at about the same time Judge Harry S. McDevitt instituted the thought of making an investigation through the Grand Jury.

I believe this legislative body, the body which appropriates the money for the Eastern Penitentiary, and other penal institutions, is the proper body to make an unbiased investigation. We all know the disturbances that have taken place in the Eastern Penitentiary recently and no doubt the same affairs are going on in our other penal institutions. My thought is, if upon investigating the conditions at the Eastern Penitentiary they warrant a further investigation of the other institutions, I then say we should proceed.

I hold no brief for either Judge Harry S. McDevitt or the Governor, who are in the midst of investigating the Eastern Penitentiary. I am asking you men to support this resolution. It is a resolution that will not take one cent of the State money to investigate. If after we investigate we find that the conditions are such that they are hampering the warden, then I say we are the ones to start a change. So far as the other two investigations are concerned this one will not interfere and I ask at this time that you support this resolution.

On the question recurring,

Will the House agree to the resolution?

It was agreed to

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT FROM COMMITTEE ON RULES

Mr. HUTTON. Mr. Speaker, I desire to offer the following resolutions from the Committee on Rules.

The resolution was twice read by the Clerk as follows:

In the House of Representatives, December 11, 1933.

Resolved (if the Senate concur) That this Special Session of the General Assembly adjourn sine die Thursday, December 21, 1933, at 12 o'clock noon.

Committee on Rules:
GROVER C. TALBOT.
A. J. WHITE HUTTON,
THOMAS B. WILSON.
MORTON WITKIN,
JOSEPH G. STEEDLE,

On the question,

Will the House adopt the resolution?

Mr. HOOPES. Mr. Speaker and members of the House, I don't think that any one of you is any more anxious to get through with this special session and get home than I am, but I am not so anxious to go there that I want to quit without having passed the labor and social legislation which was included in the Governor's call and which has been introduced in this House, a considerable part of which has been reported from committees here tonight.

We have been in session now five weeks I believe. If these bills had been reported out promptly, earlier in the session, they undoubtedly could have received full consideration, not only by this House but also in the Senate and we could have been through by December 21st. As it is now they cannot possibly pass this House before Wednesday and some of them possibly on Thursday, if we stay that long, of this week, and then allowing for a reasonable delay in the committees of the Senate, they will not be up for final passage by December 21st.

I arise at this time to oppose the fixing of a date of adjournment until we have acted upon this labor and social legislation, not only in this House, but also in the Senate. I do not want to tie the hands of the House at this time. I want it to be in a position to continue and vote for what we have agreed in so far, for these measures. If we fix the date for final adjournment tonight, it will be very easy for those who oppose this legislation to obstruct it in committee and in ways well known to these gentlemen in the Senate, assuming that it passes this House, by failing to get it out of committee in time to be passed in the Senate by December 21st.

We came into session for a special purpose. The people of Pennsylvania expect us to accomplish that purpose. They expect us to ratify the child labor amendment; they expect us to adopt the minimum wage laws; they expect us to amend the child and the women law of Pennsylvania, limiting the hours of labor much more than they are at the present time, and in the case of children increasing or raising the age limit; they expect us to pass other measures to cooperate with the United States Adminstration under the NRA; they expect us to do this before we go home. So we should not tie our hands and put ourselves in a position where we will bind ourselves to adjourn at a fixed time, regardless of what is done. When we have finished this legislation no one will stop us from adjourning. They could introduce a resolution on the last day and adopt it and go home. We don't have to adopt a resolution two weeks or ten days in advance.

I hope the members of this House who are in favor of labor and social legislation will oppose this resolution at this time with the understanding that we will vote for it as soon as the purposes of this session have been accomplished.

Mr. JOHN J. KANE. Mr. Speaker and members of the House, I agree with Representative Hoopes that this resolution should be voted down. It appears to me that the same procedure is now being attempted to be put into effect that was in effect in the General Assembly in the early part of this year. There has been a concerted drive for the enactment of social legislation, which I charge is being done at this time for political purposes. It appears to me that the program is to release this legislation to the floor of the House and to set the date of adjournment and kill these bills in the Senate. If they are successful in passing in the Senate against the Mellon-Grundy-Pinchot trio, they yet have a last recourse in the Supreme Court of Pennsylvania. I am not satisfied that even the accomplishment or the enactment of social and labor legislation in the General Assembly is going to bring about the things that are needed and wanted and desired by the people of Pennsylvania, because sitting on the Supreme Court bench, ladies and gentlemen of this House, there are men who are on record as having received favors from the house of J. Pierpont Morgan, and so how can we sit idly by and adopt a resolution such as this one is and then adjourn.

I say that I have more reasons than any man in the House to wish for an early adjournment, but I am not going to go along with a resolution such as this one is that is in my opinion only put before the House for the purpose of killing whatever effect the reporting of these labor bills from the Labor Committee may have.

The program is clear to me, and I am not being fooled by any maneuvering by the leadership of this House. The pressure of public opinion has caused these labor bills to be reported out of committee, and the same pressure will follow

that has always followed in this House, that they will be killed in the Senate. No pressure of public opinion is strong enough—they may be passed on here and they may be passed in the Senate but they will be passed on afterwards by the members of the Supreme Court by men who have no right to be here. I ask you to vote this down.

Mr. SOWERS. Mr. Speaker and members of the House, it is necessary for us to agree at some time to adjourn. By fixing December 21st as the date for adjournment, it is giving notice to everybody that has bills to get busy. Sitting around here means nothing. All we can accomplish is to go on record. The bills are here. Anybody that wants to move for the discharge of a committee can do so and get a record vote. If the bills pass, as no doubt they will, and many already have, they will go to the Senate and the people will know where to put the blame. Tarrying around here will not add anything to it. We, at some time, must agree to adjourn. Now is the proper time to give everybody notice; they know they have ten days, and that means, "Now get busy". I ask everybody to vote in favor of this resolution.

Mr. LENAHAN. Mr. Speaker and members of the House, I agree with the gentleman from Philadelphia and my colleague, the gentleman from Allegheny. The House can accomplish nothing by prolonging this session, and whether we adjourn on the 21st of December or whether we adjourn on the 21st of January, as far as the members that are interested in social legislation are concerned, it will accomplish nothing, because as I, a member here for the purpose of representing the people that are vitally interested in social legislation am concerned, it makes no difference whether we adjourn today or whether we adjourn six months from now. The House of Representatives, I am sorry to say, as it exists today, is opposed one hundred per cent. to social legislation, and we might as well get out of here today as adjourn six months from now.

The people of the Commonwealth of Pennsylvania imposed on us an important duty; to come down here an try to pass through this Hall legislation that will affect the poor men and the poor women that toil, but here we are, aghast, as it were, amid a House of Representatives that is opposed one hundred per cent. against social legislation.

To the members of this House and to the people of the Commonwealth of Pennsylvania, I say to you that if we were to adjourn today we would save the Commonwealth of Pennsylvania money, because the majority of this House is diametrically opposed to any legislation that will favor the man that has to toil for a living. The house of Grundy and his cohorts are all set against labor, and the labor proposition, and I say that the proponents who propose to pass through this Assembly this legislation, will not get anywhere with it, because this group is diametrically opposed to it. I say to you in the ten days that is now ensuing if we want to pass labor and social legislation, the time is now at hand, and if we want to expose who are the followers of Grundy and the followers of Pinchot and those who are diametrically and diabolically opposed to labor, now is the time to put them on the spot.

The SPEAKER. The Chair requests the gentleman to confine his remarks to the motion before the House.

Mr. LENAHAN. And I say to the Speaker and members of the House that I am speaking on this motion, and as a member of this House I know the causes that have been fortified against labor legislation. It is impossible, I say to the Speaker and members of the House, we might just as well adjourn now and save time as far as putting through any special legislation is concerned. This House is opposed to it and we know it, and there is no use wasting time. If we do adjourn on the 21st, let us adjourn, but let us put on record those members of the House who are opposed to labor and social legislation.

Mr. FITZGERALD. Mr. Speaker and members of the House, after what has already been said, there is very little to add other than this; that the State Federation of Labor has circularized among you a request asking you not to adjourn until you have taken care of the labor propositions in the call of the Governor, and likewise the two unanimous actions of the recent two Democratic Caucuses has been to oppose adjournment until social legislation is property taken care of. Feeling that that has not been done at this time, I will ask those of my friends and the friends of labor and the Democratic members of the House to oppose this motion.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Hoopes and Mrs. Wilson.

Mr. HOWARD. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—115

Andrews,	Habbyshaw,	McKinney,	Simon,
Baker,	Haines,	Meredith,	Snyder,
Baldi,	Hamilton,	Merrell,	Sowers,
Bennett,	Harris,	Mohn,	Spann,
Blumberg,	Hart,	Moore,	Steedle,
Brennan,	Heffernan,	Mumford,	Stiteler,
Carey,	Hefferon,	Munley,	Stott,
Conner,	Heffner,	Murphy,	Tahl,
Cooke,	Hewitt,	Myers,	Trout,
Cordier,	Holmes, J. L.,	Negley,	Turner,
Craig,	Horst,	Nothnagle,	Wade,
Dane,	Hutton,	Patterson,	Wall,
Davies,	Jaffe,	Peelor,	Wasserman,
DeFrehn,	Jones,	Pennock,	Way,
Denning,	Kane, L. P.,	Perry, D. R.,	Weidemann,
Duffy,	King,	Peters,	White,
Dunmire,	Laubach,	Price,	Wike,
Ederer,	Lewis,	Rectenwald,	Williams, G. W.,
Emhardt,	Long,	Rice,	Williams, J. J.,
Evans,	Lord,	Root,	Wilson, T. B.,
Fleisher,	Lose,	Roth,	Witkin,
Flynn, J. M.,	Lovett, W. S.,	Royle,	Wood,
Forrest,	Lynch, J. R.,	Schrock,	Woodside,
Gallagher, W. J.,	Maloney,	Schwartz,	Wright,
Gartner,	McCandless,	Sheffer,	Yeakel,
Gillette,	McElwee,	Shellenberger,	Zimmerman,
Gorman,	McGregor,	Shortz,	Talbot,
Green,	McHenry,	Shreiner,	Speaker.
Griffith,	McKay,		

NAYS—83

Barnhardt,	Flynn, J. W.,	Male,	Sautter,
Bechtel,	Furman,	Marcks,	Schrope,
Beech,	Gallagher, T. J.,	McClure,	Schwab,
Bernhard,	Harmuth,	McCreary,	Scorza,
Boyd,	Hartman,	McGinnis,	Scott,
Brancato,	Hermansen,	McGrail,	Shenkel,
Brown, J. E.,	Hester,	Melchiorre,	Shettel,
Brown, W. L.,	Himes, H. E.,	O'Connor,	Shugarts,
Brownfield,	Himes, L. R.,	O'Keefe,	Stank,
Cannon,	Hoffman,	O'Rourke,	Sterling, P.,
Caputo,	Holmes, J. B.,	Perry, J. J.,	Sterling, R. B.,
Carson,	Hoopes,	Powell,	Stevens,
Chervenak,	Hough,	Powers,	Stone,
Cohen,	Howard,	Quinn,	Wagner,
Cramer,	Kane, J. J.,	Raub,	Walker, G. E.,
Downey, G. E.,	Kinney,	Reed,	Walker, W. A.,
Downey, J. J.,	Labar,	Reilly,	Welsh,
Eroe,	Lane,	Roan,	Westrick,
Fitzgerald,	Lenahan,	Ruby,	Wilson, L.M.,
Flanagan,	Lovett, J. E.,	Ruth,	Yourishin,
Fr[illegible]nchbaugh,	Lynch, M.,	Sarig,	

So the question was determined in the affirmative and the resolution was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASON FOR VOTE

Mr. TAHL offered the following reasons for voting on the resolution to adjourn sine die.

I am in favor of the resolution because the old age pension bill, which I have supported, has already passed the House. There is ample time left between now and December 21, 1933, to pass the remaining proposed social legislation.

DISCHARGING COMMITTEE FROM FURTHER CONSIDERATION OF HOUSE BILL NO. 59

Mr. BERNHARD offered a resolution which was twice read by the Clerk as follows:

In the House of Representatives, December 11, 1933.

Resolved, That the Committee on Railroads and Railways be discharged from further consideration of House Bill No. 59 known as the "Train Limit Bill" for the following reason.

1. This bill was introduced on November 20 and referred to Committee on November 21.
2. In accordance with the House rule this bill has been in said Committee since that time and the only action taken was to refer the same to a committee.
3. This committee has had this bill in its possession since that time and have failed to take any action whatsoever.
4. This bill is known as the Train Limit Bill to promote the safety of employees and traveling public upon railroads by limiting the length of freight trains to seventy cars.
5. This bill has been in said committee more than ten days.

On the question,

Will the House adopt the resolution?

Mr. MYERS. Mr. Speaker, I desire to interrogate the gentleman from Carbon, Mr. Barnhart.

The SPEAKER. Will the gentleman from Carbon, Mr. Bernhard, permit himself to be interrogated?

Mr. BERNHARD. I will, Mr. Speaker.

Mr. MYERS. Mr. Speaker, does the gentleman from Carbon know that there is a notice on the desk for a meeting tonight of the Committee on Railroads and Railways?

Mr. BERNHARD. I do not, Mr. Speaker.

Mr. MYERS. Mr. Speaker and ladies and gentlemen of the House, for the past five weeks all of my time has been taken up with the bonus legislation. Perhaps I have neglected my duties as a chairman insofar as the gentleman who sponsored this bill is concerned, but on Tuesday or Wednesday of last week, a gentleman approached my desk and asked me if I would call a meeting of the Committee on Railroads and Railways, and I told that gentleman that I had forgotten that I was chairman of that committee, in view of the fact that I was pushing the bonus legislation. I promised that gentleman that I would call a meeting of the committee. It was satisfactory to him. I have carried out my part of the program by putting a notice to that effect on the desk of the clerk.

Mr. BERNHARD. Mr. Speaker and members of the House, I had a similar bill in the last general session and the Chairman of the Committee on Railroads and Railways made the same promise to me at that time. I waited until practically two months of the General Session had gone before we had a meeting of the Committee on Railroads and Railways and we were in session practically twenty minutes.

I have now been waiting twenty-one days for the chairman of the committee to call that committee together and he promised that he would get the committee together in the near future. However, we have taken a vote tonight and it is the intent of this special session to adjourn within ten days. Now, it isn't fair to leave a committee waiting twenty-one days to be called together and then make a motion and pass a resolution to adjourn within ten days without getting that bill out. I would appreciate very much if you would allow that bill to come out with the other bills that came out from the Committee on Labor.

Mr. THOMAS J. GALLAGHER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Myers.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Myers, permit himself to be interrogated?

Mr. MYERS. I will, Mr. Speaker.

Mr. THOMAS J. GALLAGHER. Mr. Speaker, I would like to ask the gentleman from Philadelphia, whether he is in favor of bringing this bill out of the Committee?

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia, Mr. Witkin, will state his point of order.

Mr. WITKIN. Mr. Speaker, the query of the gentleman from Allegheny is not a proper one.

The SPEAKER. The point of order is well taken, and the gentleman from Allegheny will confine himself to the motion before the House.

Mr. THOMAS J. GALLAGHER. Mr. Speaker, during the last session of this House, the same motion was made to discharge the committee. We moved to discharge the committee and we received ninety-nine votes, and that is the reason why I am asking the Chairman of the Committee if he is in favor of bringing this bill out.

The SPEAKER. The gentleman's inquiry is out of order.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, if it is in order, I would suggest that the clerk read the call for a meeting of the Committee that the gentleman from Philadelphia, the Chairman of the Committee on Railroads and Railways, has placed upon the desk.

The SPEAKER. For the information of the House, the clerk will read the notice that has been placed upon the desk by the Chairman of the Committee on Railroads and Railways.

The Clerk read the announcement of the Committee meeting on Railroads and Railways as follows:

There will be a meeting of the Committee on Railroads and Railways immediately after this session. Signed Frederick H. Myers, Jr., Chairman.

The SPEAKER. Before the announcement of the decision, the Chair desires to read rule 40 to the House:

WHEN COMMITTEE MAY BE DISCHARGED FROM CONSIDERATION OF BILL

"That when a bill or resolution has been ten days in the hands of a committee after having been referred to it any committee may be discharged from the further consideration of the bill or resolution by a majority vote of all the members elect."

The yeas and nays were required by Mr. Bernhard and Mr. Hoopes.

Mr. WELSH. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—101

Barnhardt,	Gallagher, T. J.,	Maloney,	Ruby,
Bechtel,	Galagher, W. J.,	Marcks,	Ruth,
Beech,	Harmuth,	McCandless,	Sautter,
Bernhard,	Hartman,	McCreary,	Schrock,
Boyd,	Hefferon,	McElwee,	Schrope,
Brancato,	Hermansen,	McGinnis,	Schwab,
Brown, J. E.,	Hester,	McGrail,	Scott,
Brown, W. L.,	Himes, H. E.,	McKinney,	Shenkel,
Brownfield,	Himes, L. R.,	Melchiorre,	Shettel,
Cannon,	Hoffman,	Munley,	Shortz,
Caputo,	Holmes, J. B.,	Murphy,	Shugarts,
Carson,	Hoopes,	Negley,	Snyder,
Chervenak,	Hough,	O'Connor,	Spann,
Cohen,	Howard,	O'Keefe,	Stank,
Cordier,	Jones,	O'Neill,	Sterling, R. B.,
Cramer,	Kane, J. J.,	O'Rourke,	Stevens,
Davies,	Kinney,	Perry, J. J.,	Stone,
Downey, G. E.,	Labar,	Powell,	Wade,
Downey, J. J.,	Lane,	Powers,	Wagner,
Dunmire,	Laubach,	Quinn,	Walker, W. A.,
Eroe,	Lenahan,	Raub,	Welsh,
Fitzgerald,	Lewis,	Rectenwald,	Westrick,
Flanagan,	Lovett, J. E.,	Reed,	Williams, J. J.,
Flinchbaugh,	Lynch, J. R.,	Reilly,	Wilson, L. M.,
Flynn, J. W.,	Lynch, M.,	Roan,	Yourishin
Furman,	Male,		

NAYS—93

Andrews,	Habbyshaw,	Meredith,	Steedle,
Baker,	Haines,	Merrell,	Sterling, P.,
Baldi,	Hamilton,	Mohn,	Stiteler,
Bennett,	Harris,	Moore,	Stott,
Blumberg,	Hart,	Mumford,	Tahl,
Brennan,	Heffernan,	Myers,	Trout,
Carey,	Heffner,	Nothnagle,	Turner,
Conner,	Hewitt,	Patterson,	Wall,
Cooke,	Holmes, J. L.,	Peelor,	Wasserman,
Craig,	Horst,	Pennock,	Way,
Dane,	Hutton,	Perry, D. R.,	Weidemann,
DeFrehn,	Jaffe,	Peters,	White,
Denning,	Kane, L. P.,	Rice,	Wike,
Duffy,	King,	Root,	Williams, G. W.,
Ederer,	Long,	Roth,	Wilson, T. B.,
Emhardt,	Lord,	Royle,	Witkin,
Evans,	Lose,	Sarig,	Wood,
Fleisher,	Lovett, W. S.,	Schwartz,	Woodside,
Forrest,	McBride,	Sheffer,	Wright,
Gartner,	McClure,	Shellenberger,	Yeakel,
Gillette,	McGregor,	Shreiner,	Zimmerman,
Gorman,	McHenry,	Simon,	Talbot,
Green,	McKay,	Sowers,	Speaker
Griffith,			

So the question was determined in the negative, and the resolution was not adopted.

MOTION TO RECESS

Mr. BERNHARD. Mr. Speaker, I move that this House do now recess for twenty minutes in order that the Committee on Railroads and Railways may meet. It has not had time to do so in the past.

On the question,

Will the House agree to the motion?

It was not agreed to.

COMMITTEE ON RAILROADS AND RAILWAYS DISCHARGED FROM FURTHER CONSIDERATION OF HOUSE BILL NO. 60.

Mr. JOHN J. PERRY offered a resolution which was twice read by the Clerk as follows:

In the House of Representatives, December 11, 1933.

Resolved, That the Committee on Railroads and Railways be discharged from further consideration of House Bill No. 60 better known as the "Full Crew Bill" for the following reasons:

1. This bill was introduced on Nov. 20 and referred to Committee on Nov. 21st.

2. In accordance with the House rule this bill has been in said Committee since that time and the only action taken was to refer the same to a committee.

3. This committee has had this bill in its possession since that time and have failed to take any action whatsoever.

4. This bill is an act known as the full crew bill to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotives, trains and other self propelled engines or machines with competent employes, to provide the least number of men that may be employed on locomotives, trains, and other self propelled engine or machines, to provide the qualification of certain employes and provide a penalty for the violation thereof.

5. This bill has been in said Committee more than ten days.

On the question,

Will the House adopt the resolution?

Mr. MYERS. Mr. Speaker and ladies and gentlemen of the House, I just wish to repeat that the gentleman from Cumberland had entered into the gentlemen's agreement that I call a meeting tonight of the Committee on Railroads and Railways, and I have put a notice to that effect on the desk of the clerk.

Mr. BECHTEL. Mr. Speaker and members of the House, it might appear useless for me to say a few words in favor of this resolution at this time, in view of the vote of the House on the resolution to discharge this same committee, just rejected.

I wish to say that I sincerely regret the necessity of my having to vote in the affirmative on this resolution, but I feel that it is necessary. I feel that it is necessary nothwithstanding what the Chairman of this Committee has stated to the members of the House and that the order for the calling of this committee has been read. Nevertheless if that bill is not reported on to the floor of this House until tomorrow morning that bill will not have a chance for its life. In the last general session, I sponsored a similar bill. I waited at the time long and patiently for some committee action on the bill.

Other members of this House who had an interest in the measure also waited long and patiently until such time as patience ceased to be a virtue, and then a motion was made to discharge the committee. The vote at that time showed that we fell five short of discharging the committee on the bill, which was an indication that that bill was of such serious import as to have received the general consideration of the membership of this House on the floor of the House.

In this session we find history repeating itself and tonight we sit here with the call of this committee having been delayed so long that it is well nigh impossible now for this bill to have a chance. I do not wish, as a single member of this House, to set up my poor opinion against the consensus of opinion of that committee, but I do say, ladies and gentlemen of the House, that any measure in times like these which has for its purpose the aid of unemployment, the safety of the employes and the safety of the public is of such serious import that it should have the consideration of the members of this House, and I say to you now that if you feel that unemployment should be aided, if you feel that the safety of railroad employes means anything to you, if you feel that your own safety as travelers and passengers upon the railroads means anything to you, then you should direct this committee to deliver this bill upon the floor of the House immediately, so that at least it might have a chance if it is reported out now for first reading to get into the Senate and have a chance for its life.

Mr. ANDREWS. Mr. Speaker and members of the House, at the regular session I voted to discharge the committee from the custody of a similar bill. If the motion to discharge the committee from the custody of this bill had been made last Monday night, I would have voted to discharge the committee. I cannot, Mr. Speaker, go along with a movement to discharge a committee when the motion has been delayed by the advocates of the measure until the very moment that the committee has been called. It is unfair to the committee. The advocates of this measure have had twenty-one days and they are the ones who have failed. I believe under the circumstances the House should stand with the committee, and I can say that in all sincerity because at the regular session I voted to discharge the committee.

Mr. JOHN J. PERRY. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Hutton, McKay, Schrock, Griffith, Wade, Wall, John J. Perry, Powell, Gillette, Rectenwald, Duffy, Bennett, Baldi, Baker, Peters, Ederer, Stiteler, Craig, Zimmerman, John L. Holmes, Rice and others

On the question,

Shall the main question be now put?

It was agreed to.

The yeas and nays were required by Mr. John J. Perry and Mr. Powell.

Mr. WELSH. Mr. Speaker, I ask for a verification of the roll

The roll was verified and was as follows:

YEAS—106

Baker,	Gallagher, J. W.,	Lynch, M.,	Roth,
Barnhardt,	Gorman,	Male,	Ruby,
Bechtel,	Harmuth,	Maloney,	Ruth,
Beech,	Harris,	Marcks,	Sautter,
Bernhard,	Hart,	McBride,	Schrock,
Boyd,	Hartman,	McClure,	Schrope,
Brancato,	Hefferon,	McCreary,	Schwab,
Brown, J. E.,	Hermansen,	McGinnis,	Scott,
Brown, W. L.,	Hester,	McGrail,	Shenkel,
Brownfield,	Himes, H. E.,	McKinney,	Shettel,
Cannon,	Himes, L. R.,	Melchiorre,	Shortz,
Caputo,	Hoffman,	Munley,	Shugarts,
Carson,	Holmes, J. B.,	Murphy,	Snyder,
Chervenak,	Hoopes,	Negley,	Stank,
Cohen,	Hough,	O'Connor,	Steedle,
Cordier,	Howard,	O'Keefe,	Sterling, R. B.,
Davies,	Jones,	O'Neill,	Stevens,
Downey, G. E.,	Kane, J. J.,	O'Rourke,	Stone,
Downey, J.,	Kane, L. P.,	Perry, J. J.,	Wade,
Dunmire,	Kinney,	Powell,	Wagner,
Eroe,	Labar,	Powers,	Walker, W. A.,
Fitzgerald,	Lane,	Quinn,	Wasserman,
Flanagan,	Laubach,	Raub,	Welsh,
Flinchbaugh,	Lenahan,	Rectenwald,	Westrick,
Flynn, J. W.,	Lewis,	Reed,	Williams, J. J.,
Furman,	Lovett, J. E.,	Reilly,	Wilson, L. M.,
Gallagher, T. J.,	Lynch, J. R.,	Roan,	Yourishin,

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Andrews,	Griffith,	Mohn,	Sterling, P.,
Baldi,	Habbyshaw,	Moore,	Stiteler,
Bennett,	Haines,	Mumford,	Stott,
Blumberg,	Hamilton,	Meyers,	Tahl,
Brennan,	Heffernan,	Nothnagle,	Trout,
Carey,	Heffner,	Patterson,	Turner,
Conner,	Hewitt,	Peelor,	Wall,
Cooke,	Holmes, J. L.,	Pennock,	Way,
Craig,	Horst,	Perry, D. R.,	Weidemann,
Dane,	Hutton,	Peters,	White,
DeFrehn,	Jaffe,	Price,	Wike,
Denning,	King,	Rice,	Williams, G. W.
Duffy,	Long,	Root,	Wilson, T. B.,
Ederer,	Lord,	Sarig,	Witkin,
Emhardt,	Lose,	Schwartz,	Wood,
Evans	Lovett, W. S.,	Scorza,	Woodside,
Fleisher,	McElwee,	Sheffer,	Wright,
Flynn, J. M.,	McGregor,	Shellenberger,	Yeakel,
Forrest,	McHenry,	Sheiner,	Zimmerman,
Gartner,	McKay,	Simon,	Talbot,
Gillette,	Meredith,	Sowers,	Speaker.
Green,	Merrell,		

So the question was determined in the affirmative and the resolution was adopted.

The SPEAKER. The Committee on Railroads and Railways will govern itself accordingly and report House Bill No. 60 to the House.

RESOLUTION No. 14

Mr. GARTNER. Mr. Speaker, I desire to call up at this time Resolution No. 14, Printer's No. 65.

The resolution was read by the Clerk as follows:

In the House of Representatives, December 4, 1933.

Whereas The General Assembly of this Commonwealth has enacted or will hereafter enact certain measures imposing taxs on distilled and rectified spirits and wines and

Whereas The General Assembly intended to fix the tax at such a point that the Commonwealth could receive necessary revenue and legitimate dealers in alcoholic beverages could dispense them at a price which would eliminate bootleggers rackteers and moonshiners by making their trade unprofitable and

Whereas It now appears that the price of legal liquors and wines to the consumer is going to be higher than that charged by illegal dispensers of such products and

Whereas It was the intention of this Legislature to make alcoholic beverages available to those who want them at a price which would stop illegal trading in them and

Whereas The Twenty-First Amendment to the Federal Constitution imposes on the States meaning the Legislatures and Governor of the separate States the power to control and regulate the handling of alcoholic beverages therefore be it

Resolved (if the Senate concur) That a Joint Legislative Committee is hereby created to consist of three Members of the House be appointed by the Speaker of the House and two Senators to be appointed by the President Pro Tempore of the Senate for the purpose of determining the exact cost of the manufacture and importation of spirituous alcoholic beverages and the price at which such beverages should be sold in order to make unprofitable the trade of those unlawfully engaged in the sale thereof

The said committee shall organize immediately after the appointment of the members thereof and shall make a report to the General Assembly as expeditiously as possible and shall accompany the same with such suggestions as they may decide will effectually discourage and prevent the illegal manufacture and sale of alcohol beverages and be it further

Resolved That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books papers records and documents as the committee may deem necessary Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases and be it further

Resolved That the members of such committee shall be reimbursed for amounts actually expended for railroad fare and hotel accommodations and shall have the power to appoint and fix the compensation of necessary stenographers payments for which expenses and compensation shall be made out of an item to be inserted in an amendment to the general Appropriation Bill of one thousand nine hundred and thirty-three

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

EXPRESSING SYMPATHY UPON DEATH OF HONORABLE JOHN R. FARR

Mr. JOHN J. WILLIAMS offered a resolution which was twice read, considered and unanimously adopted by a rising vote as follows:

In the House of Representatives, December 11, 1933.

The sad news of the death of the Honorable John R. Farr, a former member of the National House of Representatives from the County of Lackawanna and the Speaker of this House during the Session of 1899 has just been made known.

Born in Hyde Park, Scranton, on the 18th day of July, 1857, he passed through the public schools of that city, and after securing an apprenticeship as a typesetter, he entered Lafayette College.

He was later editor of the Scranton Republican and the Courier-Progress of Scranton, in 1891 was elected a member of this House and was later elected to the National House of Representatives. He gave to the County of Lackawanna and to the Commonwealth the best that man can give, therefore be it

Resolved, By the House of Representatives that in the death of the Honorable John R. Farr, the County of Lackawanna has lost one who gave many years of faithful service to the people he represented and by his official acts brought credit to them and to the Commonwealth, and be it further

Resolved, That this resolution be spread upon the Journal of the House and a copy thereof be forwarded by the Chief Clerk to the surviving family of the Honorable John R. Farr.

RECALLING HOUSE BILL NO. 39.

Mr. MYERS offered a resolution which was twice read, considered and adopted as follows:

In the House of Representatives, December 11, 1933.

Resolved (if the Senate concur), That House Bill No. 39, Printer's No. 80, entitled "An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund; defining the powers and duties of the Governor, the Auditor General, the State Treasurer and the Board of Finance and Revenue in relation thereto; and providing for the payment of interest on, and the redemption of, such bonds," now in the hands of the Governor be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECALLING HOUSE BILL No. 40

Mr. MYERS offered a resolution which was twice read, considered and adopted as follows:

In the House of Representatives, December 11, 1933.

Resolved (if the Senate concur), That House Bill No. 40, Printer's No. 90, entitled "An act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War, the war between the United States and Spain, the China Relief Expedition or in the Philippines or Guam; imposing certain duties on the Adjutant General; making an appropriation; and repealing inconsistent legislation; and providing penalties," now in the hands of the Governor, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

MEMORIALIZING CONGRESS TO BAN IMMIGRATION

Mr. SHUGARTS offered the following resolution which was twice read and laid over under the rules:

Whereas, Leaders of Mexico, Canada, France and many of the other countries have upheld the right of each nation in time of distress or unemployment to pass such legislation as they deemed wise to protect their citizens, and

Whereas, Common horse sense reasoning compels the thinking Americans to realize that with the increased use of labor saving machinery along with the merging of banks railroads and corporations plus the cutting down of what we produce and ship to other countries plus the flooding of foreign goods in the United States, all has a bearing on the large increase in our army of unemployed, and

Whereas, Government officials and National Labor Leaders claim there are now over nine million (9,000,000) out of employment in the United States today, and

Whereas, There is no let up in sight in the demand upon public officials in Local, County, State and National Government to raise hundreds of millions of dollars to feed and take care of this increasing large army of unemployed, and

Whereas, Members of Local, County, State and National Legislative bodies along with the other public employees have had to aid this unemployed fund by accepting a cut in their salaries, and

Whereas, Surplus American labor can be transported as easily as new immigrants to where seasonable labor is needed at the same time feeling sure that the wages of American labor will be spent in America, and

Whereas, The United States Census of 1930 for Pennsylvania shows that the number of aliens with first papers .. 87,565
that the number of aliens were 342,928
that the number of unknown aliens were 38,298

Total number aliens that were unnaturalized in vania in 1930 were 468,791

and

Whereas, The burning question to the public officials and members of every Legislative body charged with raising the money to relieve the distress of the poor and unemployed is how much less would it cost the American tax payers if the estimated number of one to two million aliens that have entered America illegally were deported out of the country, and

Whereas, Another burning question is how many of the unnaturalized aliens who have entered America legally but did not care enough for America to become one of her citizens are working while Americans and the naturalized aliens are walking the streets begging for work, and

Whereas, Congress has given the President free power to act in any move he believes would help to decrease the army of unemployed,

Resolved, That it is the consensus of opinion of the members of the House of Representatives of Pennsylvania that we request the President of the United States in the interest of relieving the present and future distress of the poor and unemployed to at once by executive order close the doors on immigration from all countries on those seeking employment in America for two years, and be it further

Resolved, That we request the President in the interest of cutting down the cost of the distress of the poor and unemployed plus reducing the cost of crime and racketeering to at once by executive order set up the machinery for the registration of both Americans and aliens as a war measure to lose no time in picking up and deporting all aliens that have entered United States of America illegally, and be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to send copies of this resolution to the presiding officers of both House of Congress at Washington, District of Columbia with the request they have it read and referred to the proper committee for their consideration, also a copy to each member of the Congress of the United States from the Commonwealth with the request that they work to further these suggestions contained herein also copies to the Secretary of State and the President for his information

REQUESTING RESIGNATION OF CHIEF CLERK.

Mr. QUINN offered a resolution and asked unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, December 11, 1933.

Whereas, Many days have elapsed since a Federal Jury convicted Eugene F. White, Chief Clerk of Assembly, of grave offenses against the laws of this Nation; and

Whereas, Ample time and opportunity have been afforded him to tender his resignation to the General Assembly; and

Whereas, It would appear that the continued enjoyment by him of the honors and emoluments of the office of Chief Clerk of this Assembly would tend to reflect upon this Assembly in the minds of the people of the State of Pennsylvania, and would tend to subject this Assembly to the criticism of all right-thinking people;

Now, Be It Resolved, That the said Eugene F. White be called upon to tender his resignation as Chief Clerk of this body, and that, in the event of his failure so to do, immediately upon the transmission of this Resolution to him, the said office be declared vacant and this body proceed to the election of a successor.

The SPEAKER. Will the House give its unanimous consent for the immediate consideration of the resolution? Are there objections? The Chair hears objection and consent is not granted.

The resolution lies over under the rules.

RESOLUTION No. 16

Mr. LANE. Mr. Speaker, I desire to call up at this time Resolution No. 16, Printer's No. 92.

The resolution was read by the Clerk as follows:

In the House of Representatives, December 5, 1933.

Whereas The local relief boards in some localities have required all recipients of relief to surrender the registration plates of their motor vehicles before granting relief and

Whereas In certain cases such actions have resulted in hardships since the owners of vehicles have been deprived of their use in necessary cases therefore be it

Resolved That the House of Representatives request the State Emergency Relief Board to instruct local relief boards to exercise care in enforcing the requirements that motor vehicle registration plates be surrendered by recipients of relief and that such plates be immediately restored to any persons if the same will enable the person to secure work or is required by such person for the transportation of water or other necessities of life

Resolved That a copy of this resolution be transmitted to the State Emergency Relief Board by the acting Chief Clerk

On the question,

Will the House adopt the resolution?

It was adopted.

RESOLUTION No. 5

Mr. ANDREWS. Mr. Speaker, I desire to call up at this time Resolution No. 5, Printer's No. 32.

The resolution was read by the Clerk as follows:

In the House of Representatives, November 28, 1933.

Whereas, This House by its action has already passed upon the propriety of dispensing vinous and distilled liquor for consumption off the premises by State controlled stores and of the establishment and management of such stores by the Pennsylvania Liquor Control Board; and

Whereas, The sale of vinous and distilled liquors for consumption on the premises is a question which more intimately concerns the individual and should possibly be placed beyond the regulatory powers of a board not personally cognizant of local conditions and feelings; and

Whereas, There are communities in which a strong sentiment prevails against the prohibition placed by expected legislation upon the right of individuals to partake of liquor at bars; and

Whereas, The control of the sale of vinous and distilled liquors for consumption on the premises is a responsibility that could more intelligently and fairly be handled by local authorities who better know local conditions; therefore be it

Resolved, That a committee of five members of this House to be appointed by the Speaker shall, immediately after the adjournment of this Extraordinary Session, undertake a study of this question and make a report to this House not later than February 1st, 1935, and shall accompany their report by bills which will have the effect, if enacted, of permitting counties to either adopt the system of sales of vinous and distilled liquors as contained in House Bill No. 10, or to provide for the licensing by proper local authorities of persons or places for the sale of such liquors for consumption on the premises in such manner as the committee shall determine; and be it further

Resolved, That the members of such committee shall be reimbursed for amounts actually expended for railroad fare and hotel accommodations, and shall have the power to appoint and fix the compensation of necessary stenographers, payments for which expenses and compensation shall be made out of an item to be inserted in an amendment to the General Appropriation Bill of 1933.

On the question,

Will the House adopt the resolution?

It was adopted.

REPORT FROM COMMITTEE

Mr. MYERS, from the Committee on Railroads and Railways reported House Bill No. 60, entitled

An Act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotives trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains and other self propelled engines or machines to provide the qualification of certain employes and to provide a penalty for the violation thereof.

in accordance with resolution of the House discharging the Committee from further consideration of the bill.

CONSENT REFUSED TO READ BILL FIRST TIME

Mr. BECHTEL. Mr. Speaker, I ask unanimous consent for House Bill No. 60 to be read for the first time.

The SPEAKER. Will the House give its unanimous consent for the reading of this bill for the first time? Are there objections? The Chair hears objection and consent is not granted.

BILL RECOMMITTED

Mr. SOWERS. Mr. Speaker, I move that House Bill No. 136, Printer's No. 77, entitled:

An Act to exempt property to the value of one hundred dollars from levy and sale on execution and distress for rent in addition to present exemptions providing that a debtor may not waive surrender or release his right to said exemption and declaring contracts waiving surrendering or releasing such right void

on page 8, of today's calendar, be recommitted to the Committee on Judiciary General for the purpose of amendment.

The motion was agreed to.

MOTION TO RECOMMIT HOUSE BILL No. 80

Mr. WILSON. Mr. Speaker, on page 1 of today's calendar appears House Bill No. 80, Printer's No. 47, the same bill being on page 5 of today's calendar, bills on third reading. I move that this bill be recommitted to the Committee on Elections for the purpose of further consideration.

The SPEAKER. The Chair desires to inform the gentleman from McKean, Mr. Wilson, that the bill on page 5 of today's calender, bills on third reading, is in error. Therefore, the proper motion before the House would be to drop the bill from the calendar.

The Chair desires to inform the gentleman that it will not be necessary for a motion, because the Chair has stated to the House that this bill is properly on second reading, therefore, it should not appear on page 5 of today's calender, bills on third reading.

MOTION WITHDRAWN

Mr. WILSON. Mr. Speaker, since I made my motion my attention has been called to the fact that the sponsor of this bill is not in the House. I spoke to him the other day and he said the bill would be re-referred, but in view of the fact that he is not in the House I do not wish to be guilty of any discourtesy to him, and I will therefore, withdraw my motion.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 27, entitled:

An Act relating to limited dividend housing companies defining and providing for the formation of such corporations for the purpose of eliminating unsanitary and dangerous housing conditions and constructing and operating safe and sanitary dwellings and apartments to let at reasonable rentals extending to such corporations certain existing laws relating generally to corporations of the second class providing for the supervision and regulation of the activities of such corporations by the State Board of Housing in the Department of Property and Supplies providing for the protection of such corporations and the parties dealing with the prescribing defining and limiting the powers and duties of such corporations conferring upon certain of such corporations and limiting their use to the power of eminent domain exempting such corporations from the payment of the capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations, savings banks and savings institutions and authorizing certain existing companies to accept the provisons of this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 107, as follows:

An Act to amend the act approved the thirty-first day of May one thousand nine hundred and thirty-three (Pamphlet Laws one thousand one hundred thirty-four) entitled "An act adjourning county treasurers sales of seated and unseated lands in counties of the fourth class to be held in the year one thousand nine hundred thirty-three until the time fixed by law for such sales in the year one thousand nine hundred and thirty-four or any later date to which such sales may be adjourned and suspending existing laws providing for the adjournment of such tax sales in the year one thousand nine hundred and thirty-four

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirty-first day of May one thousand nine hundred and thirty three (Pamphlet Laws one thousand one hundred thirty-four) entitled "An act adjourning county treasurers sales of seated and unseated lands in counties of the fourth class to be held in the year one thousand nine hundred thirty-three until the time fixed by law for such sales in the year one thousand nine hundred and thirty-four or any later date to which such sales may be adjourned and suspending existing laws" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by tht authority of the same That during the [year] years one thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four no county of the fourth class and no county treasurer of any such county shall have authority under existing law to expose to sale any seated or unseated lands for nonpayment of taxes and all existing laws authorizing county treasurers to sell seated and unseated lands for delinquent taxes at any time during [the year one thousand nine hundred and thirty-three] said years are hereby suspended At the time fixed by or in accordance with law for any county treasurers sale of seated or unseated lands during the year one thousand nine hundred and [thirty-three] thirty-four it shall be the duty of the county treasurer to declare such sale or sales for said year and any sale adjourned to said year adjourned and readjourned until the time fixed by law for such sale or sales in the year one thousand nine hundred and [thirty-four] thirty-five Any such sale so adjourned or readjourned may be readjourned in the year one thousand nine hundrd and [thirty-four] thirty-five in accordance with existing law

Section 2 This act shall became effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 193, entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities pensions for certain blind persons and the administration of this act by the Department of Welfare providing penalties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be administered by the Department of Welfare of this Commonwealth

The Department of Welfare shall have the power and its duties shall be to set up rules and regulations for the administration of this act with the approval of the Welfare Commission

On the question,

Will the House agree to the section?

Mr. LOSE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 1, by inserting between lines 5 and 6, the following paragraph:

"There is hereby created in the Department of Welfare a Board consisting of three persons to be appointed by the Governor, two of whom shall be without sight, for the purpose of the administration of this act. No person shall be eligible for appointment to this Board who, at the time of appointment, is an executive or member of the Board of any institution or agency for the Blind."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 Such supervisors and assistants as shall be necessary to exercise general supervision over the adminis-

tration of this act shall be appointed by the Secretary of Welfare subject as in other cases to the approval by the Governor of the number and compensation of such supervisors and assistants.

The third section was read as follows:

Section 3 Pensions may be granted under this act only to an applicant who

(a) Has attained the age of twenty-one years or upwards

(b) Resides in the Commonwealth and has so resided continuously for at least ten years immediately preceding the date of application Provided That absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the Sate if a domicile be not acquired outside the State

(c) Is not at the date of making application an inmate of any prison jail workhouse insane asylum or other public reform or correctional institution

(d) Is not at the date of making application suffering from mental or physical infirmity which in itself would make him or her a charge upon any other institution or agency of this State and which has so incapacitated him or her prior to the loss of sight that such person was a public charge prior thereto

(e) Has not sufficient means of his own to enable him to maintain himself and is incapable of in lacking the opportunity of self-support

(f) Has visions so defective or impaired that he is unable to earn a livelihood except through special training and in occupations which can succesfully be carried on by blind persons

On the question,

Will the House agree to the section?

Mr. LOSE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend page 3, Section 3, line 2, by striking out the word "in" and inserting in lieu thereof the word "or." Also line 6, by striking out the word "visions" and insert in lieu thereof the word "vision."

On the question,

Will the House agree to the amendments?

They were agreed to.

One the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 All applications for pensions under this act shall be made to the Department of Welfare in such form as the Department may prescribe No application shall be approved until the Department of Welfare is satisfied after proper investigation that the applicant is entitled thereto under the provisions of this act and particularly not until an ophthalmologist approved by the National Board of Ophthalmic Examiners shall have certified in writing that the applicant has a visual defect required to entitle an applicant to receive a pension under the foregoing provisions of this act

On the question,

Will the House agree to the section?

Mr. LOSE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, line 16, by striking out the word "approve" and inserting in lieu thereof the word "certified," also in said line 16 by striking out the word "National" and inserting in lieu thereof the word "American."

Also line 17, by striking out the word "of" and inserting in lieu thereof the word "for"; Also by striking out the word "examiners" and inserting in lieu thereof the word "examinations."

Also line 18, by striking out the words "that the applicant has a visual defect required to entitle an applicant to receive a pension under the foregoing provisions of this act" and inserting in lieu thereof the words "as to the diagnosis, prognosis, and visual acuity of the applicant."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read as follows:

Section 5 The Department of Welfare may require any recipient of pension hereunder to submit to further examination of his eyes by such a qualified and practicing ophthalmologist at such reasonable times as the Department shall deem necessary

On the question,

Will the House agree to the section?

Mr. LOSE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 5, line 23, by striking out the word "such" and also by striking out the words "qualify and practicing" and inserting in lieu thereof the word "competent"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth section was read as follows:

Section 6 The maximum payment to any one person allowed by the Department under the provisions of this act shall be thirty dollars per month Provided that in the case of marriage of two blind persons after the passage of this act the maximum amount of pension payable to the couple shall be thirty dollars per month

On the question,

Will the House agree to the section?

Mr. LOSE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 6, lines 28 and 29, page 3, by striking out "provided that in the case of marriage of two blind persons after the" and on page 4 by striking out lines 1 and 2.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh, eighth and ninth sections were separatey read and agreed to as follows:

Section 7 If any person receiving pension under this act shall refuse or neglect to comply with any reasonable request of the Department of Welfare for information concerning the continued existence of need and the other qual-

ifications for such pension or who shall on request neglect or refuse to authorize any other person firm or corporation to furnish such information about the pension recipient or his affairs or who shall refuse to submit to any examination required by this act the Department of Welfare may suspend all payments to such recipient until he shall have complied with the requirements of the Department

Section 8 If the condition or circumstances of any person receiving a pension under this act should change in such way that the person does not have all the qualifications required to obtain a pension hereunder pension payments to such person shall at once cease

Section 9 The Department may appoint a trustee to take charge of the expenditures of the pension granted any applicant when in its opinion such trustee is necessary In such case the payment shall be made direct to such trustee upon requisition of the Department Such trustee shall serve without pay and shall be subject to the rules and regulations which the Department shall prescribe

The tenth section was read as follows:

Section 10 If the Department upon examination finds that the recipient or claimant for pension may have his visual disability benefitted or removed by proper surgical operation or medical treatment according to the opinion of a qualified opthalmologist and such person entitled to such pension file his consent in writing then the Department may expend for such surgical operation or medical treatment all or any portion of the pension which the Department may award any such person for one year under the provisions of this act In such case payments shall be made direct to the person performing such surgical operation or rendering such medical treatment upon the requisition of the Department

On the question,
Will the House agree to the section?

Mr. LOSE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend the bill by striking out all of section 10

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The eleventh section was read as follows:

Section 11 On the death of any person receiving pension under this act such reasonable funeral expenses for burial shall be paid to such persons as the Department directs Providing Such expenses do not exceed one hundred dollars and the estate of the deceased is insufficient to defray the same.

On the question,
Will the House agree to the section?

Mr. LOSE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend the bill by striking out all of section 11.

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The twelfth section was read as follows:

Section 12. All payments under the provisions of this act shall be made monthly direct to the recipient thereof by warrant after requisition as provided by law in other cases

On the question,
Will the House agree to the section?

Mr. LOSE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 12 to read section "10" and transfering the position of said section so that it will follow section 9.

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The thirteenth section was read as follows:

Section 13 No person receiving pension under this act shall at the same time receive any other relief from the Commonwealth or from any political subdivision thereof except for medical and surgical assistance

On the question,
Will the House agree to the section?

Mr. LOSE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section No. 13 to read section No. 11

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fourteenth section was read as follows:

Section 14 The initial appropriation made by the General Assembly for Pensions for the Blind shall be allocated among the several counties of the State according to population Any amount so allocated and unused in any fiscal year in any county shall be added to the amount of the appropriation subject to allocation for the following fiscal year under the current or any future appropriation For the second and subsequent fiscal years allocations of amounts available for such pensions shall be made among the several counties according to the number of persons receiving pensions and who are eligible for pensions up to the end of the tenth month of the previous fiscal year.

On the question,
Will the House agree to the section?

Mr. LOSE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section No. 14 to read section No. 12.

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fifteenth section was read as follows:

Section 15 Any person securing any pension contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment not exceeding one year or both at the discretion of the court

On the question,

Will the House agree to the section?

Mr. LOSE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section No. 15 to read No. 13.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixteenth section was read as follows:

Section 16 This act shall not relieve any county city or poor district from responsibility for the maintenance either in an institution or otherwise of any person who cannot qualify for pension under this act or who cannot be provided for under the current appropriation for carrying out the provisions of this act.

On the question,

Will the House agree to the section?

Mr. LOSE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section No. 16 to read No. 14.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventeenth section was read as follows:

Section 17 This act shall become effective immediately upon its approval by the Governor but the first payments hereunder shall be made for the month of June one thousand nine hundred and thirty-four.

On the question,

Will the House agree to the section?

Mr. LOSE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section No. 17 to read No. 15.

Amend the bill by adding sections 16 as follows:

"It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein."

Amend the bill by adding section 17 as follows:

"All acts or parts of acts inconsistent herewith are hereby repealed."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, pensions for certain blind persons, and the administration of this act by the Department of Welfare, providing penalties.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 26, as follows:

An Act to promote public health safety morals and general welfare by providing for the elimination of unsanitary and dangerous housing conditions and the construction and supervision of safe and sanitary dwellings and apartments and for the renting thereof at reasonable rentals creating a State Board of Housing in the Department of Property and Supplies for the purpose of encouraging approving assisting supervising and regulating such activities prescribing and defining the powers and duties of the board including supervisory and regulatory powers over limited dividend housing companies engaged in such activities authorizing the board to fix within certain limits rentals of housing accommodations furnished by limited dividend housing companies and making an appropriation

Whereas It is hereby declared that areas of bad housing conditions which exist in certain municipalities of the Commonwealth are a menace to the health safety morals welfare and reasonable comfort of the citizens of the Commonwealth and

Whereas The correction of these conditions in such areas being now otherwise impossible it is essential that provisions be made for the investment of private funds at low interest rates the acquisition at fair prices of adequate parcels of land the gradual demolition of existing unsanitary and unsafe housing the construction of new housing facilities in accord with proper standards of sanitation and safety and at a cost which will permit monthly rentals which families of low income can afford to pay and such projects require the encouragement and supervision of a governmental agency of this Commonwealth

Section 1 Definitions Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words and phrases when used in this act shall be the meanings respectively ascribed to them in this section

"Board" shall mean the State Board of Housing created by this act as a departmental administrative board within the Department of Property and Supplies of the Commonwealth

"Limited Dividend Housing Company" shall mean a company incorporated under or accepting the provisions of the Limited Dividend Housing Company Law

"Areas of Bad Housing" shall mean areas where in the opinion of the State Board of Housing land is overcrowded or where the structure or unsanitary condition of unfit obsolete or deteriorated buildings have in the opinion of the board a tendency to endanger the health safety morals or general welfare of the public Such areas shall extend only to the limits of neighborhoods that might reasonable be deemed to be affected by these conditions

"Municipality" shall mean any city borough or township

Section 2 State Board of Housing There is hereby created and established a State Board of Housing which shall be a departmental administrative board within the Department of Property and Supplies and which shall be subject to all the provisions of the Administrative Code of one thousand nine hundred and twenty-nine as amended which apply

generally to department administrative boards The board shall consist of five citizens of the Commonwealth who shall be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate Members of the board shall be appointed to serve for terms of four years except that of the first members appointed under the provisions of this act there shall be appointed for terms for four years and two for terms of two years A vacancy occuring during a term shall be filled only for the balance of the unexpired term Each appointee shall be qualified by training or expericence to perform the duties of the board The members of the board shall serve without compensation but shall be entitled to receive their traveling and other necessary expenses actually incurred in the performance of their public duties The board shall organize by the election of a chairman and secretary Three members shall constitute a quorum Upon recommendation of the board and with the approval of the Governor the Secretary of Property and Supplies shall appoint and fix the compensation of a full-time execute who shall not be a member of the board and who shall be technically qualified for the duties of his office

Section 3 General Powers and Duties of the Board The board shall (a) study housing conditions and needs throughout the Commonwealth to determine areas of bad housing (b) devise ways and means of eliminating bad housing conditiions in such areas and of securing economies in the construction or renovation of dwellings so that a larger number of safe and sanitary houses may become available for families of low income (c) collect and distribute informatioin relating to housing (d) encourage approve supervise and control the organization and operation of limited dividend housing companies (e) recommend or approve areas within municipalities which areas may be within adjacent to or separate and apart from designated areas of bad housing within which the construction of housing projects by such companies may be undertaken (f) cooperate with local housing officials and planning commissions or simillar bodies in cities and other municipalities in the development of projects they at any time may have under consideration and (g) to authorize the exercise of the right of eminent domain by public limited dividend housing companies to the extent and in the manner provided by law

Section 4 Inquisitorial Powers of the Board The board shall have power to investigate the affairs of limited dividend housing companies and the dealings transactions or relationships of such companies with other persons Any of the investigations provided for in this act may be conducted by the board or by a committee appointed by the board consisting of one or more members of the board Each member of the board or of a committee thereof shall have power to administer oaths take affidavits and to make personal inspections of all places to which their duties relate The board or a committee thereof shall have power to subpoena and require the attendance of witnesses at any place in the Commonwealth designated by the board and the production of books and papers pertaining to the investigations and inquiries authorized in this act and to examine them in relation to any matter it has power to investigate and to issue commissions for the examination of witnesses who are out of the Commonwealth or unable to attend before the board or excused from attendance

Section 5 Approval of Projects by the Board No housing project proposed by a limited dividend housing company shall be undertaken and no building or other construction shall be placed under contract or started without the approval of the board No housing project shall be approved by the board unless

(a) There is an acceptance by such limited dividend housing company of a designee of the board as a member of the board of directors of such corporation

(b) It shall appear practicable to rent the housing accommodations of the company at rentals not exceeding those prescribed by the board in accordance with this act No such project shall be approved in contravention of any zoning or building ordinances in effect in the municipality in which designated areas are located

(c) There shall be submitted a financial plan in such form and with such assurances as the board may prescribe to raise at least thirty-three and one-third per centum of the actual cost of the lands and improvements through the investment of private capital in the shares and income debentures of such corporation and to raise the balance by mortgage bonds which shall not exceed sixty-six and two-thirds per centum of the actual cost of the project The plan may provide for the raising of working capital in an amount to be approved by the board not to exceed three per centum of the actual cost through the investment in shares and income debentures of the corporation Whenever reference is made in this act to cost of projects or of buildings and improvements in projects such cost shall include charges for financing and supervision approved by the board and carrying charges during construction required in the project including interest on borrowed and where approved by the board on invested capital

(d) There shall be such plans of site development and buildings as show conformity to reasonable standards of health sanitation safety and provisions for light and air accompanied by proper specifications and estimates of cost Such plans may if the board approves provide for the use to the extent permitted by law of a limited portion of the buildings for stores profession offices and commercial cooperative or recreational purposes Such plans and specifications shall not in any case fall below the requirements of the health sanitation safety and housing laws of the Commonwealth and shall meet superior requirements if prescribed by local laws and ordinances No such plans of a proposed project shall be approved by the board unless the board is reasonably assured that the proposed housing development conforms with the local city plan or regional plan of zoning regulations

(e) The corporation shall agree if required by the board to deposit all moneys received by it as proceeds of its mortgage bonds notes income debentures or shares with a corporate trustee approved by the board Such trustee shall receive such moneys and make payment therefrom the acquisition of land and the construction of improvements and other items entering into cost of land and improvements upon presentation of draft check or order signed by a proper officer of the corporation Any funds remaining in the custody of such trustee after the completion of the project and payment or arrangement in a manner satisfactory to the board for payment in full thereof shall be paid to the corporation

Section 6 Consolidation or Operation of Several Projects The board may permit the consolidation of two or more approved projects or the extension or amendment of any approved project or the consolidation of any approved project with a proposed project In any of these events the consolidated project shall be treated as an original project and an application shall be submitted as in the case of an original project and rents may be averaged throughout the consolidated or extended project but the averaging of rentals shall not be approved if consolidated projects are so widely separated that the averaging of rentals is not warranted The board may likewise permit any limited dividend housing company to organize and operate more than one project or to take over any project heretofore approved by the board and to operate it independently of other projects of the corporation The board may for just reasons decline to permit more than one project to be operated by the same limited dividend housing company

Section 7 General Regulation of Limited Dividend Housing Companies by the Board In pursuance of its power and authority to supervise and regulate the operations of limited dividend housing companies the board may

(a) Order such repairs and improvements as will preserve the health safety morals and general welfare of the occupants of buildings and structures owned or operated by such corporations

(b) Order all such corporations to do such acts as may be necessary to comply with the provisions of the law the reasonable rules and regulations adopted by the board or the terms of any project approved by the board or to refrain from doing any acts in violation thereof

(c) Examine all such corporations and keep informed as to their general condition their capitalization and the manner in which their property is constructed leased operated or managed

(d) In all proceedings to foreclose mortgages of such corporations and in all other actions where judgments have been entered upon which any of the real property of such

corporations may be sold take such steps as in its judgment may be necessary to protect the interest of the public therein and the rights of all parties interested in such property

(e) Either through its members or agents duly authorized by it enter in or upon and inspect the property equipment buildings plants offices aparatus and devices of any such corporation examine all books contracts records documents and papers of any such corporation and by subpoena duces tecum compel the production thereof

(f) In its discretion prescribe uniform methods and forms of keeping accounts records and books to be observed by such companies and after a hearing to prescribe by order accounts in which particular outlays and receipts shall be entered charged or credited

(g) Require every such corporation to file with the board an annual report setting forth such information as the board may require verified by the oath of the president and general manager or receiver if any thereof or by the person required to file the same Such report shall be in the form cover the period and be filed at the time prescribed by the board The board may further require specific answers to questions upon which the board may desire information and may also require such corporation to file periodic reports in the form covering the period and at the time prescribed by the board

(h) From time to time make amend and repeal rules and regulations for carrying into effect the provisions of this act

Section 8 Control of Rentals The board shall establish for each municipality within which a limited dividend housing company proposes to operate the maximum rental per room to be charged the tenants of the housing accommodations furnished by limited dividend housing companies Such maximum rental shall be fixed on the basis of land values and building construction costs in such municipality and shall be reasonable for the type of housing in such municipality The board shall further establish within the limit of such project built or acquired and managed by a limited dividend housing company upon the basis of the actual final cost of the project so as to secure from the housing accommodations together with all other income of the corporation a sufficient income to meet all necessary paymenets authorized by law to be made by limited dividend housing companies and within the limits of allowable dividends Such room rental rates shall be subject to revision by the board from time to time if found to be excessive Rentals for the commercial portion of such projects such as stores professional offices cooperative or commercial uses ordinarily accessory uses in dwelling or recreational purposes may be fixed on the basis of current market rates the income therefrom to effect reductions in rentals applying to residential uses

It shall be unlawful to let sublet or assign leases of apartments in such buildings or structures at greater rentals than prescribed by the order of the board All such leases shall be void for all intents and purposes.

Section 9 Increase of Rental Whenever it shall appear that the interests of lineholders creditors debenture holders of shareholders cannot otherwise be safeguarded the board shall nothwithstanding the limitation prescribed in this act for maximum and average rentals have power by its order made upon written application of a limited dividend housing company or of a lineholder a creditor or of holders of ten per centum of the income debentures or shares of the corporatioin to authorize such limited dividend housing company to increase rentals beyond the maximum established by the board but the increase shall not be in excess of the minimum amount necessary to enable such corporation to meet such obligations and then only after a public hearing at a time and place designated by the board Such hearing shall be held upon no less than twenty-days written notice to the tenants Such notice shall have annexed thereto a copy of the application for increase in rentals No such order or authorization shall be made or given unless the board shall find that because of changes in economic conditions in their application to the particular project involved or because of special assessments or causes or contingencies beyond the control of the corporation affecting such project the maximum rentals fixed by the board are insufficient to meet the payments authorized by law to be made by such corporation and unless the board shall find that such insufficiency cannot be corrected by reasonable economies in management and operation

Any order by the board shall be final and conclusive upon all questions within its jurisdiction unless reversed or modified on appeal as hereinafter provided Within thirty days after notice of the filing of the order of the board has been sent to the corporation and served upon the tenants affected thereby in such manner as the board shall prescribe an appeal may be taken to the Court of Common Pleas of Dauphin County from such order of the board by any party in interest If notice of such appeal is served upon the board it shall within thirty days thereafter serve upon the parties in interest a statement of its conclusions of fact and rulings of law in the case The board shall be deemed a party to every such appeal and the Department of Justice shall represent the board therein An appeal from the decision of such court may be taken by the Department of Justice acting on behalf of the Board or by any party in interest to the Supreme Court It shall not be necessary to file exceptions to the rulings of the board The Department of Justice shall not be required to file a bond upon an appeal by it to the Supreme Court Otherwise such appeals shall be subject to the law and practice applicable to appeals in civil actions Upon final determination of such an appeal the board shall enter an order in accordance therewith

Section 10 Reduction of Rentals If any calendar or fiscal year the gross receipts of any limited dividend housing company shall have exceeded the payments which it is authorized by law to make the sums necessary to pay dividends and interest accrued or unpaid on any shares or income debentures and the authorized transfer to surplus the balance shall unless the board of directors with the approval of the board shall deem such balance too small for the purpose be applied to the reduction of rentals

Section 11 Summary Proceedings Whenever the board shall be of the opinion that a limited dividend housing company is failing or omitting or about to fail or omit to do anything required of such company by law or by order of the board and is doing or about to do anything or permitting anything or about to permit anything to be done contrary to and in violation of law or of any order of the board of which is improvident or prejudicial to the interests of the public the lienholders or the shareholders the Department of Justice acting for and on behalf of the board shall commence an action or proceeding by mandamus injunction or otherwise in the Court of Common Pleas of the county wherein the main office of such company is located for the purpose of having such violation or threatened violation stopped and prevented

Section 12 Fees The State Board of Housing may charge and collect for an approved project from a limited dividend housing company reasonable fees in accordance with rates to be established by the rules of the board for the examination of plans and specifications and the supervision of construction in an amount not to exceed one-fifth of one per centum of the cost of the projects and not to exceed five thousand dollars for any one project for the holding of a public hearing upon the application of a limited dividend housing company an amount sufficient to meet the reasonable cost of advertising the notice thereof and of the transcript of testimony taken thereat for any examination or investigation made upon applicatioin of a limited dividend housing company an amount reasonably calculated to meet the expenses of the board in curred in connection therewith All such receipts shall be paid into the State treasury The board may authorize a limited dividend housing company to include such fees as part of the cost of a project

Section 13 Appropriation The sum of twenty-five thousand dollars ($25,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the use of the State Board of Housing for the two fiscal years ending on the thirty-first day of May one thousand nine hundred and thirty-five for the purpose of carrying into effect the provisions of this act

Section 14 Constitutional Construction The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision so holding shall not be construed to affect the validity of any of the remaining provisioins of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 15 When to Take Effect This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 28, as follows:

An Act relating to limited dividend reconstruction corporations defining and providing for the formation of such corporations for the purpose of reconstructing slum areas extending to such corporations certain existing laws relating generally to business corporations providing for the supervision and regulation of the activities of such corporations by the State Board of Housing in the Department of Property and Supplies providing for the protection of such corporations and the parties dealing with them prescribing defining and limiting the powers and duties of such corporations conferring upon such corporations and limiting their use of the power of eminent domain exempting such corporations from the payment of the capital stock tax conferring certain powers upon municipalities making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and saving institutions

Whereas It is hereby declared that bad housing conditions and other unsanitary unsafe or deteriorated conditions in areas occupied in whole or in part by dwellings which exist in certain localities of the Commonwealth are a menace to the health safety morals welfare and reasonable comfort of the citizens of the Commonwealth and

Whereas The corection of these conditions in such areas being now otherwise impossible it is essential that provisions be made for the investment of private funds at low interest rates the acquisition at fair prices of adequate parcels of land the general demolition of existing unsanitary and unsafe buildings and the reconstruction of those ears under public supervision in accord with proper standards of sanitation and safety in the public interest and without private profit except as herein expressly provided

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Limited Dividend Reconstruction Corporation Law"

Section 2 Definitions The following words and phrases when used in this act shall have the meanings respectively ascribed to them in this section

"Board" shall mean the State Board of Housing in the Department of Property and Supplies of this Commonwealth

"Slum areas" shall mean areas containing in the opinion of the board congested deteriorated unsanitary unfit or unsafe housing

"Net areas" shall include only cities boroughs and townships

"A limited dividend reconstruction corporation" shall be a corporation (a) to which shall apply the provisions of the general corporation laws relating to business corporations as hereafter from time to time amended or revised except where such provisions are in conflict herewith

(b) incorporated by three or more persons who declare as a public purpose the intention to acquire build and operate or to operate a slum reconstruction project to be rented at rates not exceeding those prescribed by the State Board of Housing

(c) in which no shareholder or debenture holder shall receive on his investment a greater dividend or interest return than seven per centum per annum except as otherwise provided herein (d) which may exercise the power of eminent domain in the acquisition of real property as provided in this act and (e) which meets all the requirements for limited dividend reconstruction corporations prescribed in this act

Section 3 Formation of Limited Dividend Reconstruction Corporations Three or more persons may in the manner prescribed in the Business Corporation Law approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws three hundred sixty-four) except where the provisions of this act are in conflict therewith become a limited dividend reconstruction corporation for the purpose of acquiring constructing or reconditioning maintaining and operating reconstruction projects in slum areas of any municipalities that have legally adopted a zoning ordinance enforced by an official agency constituted for that purpose and when authorized by and subject to the regulation and supervision of the State Board of Housing whose powers are hereby extended for this purpose to apply to limited dividend reconstruction corporations No reconstruction project shall be approved in contravention of any building or zoning ordinance in effect in the municipalities in which a designated area is located The term for which any such corporation is organized shall be not less than thirty years The articles of incorporation to be filed with the Department of State by the incorporators shall set forth in addition to the information required by the aforementioned Business Corportion Law

(a) A declaration that the corporation has been organized to serve a public purpose and that it shall remain at all times subject to the supervision and control of the board or of other appropriate State authority that all real estate acquired by it and all structures erected by it shall be deemed to be acquired for the purpose of promoting the public health safety morals and general welfare and that its shareholders shall be deemed when they subscribe to and receive the shares thereof to have agreed that they shall at no time receive or accept from the corporation in repayment of their investment in its shares any sums in excess of the par value of the shares together with cumulative dividends at the rate of seven per centum per annum and that any surplus earnings in excess of such amount if such corporation shall be dissolved shall revert to the Commonwealth

(b) A stipulation that the real property of the corporation shall not be sold transferred or assigned except under and pursuant to the terms and provisions of this act

(c) That all the shares of the corporation shall have a par value

The articles of incorporation may provide that in the event that income debenture certificates are issued by the corporation the owners thereof may be given the same right to vote as they would have if possessed of share certificates of the amount and par value of the income debenture certificates held by them If provision is made for the issuance of income debenture certificates interest shall be paid by the corporation on income debenture certificates only out of net earnings of the corporation that would be applicable to payment of dividends if there were no income debentures

The articles of incorporation may permit the retirement of income debenture certificate and shares of the corporation if as and when there shall be funds available in the treasury of the corporation from the receipt of amortization or sinking fund installments for that purpose as provided by this act but the amount so retired shall not exceed ninety per centum of the par value of all classes of shares or of shares and income debentures issued and outstanding at the time of the final completion of the buildings or structures embraced in the project

Section 4 Consent of Board to Incorporation of Limited Dividend Reconstruction Corporations Before any articles of incorporation are filed with the Department of State under this act the incorporators shall apply to and receive from the board a certificate that it approves the projects for which the proposed limited dividend reconstruction corporation is to be formed and that it consents to the formation of such corporation The certificate from the board shall be presented to the Department of State together with the articles of incorporation The Department of State shall not issue a certificate of incorporation evidencing the incorporation of any limited dividend reconstruction corporation unless and until a certificate from the board as aforesaid is presented to it

Section 5 Restrictions on Limited Dividend Reconstruction Corporations No limited dividend reconstruction corporation shall (a) acquire any real property or interest therein except options unless it shall first have obtained from the board a certificate that such acquisition is necessary or convenient for the public purpose defined in this act

(b) Sell transfer or assign any real property except (1) to another limited dividend reconstruction corporation formed under this act and (2) without first having obtained the consent of the board and (3) for a price in excess of the cost of such property less any amounts paid in amortization of the first lien and the retirement or redemption of shares plus so much of the limited dividends on the shares of the corporation from the date of issu as shall have been unpaid and accrued interest on the mortgage indebtedness and income debenture certificate

(c) Pay interest returns (1) on its mortgage indebtedness at a higher rate than deemed necessary by the board but the rate shall not exceed six per centum per annum or (2) upon its income debenture certificates at a rate higher than seven per centum per annum

(d) Issue its shares debentures and bonds covering any project undertaken by it in an amount greater in the aggregate than the total actual final cost of such project including the lands improvements charges for engineering and architectural services financing and supervision approved by the board and interest and other carrying charges during construction and an allowance for working capital to be approved by the board but not exceeding three per centum of the estimated cost or of the total actual final cost of the project if that shall be greater than the estimated cost

(e) Mortgage any real property without first having obtained the consent of the board

(f) Issue any securities or evidences of indebtedness without first having obtained the approval of the board

(g) Use any buildings erected or acquired by it for purposes other than those permitted by the board for that building or project

(h) Charge or accept any rental in any building constructed acquired operated or managed by it in excess of the prices prescribed by the board

(i) Make other than authorized payments which shall be limited to (1) all fixed charges and all development operating and maintenance charges and expenses including taxes assessments insurance chargs in amounts approved by the board to amortize the mortgage indebtedness in whole or in part and charges for depreciation of land and improvements if when and to the extent deemed necessary by the board reserves sinking funds and corporate expenses essential to operation and management of the project in amounts approved by the board (2) a dividend not exceeding the maximum fixed by this act upon the shares of the corporation allotted to the project by the board (3) where feasible in the discretion of the board a sinking fund in an amount to be fixed by the board for the gradual retirement of the shares and income debentures of the corporation When tenants own shares or income debentures in a limited dividend reconstruction corporation incorporated under this act a sinking fund may with the approval and subject to the regulations of the board be set up and maintained out of the net profits applicable to surplus and used subject to the regulations of the board for the purchase at not to exceed par and accrued interest of the shares and income debentures held by tenants ceasing to be occupants of the buildings Shares so purchased may be resold by the corporation

(j) Enter into contracts for the construction of projects or for the payment of salaries to officers or employes except subject to the inspection and revision of the board and under such regulations as the board may from time to time prescribe

(k) Voluntarily dissolve without first having obtained the consent of the board

(l) Make any guaranty without the approval of the board

Section 6 Application of Other Corporation Laws Tax Exemptions The provisions of the general corporation laws relating generally to business corporations as hereafter from time to time amended or revised shall apply to limited dividend reconstruction corporations incorporated under this act except where such provisions are in conflict herewith but the capital stock of limited dividend reconstruction corporations incorporated under the Provisions of this act shall not be taxed for State purposes under the provisions of existing laws

Section 7 Reorganization of Corporations Reorganization of limited dividend reconstruction corporations shall be subject to the supervision and control of the board and no such reorganization shall be had without the authorization of the board Upon all such organizations the amount of capitalization including all shares income debenture bonds and other evidence indebtedness shall be such as is authorized by the board not exceeding the fair value of the property involved

Section 8 Limited Return on shares and Debentures No shareholders in any corporation formed hereunder shall receive any dividend in any one year in excess of seven per centum per annum except that when in any year dividends in the amount prescribed in its articles shall not have been paid on the shares of such company the shareholders may be paid the deficiency without interest out of any surplus earned in succeeding years This provision shall likewise be applicable to income debenture certificates and interest thereon at the rate specified insuch certificate be cumulative

Section 9 Time of Payment of Subscriptions Subscriptions to the shares or income debentures of a corporation formed hereunder shall be paid at such times and in such installments as the corporation may require with the approval of the board If any default shall be made in the payment of any installment as so required the corporation may enforce the subscription by appropriate action and upon its failure so to do such subscription may be enforced by the board acting through the Department of Justice

Section 10 Consideration for Issuance of Shares and Bonds No limited dividend reconstruction corporation shall issue shares bonds or income debentures except for money or property actually received for the use and lawful purposes of the corporation No shares bonds or income debentures shall be issued for property except upon a valuation approved by the board and such valuation shall be used in computing actual or estimated costs In no event shall the shares and income debentures issued by the corporation be less than the total of one-third of the actual cost as defined by law of any approved reconstruction project or projects undertaken by it The board however may permit shares or income debentures to be issued to an amount not exceeding three per centum of the actual cost if actual cost should exceed estimated cost of a project for working capital to be used in connection with such project

Section 11 Minimum amount of Shares and Debentures The entire amount to be paid in cash or property by the shareholders and income debenture holders of a limited dividend reconstruction corporation shall be equivalent to at least one-third of the total cost of the project or projects which it operates

Section 12 Surplus A surplus of an amount approved by the board shall be permitted limited dividend reconstruction corporations but the amount of the net earnings transferable to surplus in any year shall be subject to the approval of the board On dissolution of any limited dividend reconstruction corporation the shareholders shall in no event receive more than the par value of their shares plus accumulated accrued or unpaid dividends and any remaining surplus shall revert to the Commonwealth

Section 13 Income Debentures With the approval of the board the articles of a limited dividend reconstruction corporation may authorize the issuance of income debenture certificates bearing no greater interest than seven per centum per annum After the incorporation of a limited dividend reconstruction corporation the directors thereof may with the consent of two-thirds of the holders of the preferred shares issued and outstanding offer to the shareholders of the corporation the privilege of exchanging their shares in such quantities and at such times as may be approved by the board for such income debenture certificates In no event shall the stated capital of the corporation be less than ten per centum of the total amount of stated capital and income debentures

Section 14 Mortgages and Mortgage Bonds Any corporation formed under this act may subject to the approval of the board borrow funds and secure the repayment therof by bond and mortgage or by an issue of bonds under trust indenture Each mortgage or issue of bonds by a corporation formed hereunder shall relate only to a single specified project and no other and such bonds shall be secured by first mortgage upon all of the real property of which such project consists First lien bonds of such corporation when secured by mortgages not exceeding two-thirds of the estimated cost prior to the completion of the project or two-thirds of the appraised value of actual cost whichever shall be less after such com-

pletion as certified by the board are hereby declared securities in which all public officers and bodies of the municipal subdivisions of the Commonwealth all insurance companies and associations all banks bank and trust companies and savings banks in the Commonwealth may legally invest funds within their control The bonds so issued and secured and the mortgage or trust indentures relating thereto may be so drawn that a first or senior interest and a second or junior interest therein may be acquired by different investors or classes of investors In such event only the first or senior interest therein shall be deemed securities in which the officers bodies corporations and associations heretofore specified may legally invest funds within their control Such bonds and mortgages may contain such other clauses and provisions as shall be approved by the board including the right to assignment of rents and entry into possession in case of default but the operation of the reconstruction projects in the event of such entry by mortgage or receiver shall be subject to the regulations of the board under this act Provisions for the amortization of the bonded indebtedness of corporations formed under this act shall be subject to the approval of the board

Section 15 Acquisition of Land Construction of Buildings When a limited dividend reconstruction corporation shall have received from the board an approval of a project for the acquisition or reconstruction of a slum area such corporation may undertake the acquisition of the property needed for such project Such property may be acquired by gift bequest exchange and subject to the approval of the board on lease for a term of years not less than required to amortize the cost of the project or purchase or by the exercise of the power of eminent domain The procedure in the latter case shall be in accordance with the procedure prescribed in section forty-one of the Corporation Act of one thousand eight hundred and seventy-four (Act of April twenty-nine one thousand eight hundred seventy-four Pamphlet Laws seventy-three) as amended or supplemented The power of minnt domain shall not be authorization of cuh action by the board following the acquirement either by purchase or by duly authenticated option to purchase by such reconstruction corporation of at least fifty per centum of the net land area needed for such reconstruction corporation of at least fifty per centum of the net land area needed for such reconstruction projects and for such purpose the board shall specify that the acquisition of the property and the reconstruction of the slum area in connection with which such power is requested has been determined by the board after a public hearing to be in the public interest Such grant of power to exercise the right of eminent domain shall permit the immediate taking possession of the property either by filing an adequate bond with the Court of Common Pleas or by paying to such court a sum deemed sufficient by said Court to cover a possible award The hearing shall be held at a time and place appointed by the board and notice of such hearing shall be given by the board by publication in a newspaper it shall designate published and circulated in the locality wherein the property is situated at least ten days prior to such hearing The board may expressly except from its certificate hereunder any part of the property proposed to be acquired as unnecssary to the plan A duly certified copy of such certificate shall be conclusive evidence as to the matters lawfully certified therein in any condemnation proceeding to acquire property or any part threof set forth in such certificate

Section 16 Purchase of Other Corporations' Property Before any limited dividend reconstruction corporation shall purchase the property of any other limited dividend corporation it shall file an application with the board in the manner hereinbefore provided as for a new project and shall obtain the consent of the board as to the purchase and agree to be bound by the provisions of this act and the board shall not give its consent unless it is shown to the satisfaction of the board that the project is one that can be successfully operated according to law

Section 17 Transfer of Buildings and Structures No limited dividend reconstruction corporation shall convey encumber or lease all or any part of its real property to any other person co-partnership association or corporation without the written consent of the board Provided however that leases conforming to the regulations and rules of the board and for actual occupancy by the lessees may be made without the consent of the board Any conveyance encumbrance lease or sub-lease made in violation of the provisions of this section and any transfer or assignment thereof shall be void

Section 18 Fees Chargeable by Board The board may charge and collect for an approved project from a limited dividend reconstruction corporation reasonable fees in accordance with rates to be established by the rules of the board for the examination of plans and specifications and the superivision of construction in an amount not to exceed one-fifth of one per cent of the cost of the project and not to exceed five thousand dollars for any one project for the holding of a public hearing upon the application of a limited dividend reconstruction corporation an amount sufficient to meet the reasonable cost of advertising the notice thereof and of the transcript of testimony taken thereat for any examination or investigation made upon application of a limited dividend reconstruction corporation an amount reasonably calculated to meet the expenses of the board incurred in connection therewith All such receipts shall be paid into the State treasury The board may authorize a limited dividend reconstruction corporation to include such fees as part of the cost of a project or as part of the charges specified in Section five of this act pursuant to rules to be established by the board

Section 19 Contracts with Municipalities The legislative body of any municipality may enter into a contract with a limited dividend reconstruction corporation formed under this act and whose project has been approved by the board under the terms of which contract the municipality will acquire and improve for public purposes a definite area adjacent to the project or a definite part of the area included within the boundaries of the project or the municipality will provide specified public improvements within or adjacent to the boundaries of the project

Section 20 Authority to Borrow Money From Agencies of the United States Government Any corporation formed under or accepting the provisions of this act may borrow money from the Reconstruction Finance Corporation or any other agency of the United States Government on such terms and conditions as the Reconstruction Finance Corporation or other agency of the United States Government may prescribe Any such corporation may pledge as security for money so borrowed any personal or real property or both of such corporation including its shares income debenture certificates or bonds Every approved project financed wholly or in part by funds borrowed from the Reconstruction Finance Corporation or other agency of the United States Government shall be subject to such rules and regulations pertaining to the security of any money borrowed hereunder to finance such project as may be prescribed by the Reconstruction Finance Corporation or other agency of the United States Government It shall be the duty of the board to facilitate the procurement of such loans by such corporations by giving its prompt approval to all matters in connection thereto which this act requires the board to approve and to co-operate with the Reconstruction Finance Corporation or any other agency of the United States Government in the procurement and repayment of such money

Section 21 Constitutional Construction The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision so holding shall not be construed to affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 22 When to Take Effect This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 154, as follows:

An Act to amend section twenty of the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred fifty-two) entitled "An

act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" making it unlawful for manufacturers of such beverages to sell the same to other than licensed distributors except for export from this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty of the approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred fifty-two) entitled "An act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premise and regulating elections fod this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" is hereby amended to read as follows

Section 20 Sale by Manufacturers Minimum Quantities No manufacturer shall sell any beverages for consumption on the premises where sold nor sell or deliver any such beverages in other than original containers nor in quantites of less than two hundred and eighty-eight (288) fluid ounces nor sell to any one other than a licensed distributor or except for export from this Commonwealth nor shall any manufacturer maintain or operate any place or places other than the place or places covered by this or its permit where beverages are sold or where orders are taken

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. JOSEPH R. LYNCH. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 223 (Senate Bill No. 43), as follows:

An Act making an appropriation to the Department of Military Affairs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs for the purpose of paying for clerical hire postage and printing and other necessary expenses incurred by the Adjutant General or the Department of Military Affairs in the dissemination of information and the preparation and distribution of forms for the payment of adjusted compensation to veterans in such manner and in such amounts as is or may be provided by law.

The amount that shall be necessarily expended from said appropriation for the purposes stated shall be repaid into the General Fund in the State Treasury out of the first receipts from the sale of bonds for the payment of such compensation as are or may be authorized by law.

Section 2 This act shall becomc effective immediately upon final enactment.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 62, entitled:

A Supplement to the act number three hundred-A approved the third day of June one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to certain administrative departments

On the question,

Shall the bill pass finally?

The Clerk proceeded to call the roll.

The SPEAKER. The Chair withdraws the calling of the roll and directs a new roll call. The Chair insists that the members answer when their names are called.

Mr. STEEDLE. Mr. Speaker, for the purpose of information, may I ask are we voting on House Bill 62?

The SPEAKER. House Bill No. 62, Printer's No. 53.

MOTION TO POSTPONE

Mr. STEEDLE. Mr. Speaker, I move that House Bill No. 62, Printer's No. 53, be placed upon the postponed calendar.

The SPEAKER. The Chair regrets to inform the gentleman that there is nothing before the body except the calling of the roll.

Mr. STEEDLE. Mr. Speaker, I inadvertently over looked the bill not realizing that House Bill No. 80 was improperly on the calendar and therefore I did not make any remarks on the bill.

The SPEAKER. Will the House give its unanimous consent to permit the gentleman from Allegheny, Mr. Steedle, to discuss House Bill No. 6, Printer's No. 53, is that the request of the gentleman?

Mr. STEEDLE. Mr. Speaker, I would like to discuss the bill and ask for further consideration of the bill.

The SPEAKER. That is the gentleman's privilege, and he will proceed.

Mr. STEEDLE. Mr. Speaker, I yield to the gentleman from Philadelphia for the time being.

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker and members of the House, this bill in its present form is an appropriation to the Department of the Auditor General, to the Treasury Department and to the Department of Public Instruction. The appropriation to the Department of the Auditor General is increased from three hundred and sixty thousand

dollars to eight hundred and eighty-two thousand dollars, and the appropriation to the Department of Public Instruction is in the sum of one hundred thousand dollars. The bill very clearly points out that the appropriation to the Department of Public Instruction is to provide funds out of the general fund with which to meet the expenses of that department in connection with the establishment of the state stores.

It is not necessary for me to assume that the increase in the amount of the appropriation to the Department of the Auditor General in some five hundred thousand dollars is also for the purpose of providing that department with funds that it believes necessary because of the added work that it will have on account of audits and other services in connection with state stores, but it is obvious to me that all of the money necessary to maintain and operate state stores within the contemplation of the Assembly is to come from the funds realized in undertaking the state store business.

If this bill passes it means that the funds that come into the state store fund will not be burdened with the expenses contemplated to be covered by the increases in this act to the Auditor General's Office or Department and the funds provided to the Department of Public Instruction.

For the reason, Mr. Speaker, I believe that the bill should at this time be placed on the postponed calendar until an adjustment of these differences might be made, and I make that motion.

On the question,

Will the House agree to the motion?

It was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 73, as follows:

An Act to regulate the sale and delivery of coal coke petroleum coke briquettes and other solid fuels providing for appointment of public weighmasters prescribing their powers and duties imposing certain duties on the Department of Internal Affairs and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That coal coke petroleum coke briquettes and other solid fuels shall be sold only by weight No person shall sell or deliver or start out for delivery less than two thousand pounds of weight to the ton of coal coke petroleum coke briquettes or other solid fuel or a proper proportion thereof in quantities less than a ton and such coal coke petroleum coke briquettes and solid fuels shall be duly weighed by a licensed weighmaster on accurate scales and tolerance at the rate of thirty pounds to the ton shall be allowed for unavoidable wastage and unavoidable variation in scales

Section 2 No person upon the sale of coal coke petroleum coke briquettes or other solid fuel shall deliver or cause to be delivered or to be started out for delivery any coal coke petroleum coke briquettes or solid fuels without each lot being petroleum coke briquettes or solid fuels without each lot in each separate compartment of any vehicle or vehicle and trailer being accompanied by a weight certificate on which shall be distinctly expressed in pounds the weight of the coal coke petroleum coke briquettes or solid fuels the name and address of the purchaser the name of the seller and the signature of the licensed weighmaster by whom weighed Such ticket shall be delivered to the purchaser When coal coke petoleum coke briquettes or solid fuels is sold in lots of less than one hundred pounds the provisions of this section shall not apply provided the coal coke petroluem coke briquettes or solid fuels is delivered in a bag or other container plainly and conscpicuously marked with the correct weight of the contents

Provided however That in the event that the delivery agent shall be unable for practical reasons to deliver the lot to the purchaser specified in the weight certificate he may under specific authority of the weighmaster substitute the name and address of another purchaser provided report of such diversion is made to the weighmaster within twenty-four hours And provided further That the provisions of this section shall not apply to the sale of an entire boatload or railroad car load of coal coke petroleum coke briquette or solid fuels delivered direct from the boat or car to one purchaser and accepted as to weight by the purchaser on the bill of lading or other voucher issued by the carrier

Section 3 Any weights and measures official of any of the local governments of the State who finds any quantity of coal coke petroleum coke briquettes or solid fuels ready for or in process of delivery may direct the person in charge of the coal coke petroleum coke briquettes or solid fuels to convey the same to the nearest available accurate scales designated by said official Such official shall thereupon determine the weight of the coal coke petroleum coke briquettes or solid fuels and the vehicle in which it is carried and shall direct such person in charge to return to such scales forthwith upon unloading the coal coke petroleum coke briquettes or solid fuels and upon such return the official shall determine the weight of the vehicle without load No seller or driver or other person in charge of the vehicle contining such coal coke petroleum coke briquettes or solid fuels or from which such coal coke petroleum coke briquettes or solid fuels has been unloaded shall fail to take the vehicle upon the direction of the weights and measures official to scale as aforesaid or refuse to permit the coal coke petroleum coke briquettes or solid fuels or vehicle to be weighed by him

Section 4 No person shall make or issue a weight certificate of coal coke petroleum coke briquettes or solid fuels unless licensed by the Bureau of Standard Weights and Measures of the Department of Internal Affairs of this Commonwealth Application for a license shall be made upon a form prescribed by the director of the bureau and shall indicate the place where the weighmaster will perform this function The applicant shall furnish satisfactory evidence of good moral character and of ability to weigh accurately and to make correct weight certificates The applicant shall pay a license fee of five dollars to the director for remittance to the State Treasury A license shall be for a period not exceeding three years A license may be renewed in the discretion of the director for successive periods of not exceeding three years each upon payment of a license fee of five dollars to the director for remittance to the State Treasury Each license shall be kept at the place where the weighmaster is engaged in weighing and shall be open to inspection A license may be revoked by the director after a hearing upon due notice to the licensee for dishonesty incompetency inaccuracy or a violation of the provisions of this act and must be revoked by the director when the weighmaster has lost his employment at the place of weighing for which the license has been issued

Section 5 No licensed weighmaster shall make or issue a false or incorrect weight certificate nor shall any person solicit him to do so No person shall knowingly use a false or incorrect weight certificate No person shall use a weight certificate not bearing the signature of a licensed weighmaster No licensed weighmaster shall knowingly permit any weight certificate to be issued or used which purports to bear his signature and was not in fact signed by him or which expresses a weight not ascertained by him No delivery agent shall deliver a load of coal coke petroleum coke briquettes or solid fuels without a weight certificate nor shall any delivery agent permit any diminution of the load of coal coke petroleum coke briquettes or solid fuels committed to him until it is delivered to the purchaser

Section 6 Any public weighmaster who shall issue a weight certificate giving false weight of any article or commodity weighed by him shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars and in addition shall forfeit his certificate as weighmaster

Any person who shall request a public weighmaster to weigh any coal coke petroleum coke briquettes or solid fuels falsely or incorrectly or who shall request a false or inac-

curate certificate of weight or any person issuing a weight certificate who is not a weighmaster as provided for in this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars

Any driver who shall permit any portion of the load of coal coke petroleum coke briquettes or solid fuels committed to him for delivery to be diminished after receiving the weight certificate of a public weighmaster and before the load is delivered to the purchaser shall be guilty of larceny

Section 7 The following acts of Assembly are hereby repealed

The act approved the the twenty-seventh day of May one thousand eight hundred and seventy-one (Pamphlet Laws one thousand two hundred eighty-seven) entitled "An act to regulate the weight of anthracite coal delivered by retail coal dealers in the city of Philadelphia"

The act approved the first day of June one thousand nine hundred and eleven (Pamphlet Laws five hundred thirty-three) entitled "An act to provide in cities of the first class for delivery tickets in the sale of anthracite coal and to authorize the designation of weighing scales and for the proper inspection thereof for weighing coal delivered to purchasers who receive the same by cart wagon or other conveyance and to compel the seller thereof to allow said coal to be weighed to provide for certificates of weight and the effect thereof as evidence to the weight of coal passing such scales and to punish for refusal of seller to allow coal weighed and to punish fraudulent weighing at such scales and to provide for the keeping of docket records thereof by magistrates or justices of the peace"

The act approved the twenty-eighth day of May one thousand nine hundred and thirteen (Pamphlet Iaws three hundred sixty-four) entitled "An act to amend an act approved the first day of June one thousand nine hundred and eleven entitled 'An act to provide in cities of the first class for delivery tickets in the sale of anthracite coal and to authorize the designation of weighing scales and for the proper inspection thereof for weighing coal delivered to purchasers who receive the same by cart wagon or other conveyance and to compel the seller thereof to allow said coal to be weighed to provide for certificates of weight and the effect thereof as evidence to the weight of coal passing such scales and to punish for refusal of seller to allow coal weighed and to punish fraudulent weighing at such scales and to provide for the keeping of docket records thereof by magistrates or justice of the peace'"

Section 8 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WESTRICK. In my file, Mr. Speaker, I find that there is an error in the printing, on page four from line 19 to the bottom of the page, and it is pretty hard to interpret the thought that the bill means to give.

The SPEAKER. What is the point that the gentleman has raised? The Chair was unable to hear the gentleman.

Mr. WESTRICK. Mr. Speaker, on page 4 of this bill from line 19 to the bottom of the page there seems to be a printer's error, and it is hard to get the interpretation of the thought. I would like to ask whether we are to consider this bill without making sure what thought it gives?

The SPEAKER. The Chair has not seen the print as yet. Does the gentleman have before him Printer's No. 52?

Mr. WESTRICK. I have Printer's No. 95, Mr. Speaker.

The SPEAKER. The Chair informs the gentleman that the Clerk has given the Chair the wrong Printer's Number. The Chair desires to inform the gentleman from Cambria, Mr. Westrick, that lines 20 and 23 are simply transposed, and that would make sense in the reading of the bill. Does the gentleman object to the consideration of the bill insofar as the House is concerned, after having had an opportunity to read it?

Mr. WESTRICK. Mr. Speaker, I still do not get the sense, even though I have transposed those two lines.

The SPEAKER. If the gentleman will refer to Printer's No. 52, then he will ascertain how the bill should read correctly. Is the gentleman now satisfied?

Mr. WESTRICK. I will withdraw the objection with the understanding, Mr. Speaker, that the bill will be corrected in the Senate.

The SPEAKER. The Chair thanks the gentleman for calling his attention to the error, and the bill will be reprinted properly.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142

Andrews,	Hamilton,	Mumford,	Shortz,
Baker,	Hartman,	Munley,	Shreiner,
Baldi,	Heffernan,	Murphy,	Simon,
Beech,	Hefferon,	Myers,	Snyder,
Bennett,	Heffner,	Nothnagle,	Sowers,
Bernhard,	Hermansen,	O'Connor,	Spann.
Blumberg,	Hewitt,	O'Keefe,	Steedle,
Boyd,	Himes, H. E.,	O'Rourke,	Sterling, P.,
Brancato,	Hoffman,	Patterson,	Stiteler,
Brennan,	Horst,	Peeler,	Storb,
Brown, W. L.,	Hutton,	Pennock,	Stott,
Carey,	Jaffe,	Perry, D. R.,	Tahl,
Cohen,	Kane, J. J.,	Peters,	Trout,
Conner,	Kane, L. P.,	Powers,	Turner,
Cooke,	King,	Price,	Wade.
Cordier,	Kinney,	Quinn,	Wagner,
Craig,	Labar,	Raub,	Wall,
Cramer,	Laubach,	Rectenwald,	Wasserman,
Dane,	Lynch, J. R.,	Reed,	Way,
Davies,	Maloney,	Reilly,	Weidemann,
DeFrehn,	Marcks,	Rhodes,	Westrick,
Downey, G. E.,	Mason,	Rice,	White,
Ederer,	McBride,	Roan,	Wike,
Emhardt,	McCandless,	Roth,	Williams, G. W.,
Evans,	McClure,	Royle,	Williams, J. J.,
Fitzgerald,	McCreary,	Ruby,	Wilson, T. B.,
Flanagan,	McElwee,	Ruth,	Witkin,
Fleisher,	McGinnis,	Sarig,	Wood,
Flynn, J. M.,	McGregor,	Sautter,	Woodside,
Flynn, J. W.,	McKay,	Schwartz,	Wright,
Forrest,	Melchiorre,	Scorza,	Yeakel,
Gallagher, W. J.,	Meredith,	Scott,	Yourishin,
Gartner,	Merrell,	Sheffer,	Talbot,
Gillette,	Mohn,	Shellenberger,	Speaker.
Habbyshaw,	Moore,	Shenkel,	

NAYS—29

Barnhardt,	Furman,	Lewis,	Perry, J. J.,
Bechtel,	Griffith,	Long,	Schrock,
Brown, J. E.,	Harmuth,	Lord,	Schrope,
Brownfield,	Hester,	Lose,	Stank,
Caputo,	Holmes, J. L.,	Lovett, J. E.,	Sterling, R. B.,
Chervenak,	Hoopes,	Lovett, W. S.,	Stevens,
Downey, J. J.,	Howard,	Male,	Walker, W. A.,
Dunmire,	Lane,	McGrail,	Wilson, L. M.,
Eroe,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 128, entitled:

An Act to amend section one of article one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet aws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsyl-

vania and for the protection and preservation of property connected therewith as amended empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176

Andrews,	Habbyshaw,	McGinnis,	Shenkel,
Baker,	Haines,	McGregor,	Shettel,
Baldi,	Hamilton,	McHenry,	Shortz,
Bechtel,	Harris,	McKay,	Shreiner,
Beech,	Hart,	McKinney,	Shugarts,
Bennett,	Hartman,	Melchiorre,	Simon,
Bernhard,	Heffernan,	Meredith,	Snyder,
Blumberg,	Hefferon,	Merrell,	Sowers,
Boyd,	Hermansen,	Mohn,	Spann,
Brancato,	Hester,	Mumford,	Stank,
Brennan,	Hewitt,	Munley,	Steedle,
Brown, J. E.,	Himes, H. E.,	Myers,	Sterling, P.,
Brown, W. L.,	Hoffman,	Negley,	Stevens,
Caputo,	Holmes, J. B.,	Nothnagle,	Stiteler,
Carey,	Holmes, J. L.,	O'Connor,	Stone,
Chervenak,	Hoopes,	O'Keefe,	Stott,
Cohen,	Horst,	O'Rourke,	Tahl,
Connor,	Hough,	Patterson,	Terry,
Cooke,	Howard,	Peelor,	Trout,
Cordier,	Hutton,	Pennock,	Turner,
Cramer,	Jaffe,	Perry, D. R.,	Wade,
Dane,	Jones,	Perry, J. J.,	Wagner,
Davies,	Kane, J. J.,	Peters,	Walker, G. E.,
DeFrehn,	King,	Powell,	Wall,
Denning,	Kinney,	Powers,	Wasserman,
Downey, G. E.,	Labar,	Price,	Way,
Duffy,	Lane,	Quinn,	Weidemann,
Dunmire,	Laubach,	Rectenwald,	Welsh,
Ederer,	Lenahan,	Reed,	Westrick,
Emhardt,	Lewis,	Reilly,	White,
Eroe,	Long,	Rice,	Wike,
Evans,	Lose,	Roan,	Williams, G. W.
Fitzgerald,	Lovett, J. E.,	Root,	Williams, J. J.,
Fleisher,	Lovett, W. S.,	Royle,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Ruby,	Wilson, T. B.,
Flynn, J. M.,	Lynch, M.,	Sarig,	Witkin,
Flynn, J. W.,	Malina,	Sautter,	Wood,
Forrest,	Malone,	Schrock,	Woodside,
Gallagher, T. J.,	Marcks,	Schrope,	Wright,
Gallagher, W. J.,	Mason,	Schwartz,	Yeakel,
Gartner,	McBride,	Scorza,	Yourishin,
Gillette,	McClure,	Scott,	Zimmerman,
Green,	McCreary,	Sheffer,	Talbot,
Greenstein,	McElwee,	Shellenberger,	Speaker.
Griffith,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 129, entitled:

An Act to amend section three of article twenty-eight of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending the provisions of said act to all bituminous coal mines employing five or more persons and empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182

Andrews,	Greenstein,	McClure,	Scott,
Baker,	Griffith,	McCreary,	Sheffer,
Baldi,	Habbyshaw,	McElwee,	Shellenberger,
Barnhardt,	Haines,	McGinnis,	
Bechtel,	Hamilton,	McGrail,	Shettel,
Beech,	Harmuth,	McGregor,	Shortz,
Bennett,	Harris,	McHenry,	Shugarts,
Bernhard,	Hart,	McKay,	Simon,
Boyd,	Hartman,	McKinney,	Snyder,
Brancato,	Heffernan,	Melchiorre,	Sowers,
Brennan,	Hefferon,	Meredith,	Spann,
Brown, J. E.,	Heffner,	Merrell,	Stank,
Brown, W. L.,	Hermansen,	Mohn,	Steedle,
Cannon,	Hester,	Moore,	Sterling, P.,
Caputo,	Hewitt,	Munley,	Sterling, R. B.,
Carey,	Himes, L. R.,	Murphy,	Stevens,
Carson,	Hoffman,	Myers,	Stiteler,
Chervenak,	Holmes, J. B.,	Negley,	Stone,
Cohen,	Holmes, J. L.,	Nothnagle,	Stott,
Conner,	Hoopes,	O'Connor,	Tahl,
Cooke,	Horst,	O'Neill,	Terry,
Cordier,	Hough,	O'Rourke,	Trout,
Craig,	Howard,	Patterson,	Turner,
Cramer,	Hutton,	Peelor,	Wagner,
Dane,	Jaffe,	Pennock,	Walker, G. E.,
DeFrehn,	Jones,	Perry, D. R.,	Walker, W. A.,
Denning,	Kane, J. J.,	Perry, J. J.,	Wasserman,
Downey, G. E.,	Kane, L. P.,	Peters,	Way,
Downey, J.,	King,	Powell,	Weidemann,
Duffy,	Kinney,	Price,	Welsh,
Dunmire,	Labar,	Quinn,	Westrick,
Ederer,	Lane,	Rectenwald,	White,
Emhardt,	Laubach,	Reed,	Wike,
Eroe,	Lenahan,	Reilly,	Williams, G. W.,
Evans,	Long,	Rice,	Williams, J. J.,
Flanagan,	Lord,	Roan,	Wilson, L. M.,
Fleisher,	Lose,	Roth,	Wilson, T. B.,
Flinchbaugh,	Lovett, J. E.,	Royle,	Wood,
Flynn, J. M.,	Lovett, W. S.,	Ruby,	Woodside,
Forrest,	Lynch, J. R.,	Ruth,	Wright,
Furman,	Lynch, M.,	Sarig,	Yeakel,
Gallagher, T. J.,	Maloney,	Sautter,	Yourishin,
Gallagher, W. J.,	Marcks,	Schrock,	Zimmerman,
Gartner,	Mason,	Schrope,	Talbot,
Gillette,	McBride,	Schwab,	Speaker.
Green,	McCandless,	Scorza,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 113 (Senate Bill No. 16), entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," making an appropriation for the payment of certain expenses of the General Assembly convened in Extraordinary Session on the thirteenth day of November, one thousand nine hundred thirty-three.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183

Andrews,	Green,	McElwee,	Shenkel,
Baker,	Griffith,	McGinnis,	Shettel,
Baldi,	Habbyshaw,	McGregor,	Shortz,
Barnhardt,	Haines,	McHenry,	Shreiner,
Bechtel,	Hamilton,	McKay,	Shugarts,
Beech	Harmuth,	McKinney,	Simon,
Bennett,	Hart,	Melchiorre,	Snyder,
Blumberg,	Hartman,	Merrell,	Sowers,
Boyd,	Heffernan,	Mohn,	Spann.
Brancato,	Hefferon,	Moore,	Steedle.
Brennan,	Heffner,	Mumford,	Sterling, P.,
Brown, J. E.	Hermansen,	Munley,	Sterling, R. B.,
Brown, W. L.,	Hewitt,	Murphy,	Stevens,
Brownfield,	Himes, H. E.	Myers,	Stiteler,
Cannon,	Himes, L. R.,	Negley,	Stone,
Caputo,	Hoffman,	Nothnagle,	Storb,
Carson,	Holmes, J. B.,	O'Connor,	Stott,
Chervenak	Holmes, J. L.,	O'Keefe,	Tahl.
Cohen,	Hoopes,	O'Neill	Terry,
Conner,	Horst,	Patterson,	Trout,
Cooke,	Hough,	Peelor,	Turner,
Cordier,	Howard,	Pennock,	Wade,
Craig,	Hutton,	Perry, D. R.,	Wagner,
Cramer,	Jaffe,	Perry, J. J.,	Walker, G. E.,
Dane,	Jones,	Peters,	Walker, W. A.,
Davies,	Kane, J. J.,	Powell,	Wall,
DeFrehn,	King,	Price,	Wasserman,
Downey, G. E.,	Kinney,	Quinn,	Weidemann,
Downey, J. J.,	Labar.	Raub,	Welsh,
Duffy,	Lane,	Rectenwald,	Westrick,
Dunmire,	Laubach,	Reed,	White,
Ederer,	Lenahan,	Reilly,	Wike,
Emhardt.	Long,	Rice,	Williams, G. W.
Eroe,	Lord,	Roan,	Williams, J. J.,
Fitzgerald,	Lose,	Roth,	Wilson, L. M.,
Flanagan,	Lovett, J. E.,	Royle,	Wilson, T. B.
Fleisher,	Lovett, W. S.	Ruby,	Witkin,
Flinchbaugh,	Lynch, J. R.	Sarig.	Wood,
Flynn, J. M.,	Lynch, M.,	Sautter,	Woodside,
Flynn, J. W.	Male,	Schrock,	Wright,
Furman,	Maloney,	Schrope,	Yeakel,
Gallagher, T. J.	Marcks,	Schwab,	Yourishin,
Gallagher, W. J.,	Mason,	Schwartz,	Zimmerman,
Gartner,	McBride,	Scorza,	Talbot,
Gillette,	McCandless,	Sheffer,	Speaker.
Gorman,	McCreary,	Shellenberger,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 143, entitled:

An Act prohibiting the granting of licenses for the sale of spirituous and vinous alcoholic liquors in certain territory.

On the question,

Will the House agree to the bill on third reading?

Mr. McELWEE. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend sec. 1, page 2, line 2, by inserting after the word "liquors" the following: "Provided, That this act shall not apply to clubs which do not cater to groups of non-members, either privately or for functions as provided in subsection (b) of section four hundred and seven of the 'Pennsylvania Liquor Control Act.'"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 209, entitled:

An Act appropriating certain accumulations in the Insurance Tax Fund to cities, townships and boroughs for payment of firemen's relief, pension and retirement funds.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Gillette,	McElwee,	Shenkel,
Baker,	Gorman,	McGrail,	Shettel,
Baldi,	Green,	McGregor,	Shortz,
Barnhardt,	Griffith,	McHenry,	Shreiner,
Bechtel,	Haines,	McKay,	Shugarts,
Beech,	Hamilton,	Melchiorre,	Simon.
Bennett,	Harmuth,	Meredith,	Snyder,
Bernhard,	Hart,	Merrell,	Sowers,
Blumberg,	Hefferon,	Mohn,	Spann,
Boyd,	Hermansen,	Mumford,	Stank,
Brancato,	Hester,	Murphy,	Steedle,
Brennan,	Hewitt,	Myers,	Sterling, P.,
Brown, J. E.,	Himes, H. E.,	Negley,	Sterling, R. B.,
Brown, W. L.,	Himes, L. R.,	Nothnagle,	Stevens,
Cannon,	Hoffman,	O'Connor,	Stiteler,
Caputo,	Holmes, J. L.,	O'Keefe,	Stone,
Carey,	Hoopes,	O'Neill,	Storb,
Carson,	Horst,	O'Rourke,	Stott,
Chervenak,	Hough,	Patterson,	Tahl,
Cohen,	Hutton,	Peelor,	Terry,
Conner,	Jaffe,	Pennock,	Trout,
Cooke,	Jones,	Perry, D. R.,	Turner,
Cordier,	Kane, J. J.,	Perry, J. J.,	Wagner,
Craig,	Kane, L. P.,	Peters,	Walker, G. E.,
Cramer,	King,	Powell,	Walker, W. A.,
Dane,	Kinney,	Powers,	Wall,
Davies,	Labar,	Price,	Wasserman,
DeFrehn,	Lane,	Quinn,	Way,
Denning,	Laubach,	Raub,	Weidemann,
Downey, G. E.,	Lenahan,	Rectenwald,	Welsh,
Downey, J. J.,	Lewis,	Rhodes,	Westrick,
Duffy,	Long,	Rice,	White,
Dunmire,	Lord,	Roan,	Wike,
Ederer,	Lose,	Root,	Williams, G. W.,
Emhardt,	Lovett, J. E.,	Roth,	Williams, J. J.,
Eroe,	Lovett, W. S.,	Royle,	Wilson, L. M.,
Evans,	Lynch, J. R.,	Ruby,	Wilson, T. B.,
Fitzgerald,	Lynch, M.,	Ruth,	Witkin,
Flanagan,	Male,	Sarig,	Wood,
Fleisher,	Malina,	Sautter,	Woodside,
Flinchbaugh,	Maloney,	Schrock,	Wright,
Flynn, J. M.,	Marcks,	Schwab,	Yeakel,
Flynn, J. W.,	Mason,	Schwartz,	Yourishin,
Forrest,	McBride,	Scorza,	Zimmerman,
Furman,	McCandless,	Scott,	Talbot,
Gallagher, T. J.,	McClure,	Sheffer,	Speaker.
Gallagher, W. J.,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 169, entitled:

An Act authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium; placing the sanatorium upon completion under the jurisdiction and control of the Department of Health, and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PHILIP STERLING. Mr. Speaker and members of this House, this bill, if I understand it correctly, seeks to authorize the erection and construction of a State tuberculosis sanatarium and appropriate for that purpose the sum of $800,000. No one will gainsay the worthiness of the cause, but everyone will admit that the Commonwealth cannot impose upon itself an obligation involving as much money as this bill involves without knowing from whence the money may come, and it seems to me that the House should move slowly before it proceeds to pass this measure.

I would like to call to the attention of the sponsor of the bill that there is now pending in the Senate, Senate Bill No. 1, introduced by Senator Scott, that seeks to set up a plan for the expenditure of what is commonly known as the State Public Works Buildings, and in that Act there is a provision that money raised under it shall be in part used for additional buildings and for improvements to buildings of State mental hospitals and other welfare institutions.

Now, it seems to me that if there is a great need in this Commonwealth for additional service in institutions of the type contemplated under the Act now under consideration, the sponsor of the bill will have his wish gratified by the use through the Department of Welfare of such funds as will come to it under Senate Bill No. 1, but gentlemen, I cannot too strongly emphasize that we cannot stand idly by and permit appropriation measures involving as much money as this one does to pass through this House or even give our affirmative vote to such a measure, assuming that it does not accumulate enough votes to pass, without first being definitely assured that the money is available for the purposes required under this Act, and until that information comes to the House, it seems to me to be the duty of the members of the House to vote "no" on the measure.

Mr. WILLIAM L. BROWN. Mr. Speaker and members of the House, if any of you will go over to Dr. Appel, you will find that they are not getting a tuberculosis patient in the Cresson Hospital. He states that there are a thousand or more on the waiting list.

I just took a patient over there recently, and was informed that some of them had to wait two years to get in there, so that I think for as worthy a cause as this we could surely raise some money for it.

Mr. BEECH. Mr. Speaker and members of the House, this session was called for humanitarian purposes. One of the most humanitarian purposes that could be put before the people of this state at the present time is to aid the suffering.

At the present time, according to the information received from Dr. Appel, we have two thousand people on the waiting list to go into the sanitariums. There are in the three hospitals at the present time three thousand beds. This hospital would take care of approximately one thousand beds, and I earnestly request and ask for the passage of this bill.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—110

Beech,	Gallagher, W. J	Lynch, M.,	Sarig,
Bernhard,	Green,	Marcks,	Sautter,
Blumberg,	Griffith,	McBride,	Schrock,
Boyd,	Hamilton,	McClure,	Schrope,
Brancato,	Harmuth,	McGinnis,	Schwab,
Brown, J. E.,	Harris	McGrail,	Schwartz,
Brown, W. L.,	Hart,	Melchiorre,	Scott,
Brownfield,	Hartman,	Merrell,	Sheffer,
Cannon,	Heffernan,	Mohn,	Shellenberger,
Caputo,	Hester,	Moore,	Shenkel,
Carson,	Himes, H. E.,	Mumford,	Shettel,
Chervenak,	Hoffman,	Munley,	Shortz,
Cohen,	Hoopes,	O'Connor,	Shugarts,
Cooke,	Hough,	O'Keefe,	Simon,
Cramer,	Jaffe,	O'Neill,	Snyder,
Dane,	Jones,	O'Rourke,	Sowers,
Downey, G. E.,	Kane, J. J.,	Peelor,	Spann,
Downey, J. J.	Kane, L. P.,	Pennock,	Stank,
Duffy,	Kinney,	Powell,	Sterling, R. B.,
Emhardt,	Labar,	Powers,	Stevens,
Eroe,	Lane,	Quinn,	Stone,
Evans,	Laubach,	Rectenwald,	Wall,
Fitzgerald,	Lenahan,	Reed,	Welsh,
Flanagan,	Lewis,	Reilly,	Westrick,
Flynn, J. M.,	Long,	Root,	Wilson, T. B.,
Flynn, J. W.,	Lord,	Roth,	Witkin,
Furman,	Lose,	Ruth,	Yourishin,
Gallagher, T. J.,	Lovett, J. E.,		

NAYS—50

Andrews,	Habbyshaw,	Negley,	Turner,
Baker,	Heffner,	Nothnagle,	Wade,
Barnhardt,	Hewitt,	Patterson,	Wagner,
Brennan,	Hutton,	Perry, D. R.,	Weidemann,
Conner,	Lovett, W. S.,	Perry, J. J.,	White,
Cordier,	McCreary,	Peters,	Wilson, L. M.
Craig,	McElwee,	Rice,	Wood,
Davies,	McGregor,	Ruby,	Woodside,
DeFrehn,	McKay,	Shreiner,	Wright,
Dunmire	McKinney,	Sterling, P.,	Yeakel,
Ederer,	Meredith,	Stiteler,	Talbot,
Forrest,	Murphy,	Stott,	Speaker.
Gillette,	Myers,	Trout,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 190, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the state line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same; and relieving said Townships or Counties of authority over same

requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town, petitions providing for percentage of cost of improvement or repairs to be paid by state, county, township, borough or incorporated towns and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, any kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not effected by provisions of this act," as amended, by providing for the payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164

Andrews,	Greenstein,	McCreary,	Scott,
Baker,	Griffith,	McElwee,	Sheffer,
Baldi,	Habbyshaw,	McGinnis,	Shellenberger,
Bechtel,	Hamilton,	McGrail,	Shenkel,
Beech,	Harmuth,	McHenry,	Shettel,
Bennett,	Hart,	McKinney,	Shortz,
Bernhard,	Heffernan,	Melchiorre,	Shreiner,
Blumberg,	Hefferon,	Meredith,	Shugarts,
Boyd,	Heffner,	Merrell,	Simon,
Brancato,	Hermansen,	Mohn,	Snyder,
Brown, J. E.,	Hester,	Moore,	Sowers,
Brown, W. L.,	Hewitt,	Munley,	Spann,
Brownfield,	Himes, L. R.,	Murphy,	Stank,
Cannon,	Hoffman,	Myers,	Steedle,
Caputo,	Holmes, J. B.,	O'Keefe,	Sterling, P.,
Carey,	Holmes, J. L.,	O'Neill,	Sterling, R. B.,
Chervenak,	Hoopes,	O'Rourke,	Stevens,
Cohen,	Horst,	Patterson,	Stiteler,
Conner,	Hough,	Peelor,	Stone,
Cooke,	Hutton,	Perry, D. R.,	Storb,
Cordier,	Jaffe,	Perry, J. J.,	Tahl,
Cramer,	Jones,	Peters,	Terry,
Dane,	Kane, J. J.,	Powers,	Trout,
Davies,	Kane, L. P.,	Price,	Turner,
DeFrehn,	Labar,	Quinn,	Wade,
Denning,	Lane,	Raub,	Wagner,
Downey, G. E.,	Laubach,	Rectenwald,	Walker, G. E.,
Downey, J. J.,	Lenahan,	Reed,	Walker, W. A.,
Duffy,	Lewis,	Reilly,	Wasserman,
Dunmire,	Long,	Rhodes,	Weidemann,
Emhardt,	Lord,	Rice,	Welsh,
Eroe,	Lose,	Roan,	Westrick,
Fitzgerald,	Lovett, J. E.,	Roth,	White,
Flanagan,	Lynch, J. R.,	Royle,	Wike,
Flinchbaugh,	Lynch, M.,	Ruby,	Wilson, L. M.,
Flynn, J. M.,	Male,	Sarig,	Wilson, T. B.,
Flynn, J. W.,	Malina,	Sautter,	Wright,
Forrest,	Maloney,	Schrope,	Yeakel,
Gallagher, T. J.,	Marcks,	Schwab,	Zimmerman,
Gallagher, W. J.	Mason,	Schwartz,	Talbot,
Griffith,	McCandless,	Scorza,	Speaker.
Gorman,	McClure,		

NAYS—4

Ederer,	King,	O'Connor,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 68, entitled:

An Act empowering and in proper cases directing corporate authorities of political subdivisions to exonerate, in whole or in part, landlords from the payment of taxes on dwellings occupied by tenants who by reason of unemployment and indigency, are unable to pay rent in whole or in part, and providing the procedure in such cases, including appeals to the court of common pleas by landlords.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174

Andrews,	Green,	McElwee,	Sheffer,
Baker,	Griffith,	McGinnis,	Shellenberger,
Baldi,	Habbyshaw,	McGrail,	Shettel,
Barnhardt,	Hamilton,	McGregor,	Shortz,
Beech,	Harmuth,	McKay,	Shreiner,
Bennett,	Hart,	McKinney,	Shugarts,
Blumberg,	Hartman,	Melchiorre,	Simon,
Boyd,	Heffernan,	Meredith,	Sowers,
Brancato,	Hefferon,	Merrell,	Spann,
Brennan,	Heffner,	Mohn,	Stank,
Brown, J. E.,	Hermansen,	Moore,	Steedle,
Brown, W. L.,	Hewitt,	Mumford,	Sterling, P.,
Brownfield,	Himes, H. E.,	Munley,	Sterling, R. B.,
Cannon,	Hoffman,	Myers,	Stevens,
Caputo,	Holmes, J. R.,	Negley,	Stiteler,
Carey,	Holmes, J. L.,	Nothnagle,	Stone,
Carson,	Hoopes,	O'Conner,	Storb,
Chervenak,	Horst,	O'Neill,	Stott,
Conner,	Hough,	O'Rourke,	Tahl,
Cooke,	Hutton,	Patterson,	Terry,
Cordier,	Jaffe,	Peelor,	Turner,
Craig,	Jones,	Pennock,	Wade,
Cramer,	Kane, J. J.,	Perry, D. R.,	Wagner,
Dane,	Kane, L. P.,	Perry, J. J.,	Walker, G. E.,
Davies,	King,	Peters,	Walker, W. A.,
DeFrehn,	Kinney,	Powell,	Wall,
Denning,	Labar,	Powers,	Wasserman,
Downey, G. E.,	Lane,	Quinn,	Way,
Downey, J. J.,	Laubach,	Raub,	Weidemann,
Duffy,	Lenahan,	Rectenwald,	Welsh,
Dunmire,	Lewis,	Reed,	Westrick,
Ederer,	Long,	Reilly,	White,
Emhardt,	Lord,	Rice,	Wike,
Eroe,	Lose,	Roan,	Williams, G. W.,
Fitzgerald,	Lovett, J. E.,	Royle,	Williams, J. J.,
Flanagan,	Lovett, W. S.,	Ruby,	Wilson, L. M.,
Fleisher,	Lynch, J. R.,	Ruth,	Wilson, T. B.,
Flinchbaugh,	Lynch, M.,	Sarig,	Witkin,
Flynn, J. M.,	Male,	Sautter,	Woodside,
Flynn, J. W.	Maloney,	Schrock,	Wright,
Furman,	Marcks,	Schrope,	Yeakel,
Gallagher, T. J.,	Mason,	Schwab,	Yourishin,
Gallagher, W. J.	McBride,	Schwartz,	Zimmerman,
Gartner,	McClure,	Scorza,	Talbot,
Gillette,	McCreary,	Scott,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 97, entitled:

An Act authorizing officers, departments, boards, and commissions of any political subdivision of the Commonwealth, and cities, counties, boroughs, incorporated towns, townships, school districts, to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173

Andrews,	Green,	McClure,	Schwartz,
Baker,	Greenstein,	McCreary,	Scorza,
Barnhardt,	Griffith,	McElwee,	Scott,
Bechtel,	Habbyshaw,	McGinnis,	Sheffer,
Beech,	Hamilton,	McGrail,	Shellenberger,
Bennett,	Harmuth,	McGregor,	Shenkel,
Bernhard,	Harris,	McHenry,	Shettel,
Blumberg,	Hart,	McKay,	Shortz,
Boyd,	Heffernan,	McKinney,	Shreiner,
Brancato,	Hefferon,	Melchiorre,	Shugarts,
Brown, J. E.,	Heffner,	Meredith,	Simon,
Brown, W. L.,	Hermansen,	Merrell,	Sowers,
Brownfield,	Hewitt,	Mohn,	Spann,
Cannon,	Himes, H. E.,	Mumford,	Stank,
Caputo,	Himes, L. R.,	Munley,	Steedle,
Carey,	Hoffman,	Murphy,	Sterling, P.,
Carson,	Holmes, J. L.,	Myers,	Sterling, R. B.,
Chervenak,	Hoopes,	Negley,	Stevens,
Cohen,	Horst,	O'Connor,	Stiteler,
Conner,	Hough,	O'Keefe,	Stone,
Cordier,	Howard,	O'Rourke,	Storb,
Craig,	Hutton,	Patterson,	Stott,
Cramer,	Jaffe,	Peelor,	Tahl,
Dane,	Jones,	Pennock,	Trout,
Davies,	Kane, J. J.,	Perry, D. R.,	Wade,
DeFrehn,	Kane, L. P.,	Perry, J. J.,	Wagner,
Denning,	King,	Powell,	Walker, G. E.,
Downey, G. E.,	Kinney,	Powers,	Walker, W. A.,
Downey, J. J.,	Labar,	Price,	Wall,
Dunmire,	Lenahan,	Quinn,	Wasserman,
Ederer,	Laubach,	Raub,	Way,
Emhardt,	Lewis,	Rectenwald,	Weidemann,
Eroe,	Long,	Reed,	White,
Fitzgerald,	Lord,	Reilly,	Wike,
Flanagan,	Lose,	Rice,	Williams, G. W.,
Fleisher,	Lovett, J. E.,	Roan,	Williams, J. J.,
Flinchbaugh,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Flynn, J. M.,	Lynch, M.,	Royle,	Wilson, T. B.,
Forrest,	Male,	Ruth,	Witkin,
Furman,	Maloney,	Sarig,	Woodside,
Gallagher, T. J.	Marcks,	Sautter,	Wright,
Gallagher, W. J.,	Mason,	Schrock,	Yeakel,
Gartner,	McBride,	Schwab,	Zimmerman,
Gorman,			

NAYS—4

Nothnagle,	Turner,	Welsh,	Talbot, Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 192, entitled:

An Act making appripriations to the Department of Welfare for pensions for the blind and for the administration of the distribution of such pensions

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker and members of the House, when this bill passes the House, this body during this special session will have approved appropriations slightly in excess of one hundred million dollars. We have voted eight million dollars for old age assistance, fifty million dollars for the soldiers, forty million dollars for unemployment relief, eight hundred thousand dollars for a sanitarium, and now one million three hundred thousand dollars for pensions for the blind.

At the regular session the tax payers from various parts of this state stormed this capital demanding reductions in expenditures and a curtailment in appropriations. Their answer and our answers to the exigencies of the times is to convene in special session under the name of social legislation and inaugurate our campaign by appropriating one hundred million dollars. The local communities, the counties, the municipalities, have all brought their problems to the doorstep of the state. We have the blind, we have the soldiers, we have the old aged, we have the schools, we have the roads. It is those back at home, the people that think that this legislature possesses some magic to touch the rock of bankruptcy and cause abundant revenues to flow forth. Business is prostrated. The formula of social legislation doesn't raise revenue. One hundred million dollars, gentlemen and there is not that much money; there is not that much money to dedicate to social legislation simply because the municipalities, the counties, and the people back home are avoiding their responsibility. I oppose this measure because it is wrong in principle. The people of Pennsylvania have approved the idea of pensions for the blind. I disapprove and disapproving I must stand by my convictions.

Schools for the blind, yes; institutional care and institutional training for the blind, yes; but pensions are an entirely different principle. There is no more reason why we should vote pensions in the home for the blind than there is that we should vote pensions in the home for the crippled or the deformed. There is no reason why this legislature should give preference to one particular form of affliction.

I am conscious of the fact that this bill will probably pass. We are in a strange period, gentlemen. We have only to say that this bill is a bill pertaining to social legislation and apparently there is no extravagence that we will not swallow because of that plea. One hundred million dollars, and by the end of the week I presume our enactments will total a hundred and twenty-five million dollars. As our reply to the distressed in business circles, and our truckling to the sentiment back home, which evades the responsibilities of the counties, which evades the responsibilities of the municipalities, which evades the responsibilities of the local taxpayers and brings every human problem and lays it upon the door step of the state. We cannot do it. You can try it but you are heading this state into bankruptcy.

Mr. FITZGERALD. Mr. Speaker and members of the House, I think the speech made by my friend from Cambria was perhaps made before every Legislature consecutively for years and years. I do want to say, however, that the mandate of the people in this State was very plain on November 7th. If this Legislature is not big enough to take care of the social obligation of those who cannot see to take care of themselves, I think they deserve to go home and stay there, and I ask you, ladies and gentlemen of the House, to give to the sightless and the afflicted that which justly belongs to them, a bit of social sunshine. I ask you to vote for this bill.

Mr. LOSE. Mr. Speaker and members of the House, I have only a word to add. Mr. Fitzgerald has already said part of that, that we have a mandate from the people to grant these pensions to the blind. The regulatory measures give the smallest amount that possibly can be given to the blind, that is a maximum of $30 a month to the needy blind; not all of the blind in the State, but to the needy blind. That is just a little more than the average of the twenty-two states in the Union that now grant pensions to the blind. This Assembly will either have to pass on this bill and have this bill put through at this time, or the thing would have to be done at the regular session, and it seems to me that it is hardly fair to the blind to ask them to wait a year and a half before the pensions are granted to them. This thing has been done just as carefully at it is possible to do it, and it seems to me the members of the House ought to vote in favor of this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Baker,	Griffith,	McCreary,	Sheffer,
Baldi,	Habbyshaw	McElwee,	Shellenberger,
Barnhardt,	Haines,	McGinnis,	Shenkel,
Bechtel,	Harmuth,	McGrail,	Shettel,
Beech,	Harris,	McGregor,	Shortz,
Bennett,	Hart,	McKay,	Shreiner,
Bernhard,	Heffernan,	McKinney,	Shugarts,
Blumberg,	Hefferon,	Melchiorre,	Snyder,
Boyd,	Heffner,	Meredith,	Sowers,
Brancato,	Hermansen,	Merrell,	Spann,
Brennan,	Hester,	Mohn,	Steedle,
Brown, J. E.,	Hewitt,	Moore,	Sterling, P.,
Brownfield,	Himes, H. E.,	Mumford,	Sterling, R. B.,
Cannon,	Himes, L. R.,	Munley,	Stevens,
Caputo,	Hoffman,	Murphy,	Stiteler,
Carey,	Holmes, J. B.,	Myers,	Stone,
Carson,	Holmes, J. L.,	Negley,	Storb,
Chervenak,	Hoopes,	Nothnagle,	Stott
Cohen,	Horst,	O'Keefe,	Tahl,
Cooke,	Hough,	O'Neil,	Terry,
Cordier,	Howard,	O'Rourke,	Trout,
Craig,	Hutton,	Patterson,	Turner,
Cramer,	Jaffe,	Peelor,	Wade,
Dane,	Jones,	Pennock,	Wagner,
Davies,	Kane, J. J.,	Peters,	Walker, G. E.,
DeFrehn,	Kane, L. P.,	Powell,	Walker, W. A.,
Denning,	King,	Powers,	Wall,
Downey, G. E.,	Kinney,	Raub,	Wasserman,
Downey, J. J.,	Labar,	Rectenwald,	Way,
Duffy,	Lane,	Reed,	Weidemann,
Dunmire,	Laubach,	Rhodes,	Welsh,
Ederer,	Lenahan,	Rice,	Westrick,
Emhardt,	Lewis,	Roan,	White,
Eroe,	Long,	Root,	Wike,
Fitzgerald,	Lord,	Roth,	Williams, G. W.,
Flanagan,	Lose,	Royle,	Williams, J. J.,
Flinchbaugh,	Lovett, W. S.,	Ruby,	Wilson, L. M.,
Flynn, J. M.,	Lynch, J. R.,	Ruth,	Wilson, T. B.,
Flynn, J. W.,	Lynch, M.,	Sarig,	Witkin,
Forrest,	Male,	Sautter,	Woodside,
Gallagher, T. J.	Maloney,	Schrock,	Wright,
Gallagher, W. J.	Marcks,	Schrope,	Yeakel,
Gartner,	Mason,	Schwab,	Yourishin,
Gillette,	McBride,	Schwartz,	Zimmerman,
Gorman,	McCandless,	Scorza,	Talbot,
Green,	McClure,	Scott,	Speaker.
Greenstein,			

NAYS—6

Andrews, Conner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 67, entitled:

An Act to amend section one as amended of, and section one and one-tenth as added to, the act, approved, the twenty-sixth day of August, one thousand nine hundred and thirty-two (P. L. 100), entitled "An Act authorizing the abatement of penalties on local taxes," extending the provisions of said act to counties of the second class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175

Andrews,	Griffith,	McClure,	Scott,
Baker,	Habbyshaw,	McCreary,	Sheffer,
Barnhardt,	Haines,	McElwee,	Shellenberger,
Bechtel,	Hamilton,	McGinnis,	Shenkel,
Beech,	Harris,	McGregor,	Shettel,
Bennett,	Hart,	McHenry,	Shreiner,
Blumberg,	Hartman,	McKay,	Shugarts,
Boyd,	Heffernan,	McKinney,	Simon,
Brancato,	Hefferon,	Meredith,	Sowers,
Brennan,	Heffner,	Merrell,	Spann,
Brown, J. E.,	Hermansen,	Mohn,	Stank,
Brown, W. L.,	Hester,	Moore,	Steedle,
Brownfield,	Hewitt,	Munley,	Sterling, P.,
Cannon,	Himes, H. E.,	Murphy,	Sterling, R. B.,
Caputo,	Himes, L. R.,	Myers,	Stevens,
Carey,	Hoffman,	Nothnagle,	Stiteler,
Chervenak,	Holmes, J. L.,	O'Connor,	Stone,
Cohen,	Hoopes,	O'Keefe,	Stott,
Conner,	Horst,	O'Neill,	Tahl,
Cooke,	Hough,	Patterson,	Terry,
Cordier,	Hutton,	Peelor,	Trout,
Craig,	Jaffe,	Pennock,	Turner,
Cramer,	Jones,	Perry, J. J.,	Walker, G. E.,
Dane,	Kane, J. J.,	Perry, D. R.,	Walker, W. A.,
Davies,	Kane, L. P.,	Peters,	Wall,
DeFrehn,	King,	Powell,	Wasserman,
Denning,	Kinney,	Price,	Way,
Downey, J. J.,	Labar,	Quinn,	Weidemann,
Duffy,	Lane,	Raub,	Welsh,
Dunmire,	Laubach,	Rectenwald,	Westrick,
Ederer,	Lenahan,	Reed,	Wike,
Emhardt,	Lewis,	Reilly,	Williams, G. W.,
Eroe,	Long,	Rice,	Williams, J. J.,
Evans,	Lord,	Roan,	Wilson, L. M.,
Fitzgerald,	Lose,	Royle,	Wilson, T. B.,
Fleisher,	Lovett, J. E.,	Ruby,	Witkin,
Flinchbaugh,	Lovett, W. S.,	Ruth,	Wood,
Flynn, J. M.,	Lynch, J. R.,	Sarig,	Woodside,
Flynn, J. W.,	Lynch, M.,	Sautter,	Wright,
Furman,	Male,	Schrock,	Yeakel,
Gallagher, T. J.,	Maloney,	Schrope,	Yourishin,
Gallagher, W. J.,	Marcks,	Schwab,	Zimmerman,
Gartner,	Mason,	Schwartz,	Talbot,
Gillette,	McBride,	Scorza,	Speaker,
Green,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 112 (Senate Bill No. 15), entitled:

An Act to enable city, county, poor, ward, school, borough and township tax collectors, their executors and administrators if they are deceased, or either surety or sureties, to collect taxes, for the payment of which they have become personally liable without having collected the same, by the expiration of the authority of their respective bonds, or by the

expiration of the authority of their respective warrants, or by the expiration of their terms of office, and to extend the time for the collections of the same for a period of two years from the passage of this act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183

Andrews,	Griffith,	McCreary,	Scott,
Baker,	Habbyshaw,	McElwee,	Sheffer,
Barnhardt,	Haines,	McGinnis,	Shellenberger,
Bechtel,	Hamilton,	McGrail,	Shenkel,
Beech,	Harmuth,	McGregor,	Shettel,
Bennett,	Harris,	McKay,	Shortz,
Bernhard,	Hart,	McKinney,	Shreiner,
Blumberg,	Hartman,	Melchiorre,	Shugarts,
Boyd,	Heffernan,	Meredith,	Simon,
Brancato,	Hefferon,	Merrell,	Snyder,
Brennan,	Heffner,	Moore,	Sowers,
Brown, J. E.,	Hermansen,	Mumford,	Spann,
Brown, W. L.,	Hewitt,	Munley,	Steedle,
Caputo,	Himes, H. E.,	Murphy,	Sterling, P.,
Carey,	Himes, L. R.,	Myers,	Stevens,
Carson,	Hoffman,	Negley,	Stiteler,
Chervenak,	Holmes, J. B.,	Nothnagle,	Stone,
Cohen,	Hoopes,	O'Connor,	Stott,
Conner,	Horst,	O'Keefe,	Tahl,
Cooke,	Hough,	O'Neill,	Terry,
Cordier,	Howard,	O'Rourke,	Trout,
Craig,	Hutton,	Patterson,	Turner,
Cramer,	Jaffe,	Peelor,	Wade,
Dane,	Jones,	Pennock,	Wagner,
Davies,	Kane, J. J.,	Perry, D. R.,	Walker, G. E.,
DeFrehn,	Kane, L. P.,	Perry, J. J.,	Walker, W. A.,
Denning,	King,	Peters,	Wall,
Downey, G. E.	Kinney,	Powell,	Wasserman,
Downey, J. J.,	Labar,	Powers,	Way,
Duffy,	Lane,	Price,	Weidemann,
Dunmire,	Laubach,	Quinn,	Welsh,
Ederer,	Lenahan,	Raub,	Westrick,
Emhardt,	Lewis,	Rectenwald,	White,
Eroe,	Long,	Reed,	Wike,
Evans,	Lord,	Reilly,	Williams, G. W.,
Fitzgerald,	Lose,	Rice,	Williams, J. J.,
Fleisher,	Lovett, J. E.,	Roan,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Flynn, J. M.,	Lynch, M.,	Ruby,	Witkin,
Forrest,	Male,	Ruth,	Wood,
Furman,	Maloney,	Sarig,	Woodside,
Gallagher, T. J.,	Marcks,	Sautter,	Wright,
Gallagher, W. J.,	Mason,	Schrock,	Yeakel,
Gillette,	McBride,	Schrope,	Yourishin,
Gorman,	McCandless,	Schwab,	Zimmerman,
Green,	McClure,	Scorza,	Talbot,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 110 (Senate Bill No. 4), entitled:

An Act authorizing officers departments boards and commissions of the Commonwealth and also cities counties boroughs incorporated towns townships school districts and poor districts to cancel certain supply contracts and to relieve contractors of obligations thereunder and certain circumstances and validating like cancellations made heretofore.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188

Andrews,	Gartner,	McElwee,	Shellenberger,
Baker,	Gillette,	McGinnis,	Shenkel,
Baldi,	Gorman,	McGrail,	Shettel,
Barnhardt,	Green,	McGregor,	Shortz,
Bechtel,	Greenstein,	McHenry,	Shreiner,
Beech,	Griffith,	McKay,	Shugarts,
Bennett,	Habbyshaw,	McKinney,	Simon,
Bernhard,	Hamilton,	Melchiorre,	Snyder,
Blumberg,	Harmuth,	Meredith,	Sowers,
Boyd,	Harris,	Merrell,	Spann,
Brancato,	Heffernan,	Mohn,	Stank,
Brennan,	Heffner,	Mumford,	Steedle,
Brown, J. E.,	Hester,	Munley,	Sterling, P.,
Brown, W. L.,	Hewitt,	Murphy,	Sterling, R. B.,
Brownfield,	Hoffman,	Myers,	Stevens,
Cannon,	Holmes, J. B.,	Negley,	Stiteler,
Caputo,	Holmes, J. L.,	Nothnagle,	Stone,
Carey,	Hoopes,	O'Connor,	Stott,
Carson,	Horst,	O'Keefe,	Tahl,
Chervenak,	Hough,	O'Neill,	Terry,
Cohen,	Howard,	O'Rourke,	Trout,
Conner,	Hutton,	Patterson,	Turner,
Cooke,	Jaffe,	Peelor,	Wade,
Cordier,	Jones,	Pennock,	Wagner,
Craig,	Kane, J. J.,	Perry, D. R.,	Walker, G. E.,
Cramer,	Kane, L. P.,	Perry, J. J.,	Walker, W. A.,
Dane,	King,	Peters,	Wall,
Davies,	Kinney,	Price,	Wasserman,
DeFrehn,	Labar,	Quinn,	Way,
Denning,	Lane,	Reed,	Weidemann,
Downey, G. E.,	Laubach,	Reilly,	Welsh,
Downey, J. J.,	Lenahan,	Rice,	Westrick,
Duffy,	Lewis,	Roan,	White,
Dunmire,	Long,	Root,	Wike,
Ederer,	Lord,	Roth,	Williams, G. W.,
Emhardt,	Lose,	Royle,	Williams, J. J.,
Eroe,	Lovett, J. E.,	Ruby,	Wilson, L. M.,
Evans,	Lovett, W. S.,	Ruth,	Wilson, T. B.,
Fitzgerald,	Lynch, J. R.,	Sarig,	Witkin,
Flanagan,	Lynch, M.,	Sautter,	Wood,
Fleisher,	Malina,	Schrock,	Woodside,
Flinchbaugh,	Maloney,	Schrope,	Wright,
Flynn, J. M.,	Marcks,	Schwab,	Yeakel,
Flynn, J. W.,	Mason,	Schwartz,	Yourishin,
Forrest,	McBride,	Scorza,	Zimmerman,
Furman,	McCandless,	Scott,	Talbot,
Gallagher, T. J.,	McClure,	Sheffer,	Speaker.
Gallagher, W. J.,	McCreary,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 224 (Senate Bill No. 44), entitled:

An Act making an appropriation to the Department of Military Affairs for the purchase of supplies materials and equipment to improve the Military Reservation at Indiantown Gap.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140

Baker,	Hart,	McClure,	Shenkel,
Baldi,	Hartman,	McGrail,	Spann,
Barnhardt,	Heffernan,	McHenry,	Shreiner,
Bechtel,	Hefferon,	McKinney,	Shugarts,
Bennett,	Heffner,	Melchiorre,	Simon,
Bernhard,	Hewitt,	Merrell,	Snyder,
Boyd,	Himes, H. E.,	Mohn,	Sowers,
Brennan,	Himes, L. R.,	Mumford,	Stank,
Brown, W. L.,	Hoffman,	Murphy,	Sterling, P.,
Brownfield,	Holmes, J. B.,	Nothnagle,	Sterling, R. B.,
Caputo,	Holmes, J. L.,	O'Keefe,	Stevens,
Carey,	Horst,	Perry, D. R.,	Stone,
Cohen,	Hough,	Perry, J. J.,	Storb,
Conner,	Howard,	Peters,	Stott,
Cordier,	Hutton,	Powell,	Tahl,
Cramer,	Jaffe,	Powers,	Terry,
Dane,	Jones,	Price,	Trout,
Denning,	Kane, J. J.,	Raub,	Wagner,
Downey, G. E.,	Kane, L. P.,	Rectenwald,	Walker, W. A.,
Downey, J. J.,	King,	Reed,	Wall,
Ederer,	Kinney,	Reilly,	Wasserman,
Evans,	Labar,	Rhodes,	Way,
Fitzgerald,	Laubach,	Rice,	Wike,
Flinchbaugh,	Lenahan,	Roan,	Williams, G. W.,
Flynn, J. M.,	Lewis,	Root,	Williams, J. J.,
Flynn, J. W.,	Lord,	Roth,	Wilson, T. B.,
Gallagher, T. J.	Lose,	Royle,	Witkin,
Gallagher, W. J.,	Lovett, J. E.,	Sarig,	Wood,
Gillette,	Lovett, W. S.,	Sautter,	Woodside,
Gorman,	Lynch, J. R.,	Schrock	Wright,
Green,	Malina,	Schwartz,	Yeakel,
Greenstein,	Maloney,	Scorza,	Yourishin,
Griffith,	Marcks,	Scott,	Zimmerman,
Habbyshaw,	Mason,	Sheffer,	Talbot,
Haines,	McBride,	Shellenberger,	Speaker.
Harris,	McCandless,		

NAYS—20

Andrews,	Hermansen,	Lynch, M.,	Schwab,
Cannon,	Hester,	McCreary,	Shortz,
Carson,	Hoopes,	McGinnis,	Walker, G. E.,
DeFrehn,	Lane,	Quinn,	Welsh,
Eroe,	Long,	Ruby,	Wilson, L. M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House passed it without amendments.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 17.

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties or city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by excluding interest bearing accounts in any bank or banking institution savings institution or trust company from the provisions thereof

SENATE BILL No. 19.

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, December 11, 1933.

Resolved, (if the Senate concur), That this Special Session of the General Assembly adjourn sine die Thursday, December 21, 1933, at 12:00 o'clock noon.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 19.

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 55.

An Act making an appropriation out of the State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments.

With the information that the Senate has passed the same without amendment.

REPORT FROM COMMITTEE

Mr. HAINES, from the Committee on Agriculture, reported as committed, House Bill No. 229 (Senate Bill No. 52), entitled:

An Act to amend the title and sections one, two, and three of the act approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand two hundred twenty-nine), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," as amended, by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health.

BILL ON FIRST READING

Mr. HAINES asked and obtained unanimous consent for House Bill No. 229 (Senate Bill No. 52), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 229 (Senate Bill No. 52), entitled:

An Act to amend the title and sections one, two, and three of the act approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand two hundred twenty-nine), entitled, "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption, conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," as amended, by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MELCHIORRE. Mr. Speaker, I move that this House do now adjourn until Tuesday morning, December 12th, 1933, at 11:00 o'clock.

The motion was agreed to and (at 12:59 A. M.) the House adjourned until Tuesday, December 12, 1933, at 11:00 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., TUESDAY, DECEMBER 12, 1933. No. 16.

SENATE

TUESDAY, December 12, 1933.

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

O Lord, how excellent is Thy Name in all the earth! We praise and adore Thy Name in the springtime and the summer. Grant that these winter days may reveal Thy glory just as truly as days of sunshine. Be with us and bless us all this day. Keep us under the shadow of the wing of the Almighty. Grant that all of our dear ones and friends who are sick today may have the presence of the Great Physician. Be with us all and abide with us. We ask in Thy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANIUS, the further reading was dispensed with, and the Journal was approved.

FAVORING ENACTMENT OF SOCIAL LEGISLATION.

The Chair laid before the Senate petition from the Methodist Ministers' Meeting, Philadelphia, urging the adoption of social legislation.

Which was referred to the Committee on Judiciary General.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 12, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Maude S. Kleinhans, Pittsburgh, 2812 Grant Bldg.

BERKS COUNTY

H. Gilbert Snyder, Reading.

BUCKS COUNTY

Francis D. Heyder, Perkasie.

CUMBERLAND COUNTY

Richard D. Davis, Carlisle.

PHILADELPHIA COUNTY

Charles E. Beissel, Philadelphia, 7902 Eastwick Ave.
J. W. Rankin, Philadelphia, 218 S. 7th St.

GIFFORD PINCHOT.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House of Representatives as follows:

House Bill No. 67 (Senate Bill No. 127), entitled:

An Act to amend section one as amended of, and section one and one-tenth as added to, the act, approved the twenty-sixth day of August, one thousand nine hundred and thirty-two (P. L. 100), entitled "An act authorizing the abatement of penalties on local taxes," extending the provisions of said act to counties of the second class.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 68 (Senate Bill No. 128), entitled:

An Act empowering and in proper cases directing corporate authorities of political subdivisions to exonerate, in whole or in part, landlords from the payment of taxes on dwellings occupied by tenants who by reason of unemployment and indigency, are unable to pay rent in whole or in part, and providing the procedure in such cases, including appeals to the court of common pleas by landlords.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 97 (Senate Bill No. 129), entitled:

An Act authorizing officers, departments, boards and commissions of any political subdivision of the Commonwealth, and cities, counties, boroughs, incorporated towns, townships, school districts, to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances.

Which was committed to the Committee on Judiciary General.

House Bill No. 128 (Senate Bill No. 130), entitled:

An Act to amend section one of article one of the act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "Anthracite Coal Mining Law," as amended, empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures.

Which was committed to the Committee on Mines and Mining.

House Bill No. 129 (Senate Bill No. 131), entitled:

An Act to amend section three of article twenty-eight of the act, approved the ninth day of June, one thousand nine hundred and eleven (P. L. 756), entitled "Bituminous Coal Mining Law," by extending the provisions of said act to all bituminous coal mines employing five or more persons, and empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures.

Which was committed to the Committee on Mines and Mining.

House Bill No. 169 (Senate Bill No. 132), entitled:

An Act authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium; placing the sanitorium upon completion under the jurisdiction and control of the Department of Health, and making an appropriation.

Which was committed to the Committee on Appropriations.

House Bill No. 190 (Senate Bill No. 133), entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "Sproul State Highway Law" as amended, by providing for payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement.

Which was committed to the Committee on Judiciary General.

House Bill No. 192 (Senate Bill No. 134), entitled:

An Act making appropriations to the Department of Welfare for pensions for the blind and for the administration of the distribution of such pensions.

Which was committed to the Committee on Appropriations.

House Bill No. 209 (Senate Bill No. 135), entitled:

An act appropriating certain accumulations in the Insurance Tax Fund to cities, townships and boroughs for payment to firemen's relief, pension and retirement funds.

Which was committed to the Committee on Appropriations.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 39

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, December 11, 1933.

Resolved (if the Senate concur), That House Bill No. Printer's No. 39, entitled:

An Act authorizing the sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund; defining the powers and duties of the Governor, The Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; and providing for the payment of interest on, and the redemption of, such bonds.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 40

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, December 11, 1933.

Resolved (if the Senate concur), That House Bill No. Printer's No. 40, entitled:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War, the war between the United States and Spain, the China Relief Expedition, or in the Philippines of Guam; imposing certain duties on the Adjutant General; making an appropriation; and repealing inconsistent legislation.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

JOINT COMMITTEE TO MAKE AN INVESTIGATION CONCERNING THE COST OF MANUFACTURE AND IMPORTATION OF SPIRITUOUS ALCOHOLIC BEVERAGES

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Appropriations:

In the House of Representatives, December 5, 1933.

Whereas, The General Assembly of this Commonwealth has enacted or will hereafter enact certain measures imposing taxes on distilled and rectified spirits and wines; and

Whereas, The General Assembly intended to fix the tax at such a point that the Commonwealth could receive necessary revenue, and legitimate dealers in alcoholic beverages could dispense them at a price which would eliminate bootleggers, racketeers and moonshiners by making their trade unprofitable; and

Whereas, It now appears that the price of legal liquors and wines to the consumer is going to be higher than that charged by illegal dispensers of such products; and

Whereas, It was the intention of this Legislature to make alcoholic beverages available to those who want them at a price which would stop illegal trading in them; and

Whereas, The Twenty-first Amendment to the Federal Constitution imposes on the States, meaning the Legislators and Governors of the separate States, the power to control and regulate the handling of alcoholic beverages; therefore be it

Resolved (if the Senate concur), That a Joint Legislative Committee is hereby created to consist of three Members of the House to be appointed by the Speaker of the House and two Senators to be appointed by the President Pro Tempore of the Senate, for the purpose of determining the exact cost of the manufacture and importation of spirituous alcoholic beverages and the price at which such beverages should be sold in order to make unprofitable the trade of those unlawfully engaged in the sale thereof.

The said committee shall organize immediately after the appointment of the members thereof, and shall make a report to the General Assembly as expeditiously as possible, and shall accompany the same with such suggestions as they may decide will effectually discourage and prevent the illegal manufacture and sale of alcohol beverages; and be it further

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce

such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That the members of such committee shall be reimbursed for amounts actually expended for railroad fare and hotel accommodations, and shall have the power to appoint and fix the compensation of necessary stenographers, payments for which expenses and compensation shall be made out of an item to be inserted in an amendment to the General Appropriation Bill of 1933.

HOUSE CONCURS IN SENATE BILL NO. 16

He also returned to the Senate, Senate Bill No. 16, entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," making an appropriation for the payment of certain expenses of the General Assembly convened in Extraordinary Session on the thirteenth day of November, one thousand nine hundred thirty-three.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 15

He also returned to the Senate, Senate Bill No. 15, entitled:

An Act to enable city, county, poor, ward, school, borough and township tax collectors, their executors and administrators if they are deceased, or either surety or sureties, to collect taxes, for the payment of which they have become personally liable without having collected the same, by the expiration of the authority of their respective bonds, or by the expiration of the authority of their respective warrants, or by the expiration of their terms of office, and to extend the time for the collection of the same for a period of two years from the passage of this act.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 4

He also returned to the Senate, Senate Bill No. 4, entitled:

An Act authorizing officers departments boards and commissions of the Commonwealth and also cities counties boroughs incorporated towns townships school districts and poor districts to cancel certain supply contracts and to relieve contractors of obligations thereunder under certain circumstances and validating like cancellations made heretofore

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 44

He also returned to the Senate, Senate Bill No. 44, entitled:

An Act making an appropriation to the Department of Military Affairs for the purchase of supplies materials and equipment to improve the Military Reservation at Indiantown Gap

with the information that the House has passed the same without amendment.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 4, entitled:

An Act authorizing officers, departments, boards, and commissions of the Commonwealth, and also cities, counties, boroughs, incorporated towns, townships, school districts and poor districts to cancel certain supply contracts and to relieve contractors of obligations thereunder, under certain circumstances, and validating like cancellations made heretofore

Senate Bill No. 15, entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of the authority of their respective warrants or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

Senate Bill No. 16, entitled:

A Supplement to act number three hundred-A approved the third day of June one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" making an appropriation for the payment of certain expenses of the General Assembly convened in Extraordinary Session on the thirteenth day of November one thousand nine hundred thirty-three

Senate Bill No. 44, entitled:

An Act making an appropriation to the Department of Military Affairs for the purchase of supplies materials and equipment to improve the Military Reservation at Indiantown Gap

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. GELDER, from the Committee on Public Roads and Highways, reported as committed Senate Bill No. 119, entitled:

An Act to amend section four and section five as amended, of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility compa-

nies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act;" by placing upon the Commonwealth the cost of constructing, maitaining and reconstructing certain structures on such streets.

BILL INTRODUCED

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No. 136, entitled:

An Act to amend paragraph four of section one of article fifteen of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," by modifying the provision relating to the giving of bonds by contractors.

Which was committed to the Committee on Municipal Affairs.

TIME OF NEXT MEETING

Mr. KRAUSE offered the following resolution, which was twice read, considered and agreed to:

In the Senate, December 12, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, December eighteenth, at 9 o'clock; and that when the House of Representatives adjourns this week it reconvene Monday evening, December eighteenth, at 9 o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 26, entitled:

An Act accepting the provisions of an Act of Congress for the establishment of a national employment system and authorizing the Department of Labor and Industry to cooperate with the Federal Employment Service under that act, and providing for the custody and disbursement of funds granted to the Commonwealth by the Federal government thereunder.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Senate Bill No. 49, on third reading, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

is not up from the printer and will go over in its order.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 84 (House Bill No 41), entitled:

An Act making an appropriation for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 88 (House Bill No. 88), entitled:

An Act making an appropriation out of the General Fund to the Pennsylvania Liquor Control Board for the administration and enforcement of the Pennsylvania Liquor Control Act including the establishment operation maintenance and equipment of Pennsylvania Liquor Stores and places for the storing and testing of liquors and providing for the partial reimbursement of the General Fund by making an appropriation from The State Stores Fund to be transferred in installments to the General Fund

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitutoin, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Hunsicker,	Rice,	Ziesenheim,
Coyne,	Krause,		

NAYS— 2

Owlett, Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 93, as follows:

An Act to amend section ten of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eighty-four) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" regulating the refund of taxes paid on malt liquors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eighty-four) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" is hereby amended to read as follows

Section 10 In case any [beverages] malt liquors upon which stamps or crowns have been placed by [manufacturers or distributors] a manufacturer or distributor or other person have been sold and shipped by him to a licensed or regular dealer in such [beverages] malt liquors in another state or are malt liquors on which a tax has already been paid [the seller] such manufacturer or distributor or person in this Commonwealth shall be entitled to a refund of the actual amount of tax paid by him upon condition that the seller in this Commonwealth shall make affidavit that the [beverages] malt liquors were so sold and shipped and that he shall furnish from the purchaser [a written acknowledgement] an affidavit that he has received such [beverages] malt liquors for sale or consumption outside the Commonwealth and the amount of stamps or crowns thereon or upon condition that the seller in this Commonwealth shall make affidavit that the tax had been previously paid on such malt liquors at the time he paid the tax thereon and that he shall furnish an affidavit from the person who first paid such tax and the amount of stamps or crowns thereon together with the name and address of the first taxpayer [whereupon the department shall with the approval of the Board of Finance and Revenue issue to the seller in this Commonwealth stamps or crowns of sufficient value to cover the refund]

Upon application to the Board of Finance and Revenue the board shall refund to the seller in this Commonwealth the amount of the tax so paid Such refund shall be either in cash or in the form of stamps or crowns of sufficient value to cover the refund as the seller in this Commonwealth shall elect When such refund is made in stamps or caps such stamps or caps shall be issued by the department All applications for refunds shall be acted upon by the Board of Finance and Revenue within thirty days after application has been made and refunds in cash stamps or crowns shall be made within fifteen days after a refund has been allowed by the board

As much of the revenue accruing from this act as is necessary for the payment of refunds in cash is hereby appropriated to the Board of Finance and Revenue for the payment of the refunds authorized by this section

Refunds shall also be made in accordance with this act for taxes paid prior to the effective date of this act in any case where the procedure for refund has not been completed

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order

The Senate proceeded to the third reading and consideration of Senate Bill No. 101, (House Bill No. 87), as follows:

An Act appropriating the moneys in The States Stores Fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That as much of the moneys from time to time in The State Stores Fund as may be necessary are hereby appropriated to the Pennsylvania Liquor Control Board for the proper conduct of its work in establishing maintaining and operating Pennsylvania Liquor Stores warehousing and testing liquor issuing liquor licenses to hotels restaurants clubs and public service companies and otherwise administering and enforcing the Pennsylvania Liquor Control Act as follows

(a) For the payment of the salaries wages or other compensation and traveling and other necessary expenses of the members of the board and such superintendents managers assistant superintendents assistant chiefs assistant engineers draftsmen accountants secretaries auditors inspectors examin-

ers statiticians clerks stenographers bookkeepers messengers laborers and other assistants and employes as may be required in the performance of the duties above mentioned and such special deputy attorneys general assistant deputy attorneys general and attorneys as may be assigned by the Attorney General to the board or for handling any legal business pertaining to its work

(b) For the purchase maintenance and repair of furniture furnishings stationery supplies materials equipment fuel and printing and binding and for the payment of the premiums on policies of insurance covering motor vehicles operated by employes of the board and surety bonds for officers or employes of the board required to furnish such bonds but all such purchases and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as purchasing agent

(c) For the purchase of automobiles and other automotive equipment through the Department of Property and Supplies the maintenance and operation of automobiles and for the payment of mileage charges to the Department of Property and Supplies for the use of automobiles

(d) For the purchase of liquors to be sold in or through Pennsylvania Liquor Stores

(e) For the payment of postage telegrams telephone rentals and toll charges and rentals for or royalties upon leased office equipment or other devices or machines

(f) For the payment of rentals for buildings or other accommodations leased by the board throguh the Department of Property and Supplies for use by or in connection with Pennsylvania Liquor Stores or for the storage or testing of liquors purchased by the board

(g) For the payment of premiums upon policies insuring the Commonwealth against workmen's compensation liability to employes or dependents of employes of the board

(h) For all other expenses of every kind and description necessary for the performance by the board of the aforesaid work

(i) For reimbursing the Department of Revenue for expenditures made by that department in anticipation of this appropriation to assist the board in issuing licenses to hotels restaurants clubs and public service companies prior to the ratification of the Twenty-first Amendment

Section 2 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Snyder,
Bell,	Gelder,	Owlett,	Sones,
Bennett,	Graff,	Parkinson,	Sordoni,
Boyd,	Harris,	Pethick,	Staudenmeier,
Brandt,	Harvey,	Pierson,	Thompson,
Buckman,	Homsher,	Prince,	Trainer,
Chapman,	Howell,	Quigley,	Williamson,
Clark,	Hunsicker,	Rice,	Ziesenheim,
Coyne,	Krause.		

NAYS— 2

Reed, Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 39, as follows:

An Act to amend sections fifteen two hundred one and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the approval of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporatioins associations or persons affiliated or having business transactions with supervised corporatioins associations or persons authorizing appeals to the Superme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" by extending its provisions to all private bankers and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections fifteen two hundred one and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriaitng the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" are hereby amended to read as follows

Section 15 Act Not Applicable to Small Loan Companies [and Certain Private Banks] A This act does not apply to and does not affect any act relating to corporations and persons licensed by the department to make small loans as provided by the act approved the seventeenth day of June one thousand nine hundred fifteen (Pamphlet Laws one thousand twelve) entitled "An act regulating the business of loaning money in sums of three hundred ($300.00) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" its amendments and supplements

[B This act does not apply to any individual partnership or unincorporated association engaged in business as a private banker or private bankers if such individual partner-

ship or unincorporated association and his or their] [predecessor or predecessors or one or more of the members thereof have continuously and in the same locality conducted the business since a date not less than seven years prior to the nineteenth day of June one thousand nine hundred eleven]

Section 201 Corporations and Persons Subject to Supervision of Department The department shall have the power to supervise

(1) All corporations and persons which are authorized to receive or which do receive in this Commonwealth money on deposit or for safe-keeping or which are authorized to engage or which do engage in this Commonwealth in a banking business and all corporations which are authorized to act or which do act in this Commonwealth as trustees guardians executors administrators or in other fiduciary capacities including banks bank and trust companies trust companies private banks [other than those exempted by this act] savings banks mutual savings funds and safe-deposit companies but not including hotels or clubs which receive money from guests or members for temporary safe-keeping express steamship or telegraph companies which receive money for transmission and attorneys at law real estate agents and attorneys in fact who are not engaged in the business of receiving moneys in this Commonwealth for deposit or for transmission but receive and transmit moneys only as an incident to their general business or profession brokers licensed under the laws of this Commonwealth holding membership in a lawfully constiutted brokerage exchange who do and have authority to do only such banking as is incidental to their brokerage business

(2) All building and loan associations authorized to transact or transacting business in this Commonwealth

(3) All national banking associations incorporated under the laws of the United States which are authorized to act and which do act in this Commonwealth as trustees guardians executors administrators or in any other fiduciary capacities to the extent to which supervision by state authorities is or may be permitted under the laws of the United States

However when any corporation subject to the supervision of the Department of Banking shall also engage in a title insurance business a mortgage guarantee business or any other business subject to the supervision of the Insurance Department such branch of its business shall not be subject to the supervision of the Department of Banking

Section 1005 Advance Payments of Dividends to Depositors [After the expiration of the period fixed by the secretary pursuant to the provisions of this act for the presentation of claims he] After filing a supplement to the certificate of possession setting forth his determination to liquidate the affairs of the institution the secretary may without leave of court and without filing an account make an advance payment of a dividend to all depositors the amounts of whose claims as they appear upon the books or other records of the institution are undisputed The dividend shall be calculated as if the claims of all other depositors as they appear upon the books or other records of the institution and the claims of all creditors or other corporations or persons who assert priority over or parity with depositors in the order of distribution of the assets were valid and uncontested

However the secretary shall not make such an advance payment of a dividend to any depositor until he shall have set aside an amount sufficient to pay in full the claims of all creditors or other corporations or persons asserting or entitled to priority over depositors in the order of distribution and to pay the proportionate dividend on the amounts claimed by the other depositors and by any creditors or other corporations or persons who are entitled to or who claim parity with depositors in the order of distribution provided for by law He shall likewise set aside before making such advance payment such amount as he shall deem necessary for the expenses of administration of the institution by him as receiver

Section 2 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 3 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 59, as follows:

An Act to amend section four of the act approved the fifty day of March one thousand nine hundred and six (Pamphlet Laws seventy-eight) entitled "An act to regulate nomination and election expenses and to require accounts of nomination and election expenses to be filed and providing penalties for the violation of this act" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws seventy-eight) entitled "An act to regulate nomination and election expenses and to require accounts of nomination and election expenses to be filed and providing penalties for the violation of this act" as amended by the act approved the twenty-third day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred sixty-seven) is hereby further amended to read as follows

Section 4 No candidate and no treasurer of any political committee shall pay give or lend or agree to pay give or lend either directly or indirectly any money or other valuable thing for any nomination or election expenses whatever except for the following purposes

First For printing and traveling expenses and personal expenses incident thereto stationery advertising postage expressage freight telegraph telephone and public messenger service

Second For the rental of radio facilities

Third For political meetings demonstrations and conventions and for the pay and transportation of speakers

Fourth For the rent maintenance and furnishing of offices

Fifth For the payment of clerks typewriters stenographers janitors and messengers actually employed

[Sixth For the employment of watchers at primary meetings and elections to the number allowed by law but no candidate or treasurer of any political committee shall pay to any watcher in any eletcion district in a city compensation in excess of ten dollars ($10.00) per diem or to any watcher in any other election district compensation in excess of five dollars ($5.00) per diem]

[Seventh] Sixth For the transportation of voters to and from the polls

[Eighth] Seventh For leagal expenses bona fide incurred in connection with any nomination or election

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 66, as follows:

An Act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain proced-

ure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors county commissioners registrars inspectors of registration and other appointees of county commissioners election officers municipal officers departments and bureaus police officers court judges prothonotaries sheriffs peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That Short Title Citation This act shall be known and may be cited as "The Permanent Registration Act in Cities of the Third Class"

Section 2 Definitions (a) The word "commission" shall mean any board of county commissioners in any county within which is located a city of the third class acting as a registration commission

(b) "Commissioner" shall mean a member of a board of county commissioners acting as a registration commission

(c) "Oath shall include affirmation and "swear" shall include affirm

(d) "Election" shall mean any general special or municipal election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "November election" shall mean either the general or the municipal election or both according to the context

(h) "Party" shall mean any political party or body of electors one of whose candidates either at the last general or at the last municipal election shall have polled at least five per centum of the largest entire vote cast for any elected candidate in any city of the third class although such percentage of said vote may not have been attained in any particular election district thereof

(i) "Body of electors" shall mean any political body not recognized as a political party but entitled to make nominations of candidates for any public office by nomination papers on whose behalf proper affidavits shall have been filed with the prothonotary or elsewhere as required by law to obtain the exclusive right to use a party name or appellation for any election or primary

(j) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(k) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commissions as hereinafter provided

(l) "County" shall mean any county of this Commonwealth within which is located a city of the third class

(m) "City" shall mean only a city of the third class

(n) All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the third class or to those of any county within which such city is located or to any school district within such city

(o) "Public office" shall mean and include any national state judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(p) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

Section 3 Registration Commissions Membership Bipartisan Term of Office Vacancies Removal Compensation Oath of Office Organization Chairman Secretary Action by Vote of Majority of Members Record of Proceedings Annual Report

(a) There shall be a registration commission consisting of the county commissioners in each county in which there is located a city of the third class which commission shall have jurisdiction over the registration of electors of such city under the provisions of this act

(b) All actions of a commission shall be decided by a majority vote of all members except as may be otherwise provided herein

(c) Each commission shall keep a record in permanent form of all its proceedings and shall make an annual written report to the Governor

Section 4 Powers of Commissions Regulations Enforcement Correction of Errors or Irregularities Cancellation of Registration Powers of Commissioners (a) The commission may make regulations not inconsistent with this act or the laws of this Commonwealth (1) To govern the public sessions of such commission and (2) for the performance of the duties imposed by this act and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the court of common pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

(b) The commission shall have power to correct any error or any irregularity in registration and to cancel the registration of any person whom it may find to be improperly registered subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration is cancelled

(c) The commission and any commissioner shall have power on its or his own motion (1) To summon and interrogate any person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses (4) to require the production of any relevant books and papers

(d) Each commissioner shall have power to administer oaths and affirmations Each person testifying before the commission shall be first duly sworn or affirmed.

Section 5 Employes Registrars Inspectors of Registration Duties Appointment Appointment of Clerks or Secretaries as Registrars Incompatible Offices (a) The commission shall have power to appoint such assistants and employes as from time to time it may deem necessary to carry out the provisions of this act and may at any time remove the same The commission may appoint employes of the county to act as such for the commission without any additional compensation as such

(b) The employes to be appointed by the commission shall include (1) Registrars who shall be empowered to register the qualified electors of such cities and in so doing to administer oaths and affirmations and (2) inspectors of registration who shall have and may exercise the powers conferred upon them by this act

(c) Registrars and inspectors of registration shall be qualified electors of the city No person who holds or is a candidate for public or party office shall be appointed to or hold any office or employment under any commission except as otherwise provided by this act Registrars and inspectors of registration shall receive such compensation either on a per diem basis for time actually employed or on the basis of work actually done by them as shall be fixed by the salary board of the county

(d) No registrar or inspector of registration shall exercise any power of his office until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and address the date of his appointment and the length of time for which he shall have been appointed

(e) Each commission may appoint a chief clerk who shall have authority to administer oaths and to sign vouchers

(f) Any inspector of registration when directed by the commission shall

(1) Investigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling building

inn lodginghouse or hotel within such city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment

(2) Inspect in like manner and copy any register of lodgers in any lodginghouse inn or hotel relating to or affecting the right of any person to vote or to be registered in such city

(3) Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

(4) Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest

Section 6 Counsel Compensation Duties The commission may employ special counsel at a compensation not exceeding two thousand dollars per annum Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for any represent the commission on all appeals taken from its decisions or orders to a court of common pleas as herein provided

Section 7 Appropriations by County Commissioners Unexpended Balances of Appropriations Heretofore Made Additional Appropriations (a) The county commissioners shall appropriate annually and from time to time the funds that shall be necessary for the maintenance and operation of the commission and the carrying out of the provisions of this act therein including the payment of the compensation of the registrars inspectors of registration counsel and other assistants and employes and the fees of witnesses as herein provided and likewise for preparing in accordance with the direction of the commission securing and distributing or receiving and preserving all street lists registration cards affidavits vouchers notices account books stationery and other supplies which the commission shall consider necessary for the purpose of this act and for all othre necessary expenses

(b) The county commissioners shall provide the commission with suitable and adequate offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties

(c) Any unexpended balances of any appropriations heretofore made by the county commissioners for the purpose of carrying out any provision of any existing registration act or the amendments thereto shall be transferred to and made available for the commission hereby created or constituted for the expenses of carrying out the provisions of this act immediately after the passage of his act All moneys required in addition to any original appropriation in the current year or any other year shall be appropriated from time to time as soon as it shall appear what extra sums are needed

Section 8 Acts of Employes Any insertion or removal of names or other information in registers or the amending of any records done by any employe of the commission by order of the commission shall be construed to have been done by the commission itself which shall likewise be responsible for the correction of any errors in the doing thereof

Section 9 Commissioners May Act as Registrars and Inspectors A commissioner may act at any time as registrar or inspector of registration and when so acting shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with law upon registrars and inspectors of registration respectively

Section 10 Immunity From Arrest Commissioners registrars and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrant of a court of record or judge thereof for felony for wanton breach of the peace or for a criminal violation of this act.

Section 11 Acts to be Done on Legal Holidays and Sundays No part of any day fixed for the performance of any duties by any person or official under this act shall be deemed a Sunday or a legal holiday so as to affect the legality of any work done for the purpose of carrying out the provisions hereof or the right of any person to any compensation herein provided for rendering any service required hereby or so as to relieve any person from doing on such day whatever is necessary for such purposes and such services are hereby declared to be necessary public services

Section 12 Records and Documents to be Open to Public Inspection The records of each commission and all district registers street lists lists of voters voters' certificates affidavits petitions appeals witness lists accounts contracts reports and other documents in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the county during ordinary business hours at any time when they are not necessarily being used by the commission or its employes having duties to perform in reference thereto Such public inspection thereof shall only be in the presence of a commissioner or authorized employe of a commission and shall be subject to proper regulation for safekeeping of the records and documents and subject to the further provisions of this act

Section 13 Watchers at Places of Registration Privileges (a) Any party or body of electors which now is or hereafter may be entitled to have watchers at any election as well as any organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds may recommend not more than three electors to act as watchers without expense to the county at any place of registration during the time when it shall remain upon for the registration of electors The commission shall appoint all such persons as watchers and shall provide them with proper certificates stating their names and the party or policy or citizens' organization which they represent respectively unless any be shown to have previously been convicted of any crime

(b) Any watcher shall be entitled to remain at any place of registration during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registration and to interrogate or challenge any person regarding his right to be registered and to inspect any papers produced by such person The registrars commissions and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided That a registrar commission or commissioner may at any time require any watcher to show his certificate of appointment And provided That not more than one watcher for any party or body of electors or citizens' organization represented shall be allowed in a place of registration at any one time

Section 14 Watchers or Attorneys at Sessions of Commission Any part or body of electors or body of citizens which now is or hereafter may be entitled to have watchers at any place of registration or at any election shall also be entitled to appoint any watchers who are qualified electors of the city or attorneys to represent such party or body of electors or body of citizens at any public session or sessions of the commission Such watchers or attorneys may exercise the same rights as watchers at places of registration but the number who may be present at any one time may be limited by the commission to not more than three for any party or body of electors

Section 15 Candidates may be Present at Proceedings Every candidate for nomination or election to any office shall be entitled to be present in person or by attorney in fact duly authorized and to participate in any proceeding before any commission whenever any matters which may affect his candidacy are being heard.

Section 16 Days and Hours of Registration Places of Registration Use of Polling Places Payments of Rentals Use of School Buildings Public Notice (a) From and after the first day of February one thousand nine hundred and thirty-four each commission or any commissioner or a registrar shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sundays holidays the day of each election and each primary the thirty days next preceding each election and each primary and the five days next following each election and each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate receive personal applications from persons who claim that they are entitled

to be registered as electors of the city and who appear for registration Provided however That in the year one thousand nine hundred and thirty-four applications for personal registration may be received up to and including the fifth day of May anything in this section to the contrary notwithstanding And provided further That in the year one thousand nine hundred and thirty-four each commission shall arrange to have a registrar present to receive applications for the personal registration of electors at the polling place or some other suitable place in each election district of the city on at least three separate days prior to May fifth (one of them being in March and another in May) and one day in the period beginning September twenty-fourth and ending October sixth

(b) The county commissioners shall cause any polling place to be open in proper order for use as a place of registration on each day when such polling place may be desired by the registration commission for use as a place of registration and the said county commissioners shall provide for the payment of all rentals for such polling places upon proper vouchers by the treasurer of the county

(c) The board of Public Education or school directors of each city or school district thereof shall furnish a room or rooms in any public school building under its jurisdiction or control and shall cause the room or rooms to be open and in proper order for use as a place of registration on each day when such room or rooms may be desired by the registration commission for use as a place of registration Provided That such use shall not interfere with instruction for the conduct of which such board of school directors shall be responsible

(d) The proper city authorities shall furnish a room or rooms in the city hall or other municipal building under their jurisdiction or control and shall cause the room or rooms to be opened and in proper order for use as a place of registration on each day when such room or rooms may be desired by the commission for use as a place of registration Provided That such use shall not interfere with the use for which such room or rooms is primarily designed

(e) The commission shall publicly announce the address of each place of registration other than the office of the commission and the days and hours when the place shall be open for the registration of electors by posting a notice thereof at its office and at least five placards or notices thereof in conspicuous places in the neighborhood of such place of registration at least three days prior to the date when the place shall be so open and by such newspaper publication as it deems desirable

Section 17 Registration Cards Preparation and Distribution (a) For the purpose of registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section eighteen of this act and the following affidavit

REGISTRATION AFFIDAVIT

State of Pennsylvania }
County of } ss

I hereby swear or affirm that I am a citizen of the United State that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct Subscribed and sworn to before
me this day of 19

.....
Signature of Voter

.....
Signature of Registrar

(b) Subject to the foregoing provisions of this section the secretary of the Commonwealth shall prescribe the form of such registration cards

(c) Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate for each applicant for registration The commission shall provide suitable binders for filing and indexing the registration cards

(d) The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar

(e) Before ten o'clock ante meridian on the day following the last day for registration before an election or primary and at such other times as the commission may prescribe each registrar shall return to the commission at its office all registration cards used or unused in his possession and shall account fully in writing for each missing card

(f) Unused registration cards may be reissued by the commission but the commission shall preserve all other papers records and memoranda as a part of its record

Section 18 Manner of Registration (a) Every person claiming the right to be registered as an elector must appear in person before the commission or a commissioner or a registrar at the office of the commission or at such other place as the commission shall have designated and answer the questions required to asked in accordance with this act

(b) He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with the other information herein required shall be recorded in his presence by the registrar or commissioner in permanent writing or typewriting in duplicate in the proper spaces on the registration cards as follows

(c) (1) The surname of the applicant (2) his Christian name or names (3) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the rooms apartment flat or floor which he occupies (6) the date his residence in the district began (7) his residence address when he last registered and the year of such registration (8) the sex of the applicant (9) the color of the applicant (10) the state or territory of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of the naturalization certificate (12) if not naturalized personally the name of father or husband through whom naturalized (13) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance at the ensuing election and if so his declaration of that fact and his statement of the exact nature of such disability (14) the designation of the political party of the elector for the purpose of voting at primaries (15) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar and dated by him If the elector is unable to sign his name there shall also be recorded on the registration card (16) his height in feet and inches (17) the color of his hair (18) the color of his eyes and (19) the date of his birth Each registration card shall also have a sufficient number of spaces thereon for the insertion of (20) the ward and election district in which the elector resides (21) the date of each election and primary at which the elector votes and (22) the signature or initials of the election officer who enters the record of voting on the card

(d) The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed for the whole city the registration affidavits will be known as the General Registers when filed by election districts as the District Registers

(e) If the applicant shall allege inability to sign his name the registrar shall require him to present the affidavits subscribed in person before a registrar or commissioner of two electors who are personally acquainted with the applicant and who know his qualifications as an elector Each of said two electors shall state in his affidavit the applicant's residence his own residence his knowledge of the statements made by the applicant under oath or affirmation in applying for registration and his belief that they are true Upon the filing thereof the applicant shall be permitted to subscribe to his oath or affirmation by making his mark except that if the applicant's inability to sign his name is not due to

some apparent physical infirmity he shall first also be required to make and file with the registrar an affidavit of his inability to sign his name Every affidavit required because of an applicant's inability to sign his name shall be filed with the duplicate registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

(f) When the registration of an elector has been completed the registrar or commissioner shall deliver to the registered elector upon his request a written statement signed by such registrar or commissioner setting forth his name and address of the elector the fact of registration and the date thereof

Section 19 Who May Register Who May Vote Electors Need Register Only Once Exception Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered as herein provided From and after the fifth day of May one thousand nine hundred and thirty-four no person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered except by order of a court of common pleas as hereinafter provided and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address unless his registration is cancelled by reason of his failure to vote during a period of two years as hereinafter provided

Section 20 Applicants to Register May be Challenged Procedure Challenge Affidavit (a) Any person claiming the right to register may be challenged by a registrar or by any commissioner or by a qualified elector of the city Any person so challenged shall answer the questions of the challenge affidavit as herein specified and after his answers have been recorded he shall subscribe to them his signature or mark and swear to their truth

(b) The affidavits of all persons so registered shall be filed with the duplicate registration affidavits and shall be returned with them to the office of the registration commission

(c) The challenge affidavit shall be in form prescribed by the Secretary of the Commonwealth and shall contain spaces for the following information (1) serial number (2) place and date of execution (3) full name of challenged applicant (4) whether he is married or single (5) if married where his family resides (6) if single where his parents reside (7) where applicant actually resided immediately before he took up his present residence (8) his residences for the four months immediately preceding date of execution (9) the name of his present employer (10) the city street and number of his place of business (11) the name of his last employer and the year in which he left his employ (12) the city street and number of said last employer's place of business (13) sex of the applicant (14) his color (15) the date of his birth and (16) such distinguishing marks peculiarities and further information for identification as the commission shall prescribe

(d) The challenged applicant shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his residence in the election district and shall produce such other evidence as may be required to satisfy the registrar or commissioner as to his qualifications as an elector If such challenged applicant shall establish his right to be registered as required by this act to the satisfaction of the registrar or commissioner he shall be permitted to be registered

(e) Any person making application to be enrolled as a member of a political party for the purpose of voting at primaries may be challenged by any qualified elector of the city Any person so challenged shall be enrolled as a member of such party if he shall make and subscribe an affidavit that at the last election at which he voted he voted for a majority of the candidates of such party all of the candidates of a party for presidential elector being counted as two candidates but if he is unable or unwilling to make such affidavit he shall be denied enrollment as a member of such party but he shall not be deemed to be guilty of any violation or attempted violation of any law by reason thereof

Section 21 Naturalized Applicants Applicants Whose Fathers or Husbands Were Naturalized All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certificate under the seal of the court in which naturalization was affected before they shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father during his minority may be registered either by the production of his father's original papers or a certified copy thereof or by making affidavit as to the court in which and times when his father was naturalized and that at a time when he the applicant was less than twenty-one years of age and that he is unable to produce his father's papers or a certified copy thereof And provided further That any woman claiming citizenship by reason of her marriage prior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturalized prior to their marriage stating therein the time when and court where such naturalization took place or (b) by the production of evidence that her husband was a native born citizen of the United States Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

Section 22 Incomplete or Rejected Applications to be Recorded The registrar or commissoiner shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar or commissioner shall note thereon the reason for the rejection and shall sign his name thereto All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 23 Appeal of Rejected Application Any person whose application to be registered has been denied by a registrar or by a commissioner may file a petition with the commission not later than the fifteenth day prior to an election or primary setting forth the ground of his complaint under oath and praying to be registered The commission shall fix a time for a public hearing thereof at its office not later than the tenth day prior to the election or primary At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar or commissioner who rejected the petitioner's application for registration The commission if satisfied that the petitioner is entitled to be registered shall direct a registrar or commissioner to register him in the usual manner and shall amend accordingly the records affected but any registrar or inspector of registration or qualified elector of the city may appear and show cause why the petitioner should not be registered

Section 24 General Register The duplicate registration affidavits shall be placed in exact alphabetical order and shall be indexed for the entire city and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded These affidavits shall constitute the General Register of such city and shall not be removed from the office of the commission except upon order of the court of common pleas of the county

Section 25 District Registers The original registration affidavits shall be filed by election districts and within each election district in exact alphabetical order and indexed The affidavits so filed for each election district shall constitute the District Register for such district The district register shall be kept at the office of the commission except as herein provided and shall be open to the public inspection at all times subject to reasonable safeguards rules and regulations

Section 26 Removal Notices The commission shall provide removal notices which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room apartment flat or floor if his residence is a portion only of a house (2) the street and number of

the address from which he was last registered (3) the date of his removal to his present address and (4) space wherein the elector shall sign his name The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring sixty days or more after the receipt of the notice at the office of the commission Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission with the elector's signature in the general and district register.

Section 27 Transfer of Registration (a) Upon receipt of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration affidavit of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the general and district registers and if the removal shall have been from one election district to another in the same city shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence

(b) When a request for transfer believed authentic by the commission is received at the office of the commission and shows thereon removal within the period of two months next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary In any case the commission shall advise the elector promptly in writing of its action

(c) If the commission shall doubt that the request for transfer is authentic it shall without transferring the registration of the elector notify the elector that it will be necessary for him to apply in person at the office of the commission for the transfer of his registration

(d) No elector who is unable to write his name shall be permitted to apply for transfer of registration by use of a written removal notice but each such elector must apply in person at the office of the commission establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar or a commissioner who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice

Section 28 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability after Registration to Have Fact Recorded Cancellation (a) At any time prior to the tenth day next preceding a primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar or commissioner and state in writing over his signature the political party in which he desires to be enrolled and the registrar or commissioner shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signatures of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made

(b) At any time not later than the tenth day preceding any primary any qualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is no longer a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at least twenty-four hours prior to presentation of the same by delivering a copy of the petition to him personally or by leaving it with an adult member of the family with which he resides If at the hearing of any such petition the elector against whom the petition is filed appears and swears or affirms that at the last election at which he voted he voted for a majority of the candidates of the party with which he was then enrolled all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise upon the presentation under oath by the person making the challenge of a prima facie case which satisfies the commission the party enrollment of such elector shall be forthwith cancelled

(c) Any elector who has since the time of registration suffered a physical disability which renders him unable to see or mark the ballot or prepare the voting machine or to enter the voting compartments or voting machine booth without assistance shall at least ten days prior to the next succeeding primary or election personally make application under oath to the commission or a registrar to have such fact entered on his registration affidavit together with the exact nature of his physical disability which entry shall be made accordingly

(d) When the commission shall ascertain that any elector who has declared his need for assistance no longer suffers from the disability stated by him or has voted without assistance it shall forthwith cancel on his registration affidavit the entry relating to a physical disability which authorized him to have assistance

Section 29 Reports of Deaths From Registrars of Vital Statistics Cancelling Registration Correction if Person is Falsely Reported Deceased Notice (a) The registrar of vital statistics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the death of residents of the city except residents less than twenty years of age The commission shall forthwith cancel the registration of each registered elector so reported

(b) Any person falsely reported deceased may appear in person before a registrar or commissioner at the office of the commission in such city and prove his identity and the commission thereupon shall correct its records accordingly

Section 30 Mail Check-up of Registers (a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon At least once in each four years the commission shall send such notices by mail to each registered elector in the city

(b) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-one of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector

Section 31 Canvass of Registered Voters (a) The commission may at any time by individual commissioners or by inspectors of registration verify the registration in any election district of the city by visiting each building from which an elector is registered and such other buildings as the commission may deem necessary and shall make a record of the name and address of each person registered who shall not be found to reside at the address from which he is registered or who for any other reason shall appear to be not qualified to vote in the election district from which he is registered and shall leave at the address of each such person a notice requiring him to appear personally at the office of the commission on or before a date and hour which the notice shall appoint and which shall be not later than the tenth day preceding the election or primary next en-

suing and satisfy the commission of his qualifications as an elector and the commission shall cause a confirmation of each such notice to be sent by mail promptly to such persons at the addresses from which he is registered

(b) At the expiration of the time specified in the notice the commission shall cancel the registration of each such person who has not personally appeared and proved his qualifications as an elector

(c) For the purpose of facilitating any such canvass the commission may when necessary appoint special inspectors of registration in number not exceeding double the number of election districts which the commission shall determine to canvass

(d) Such special inspectors shall have and may exercise the powers conferred by this act upon inspectors of registration They shall be qualified electors of the city and shall be appointed without reference to residence in election districts or to their political affiliations or beliefs

(e) The commission shall instruct each special inspector in his duties

Section 32 Comparison and Correction of Registers Preliminary Street Lists (a) Commencing thirty days prior to each election or primary the commission shall compare and correct the general and district registers

(b) Three months after each municipal election and seven months after each general election the commission shall prepare for each eletcion district a preliminary street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers

(c) The commission shall cause to be made a sufficient number of exact copies of each such list and as soon as possible and not later than the first day of March in each even-numbered year and the first day of July in each odd-numbered year shall distribute the same among the inspectors and special inspectors of registration and the officials concerned with the conduct of primaries and elections and among the parties bodies of electors candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the county committee of each political party or body of electors upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 33 Corrected Street Lists Not later than the fifteenth day prior to each primary and election the commision shall prepare for each election district a corrected street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers The commission shall cause to be made a sufficient number of exact copies of each such list which may be made by correcting and supplementing exact copies of the preliminary street lists Two complete sets of such lists shall be kept on file at the office of the commission convenient for public inspection during all of the hours when the other records of the commission are open to public inspection as herein provided

Section 34 Petitions to Strike Off Names At any time not later than the tenth day preceding any election or primary any qualified elector of the city including any watcher and any registrar or inspector of registration may petition the commission to cancel the registration of any registered elector of such city setting forth under oath supported by the affidavits of at least two adult persons sufficient grounds for such concellation and also setting forth that due notice of the time and place when said petition would be presented and heard had been given to the person so registered personally at least twenty-four hours prior to the presentation of the same or that he could not be found at the place given in the district register as his residence and that the person in charge thereof to be mentioned by name in said petition had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them or that no person is residing at the address given whereupon the commission may forthwith cancel the registration of such elector and amend accordingly the general and district registers and the other records affected unless the person so registered shall appear and show cause why the same should not be done.

Section 35 Delivery of District Registers to County Commissioners (a) Not later than noon of the second day preceding an election or primary the commission shall deliver to the county commissioners of the proper county the district register accurately corrected to date for each election district in order that the same may be delivered to the election officers with other election materials for use on election day in the manner in which the county commissioners now are or hereafter may be required to deliver the same Provided That the registration commission shall not deliver to the county commissioners the registration card for use at the polls on election day of any person who has removed from one election district to another within two months of any general municipal primary or special election The registration commission shall withdraw from the district registers the cards of all such persons before the registers are delivered to the county commissioners

(b) District registers when so delivered to the county commissioners shall be contained in suitable binders so constructed that the name address voting record and other data on each card may easily be made visible and that entries may be made on each card but that the cards may not be removed by the election officers Said binders shall have printed or written thereon the words "District Register of Voters" and the name of the district

Section 36 Persons Registered Are Entitled to Vote at General or Municipal Elections If Identified by Signature Proviso Evidence of Registration Discrepancies Persons Registered and Enrolled May Vote at Primaries If Identified by Signatures Proviso Persons Not Registered Are Not Entitled to Vote Challenging of Persons Registered Voter's Certificates List of Voters Elections and Primaries Counting Et Cetera of Names Checked as Having Voted Sealing of Registers and Lists of Voters Return of Lists of Voters and Registers (a) Any person whose name is in the district register of any election district and who upon applying to vote shall have signed his name to a voter's certificate in the form hereinafter provided for as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and view of the watchers with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers shall be entitled to vote in such district at any general municipal or special election unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from the district since registration or that he has violated any law of this Commonwealth prohibiting betting or bribery at elections

(b) No elector shall be required to sign a voter's certificate as a means of identification if he shall have been unable to sign his name when registered or if having been able to sign his name when registered he subsequently shall have lost his sight or lost the hand with which he was accustomed to sign his name or shall have been otherwise rendered by disease or accident unable to sign his name when he applies to vote but each such elector shall establish his identity to the satisfaction of the election officers and in such case a voter's certificate shall be prepared for him by one of the election officers upon which the facts as to such disability shall be noted and attested by the signature of such election officer

(c) No person who applies to vote shall be permitted by any election officer or clerk or other person to see the signature recorded as his in the district register until after he shall have signed his name to the voter's certificate

(d) Any person who is registered and also enrolled as a member of a political party and who upon applying to vote shall have established his identity by signing his name or otherwise as herein required at elections and is otherwise qualified may vote as a member of said party at any primary succeeding such registration without being subject to any challenge regarding his party membership No elector

registered and enrolled as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party at any primary election and any qualified elector registered although not enrolled as aforesaid shall be permitted to vote a non-partisan ballot according to any law providing for same at any primary election

(e) No one except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by the authority of this Commonwealth shall be entitled to vote at any election or primary without being personally registered as an elector in the election district in which he offers to vote except by order of the court of common pleas as herein provided regarding appealed cases Any person although personally registered may be challenged by any qualified elector watcher overseer or election officer at any election or primary as to his identity as to his continued residence in the election district or as to any alleged violation of the laws of this Commonwealth prohibiting betting or bribery at elections and if challenged as to identity or residence he shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his identity or continued residence in the election district and shall produce such other evidence as may be required to satisfy the election officers of his identity or continued residence in the election district

(f) The county commissioners shall cause to be printed for each election district a suitable number of voter's Certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows

VOTER'S CERTIFICATE

(Primary) (Election) .....19....

I hereby certify that I am qualified to vote at this (primary) (election)

Signature.....

Address.....

..... Pennsylvania

Approved .....

Number of stub of ballot issued (or number of admission to voting machines)

(and party at primary) .....

The voter's certificates shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the county commissioners After a voter's certificate has been presented by an elector and has been compared with his signature in the district register and approved or in the case of an elector who is unable to write the notations hereinabove required have been made thereon one of the election officers who made the comparison shall sign his name or initials thereon and if the elector's signature is not readily legible shall print such elector's name over his signature After the elector has been admitted to vote the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at primaries a letter or abbreviation designating the party in whose primary he votes shall be entered on his voter's certificate and the same shall thereupon be inserted in the file or binder One such file or binder shall be furnished for each election district for each primary and election and shall have printed or written thereon the words "List of Voters" and the name of the district and date of the primary or election The voter's certificates so bound shall constitute the ballot check list required by law to be kept by the clerks of election All voters certificates prepared by persons apply to vote whose applications to vote are refused by the election officers shall be carefully preserved and returned to the commission with the list of voters

(g) As each voter is found to be qualified and votes the election officer in charge of the district register shall write or stamp the date of the election or primary and sign his name or initials in the proper space on the registration affidavit of such voter contained in the district register After the polls the closed the names of all electors on the district register marked or stamped as having voted shall be immediately counted and the result compared with the number of persons voting shown by the list of voters and announced and the cause of any difference ascertained if possible before the ballot box or voting machine is opened The list of voters and the district register shall be immediately sealed in envelopes and shall be returned to the custody of the registration commission by the judge of election before noon on the day following the election or primary

Section 37 Entry of Information in General Registers Following Elections and Primaries Report of Indications of Fraud to District Attorney (a) Immediately following each election or primary the commission shall cause each district register to be examined and shall enter the date of the election or primary in the proper space on the registration affidavits in the general register of each elector whom the district register indicates as having voted

(b) In the case of any elector whom the election officers shall have recorded as removed deceased or challenged and prevented from voting the commission shall ascertain the facts and shall correct the general and district registers in accordance therewith

(c) The commission specifically shall compare the signature of each elector on each voter's certificate with his signature in the district register and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of voter's certificates and registers hereby prescribed

Section 38 Cancellation of Registration Upon Failure to Vote Within Two Years Request for Reinstatement Within three months after the municipal election held in the year one thousand nine hundred and thirty-five and within three months after each general and municipal election thereafter the registration commission shall cause all of the district registers to be examined and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of two years immediately preceding the commission shall send to such elector by mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has not voted within a period of two years and that his resignation will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration setting forth his place of residence and signed by him At the expiration of the time specified in the notice the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote within a period of two years shall not affect the right of any such elector to subsequently re-register by personal application to the commission or a commissioner or a registrar in the manner provided by this act

Section 39 Cancellation Removal and Preservation of Registration Affidavits Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration affidavits of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such affidavit shall be kept for five years after which the commission may destroy it

Section 40 Appeals to Court Time of Hearing Notice Postponement Hearing Decision of Court Costs and Fees (a) Any person whose claim for registration has been denied by the commission or whose name although previously registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of any city whose rights are impaired by any general order made by the commission not included registration of particular names by the commission on personal application made to it as aforesaid or refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper court of common pleas not later than the fourth day preceding any election or primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief Thereupon any judge of the court may fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the counsel for the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court Proof of notice or the waiver thereof must be filed therein

(b) Any judge of the court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary At the time so fixed the court or any judge thereof assigned for the purpose shall hear all the witnesses and other evidence that may be offered unless the issue can be decided in some other manner by agreement of the parties concerned

(c) If after any such public hearing the court shall find that an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its manadate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of he commission shall be affirmed

(d) The court may compel the appellant or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner

Section 41 Production of Documents Et Cetera at Appeals At the written request of any person taking an appeal from any action or order of a commission as aforesaid the commission shall produce at the hearing thereof any petition register or other record in its custody relevant to the issue involved but the commission shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so

Section 42 Subpoenas and Witness Fees (a) Any person filing any petition of any kind with a commission or opposing same shall have the privilege of having subpoenas issued by the commission to compel the attendance of witnesses upon condition that all witnesses so subpoenaed shall be paid two dollars and fifty cents each per day as witness fees in the manner herein provided

(b) The commission on its own motion may subpoena witnesses including registrars each of whom shall also be entitled to daily witness fees at the rate aforesaid to be paid out of any money to be provided for the purpose to the commission by the county commissioners in the same manner as other necessary expenses of such commission are to be provided for

(c) All subpoenas shall be in substantially the same form and shall have the same force and effect as subpoenas now issued by a court of common pleas The commission shall have the benefit of the process of said courts if necessary to enforce any subpoena issued by such commission

(d) No subpoena shall be issued for the benefit of any person other than the commission until he shall have paid the commission a fee of twenty-five cents for issuing the same and deposited with said commission one day's witness fees for each witness to be summoned thereby whose names shall be given to the commission and entered by it in such subpoena and among the records of the commission No such subpoena shall be of any virtue to require the further attendance of any witness after the day mentioned therein unless the hearing be postponed or continued by the commission and unless before four o'clock post meridian of said day the person for whose benefit it is issued shall have deposited with the commission an additional day's witness fees for each witness whose further attendance is desired As soon as convenient after any hearing is concluded (or postponed or continued) on any day the commission shall disburse the fees deposited with it by any person among those witnesses who have appeared in response to subpoenas issued and shall return to the person who deposited the same any fees deposited for others who did not attend and shall also pay like fees to any summoned by the commission taking their receipts therefor so long as there are sufficient funds available for such payments

(e) The commission shall pay over to the county treasurer all fees received for subpoenas The accounts of such commission respecting disbursements of witness fees out of appropriations made to such commission by the county commissioners shall be subject to audit from time to time by the county controller

Section 43 Crimes and Penalties (a) Any person who wilfully disobeys a lawful order of the commission or refuses to obey its subpoena duly issued and served under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars.

(b) Any wilful false statement made under oath or in writing stating that it is so made although such oath may not have actually been made by any person regarding any material matter or thing relating to any subject being investigated heard or acted upon by any registrar commissioner judge watcher inspector of registration court or commission by vitue of this act shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(c) Any registrar or commissioner who knowingly registers or permits to be registered a person not lawfully entitled to be registered or who without reasonable cause refuses to register a person entitled to be registered or knowingly assists in preventing such person from being registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(d) Any person who applies for registration knowing or having reason to know that he is not entitled to be registered or who falsely personates another in an application for registration or who knowingly offers false naturalization papers to establish his claim to be registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(e) Any registrar commissioner or assistant or employe of a commission who inserts or intentionally permits to be inserted a name or other entries in any registration card without a proper application in person on the part of the person registered or without requiring the proper evidence of the right of the applicant to be registered or who materially alters any registration card after the entries have been made except upon an order of the court of common pleas or of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(f) Any election officer who knowingly refuses the vote of a duly registered and qualified elector or who knowingly accepts the vote of a person not registered in accordance with the provisions of this act (except that of a person in actual military or naval service or a person having an order of court) or who knowingly receives a vote from a person falsely claiming to be a registered voter shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than (3) months nor more than five (5) years

(g) Any commissioner registrar inspector of registration or other officer assistant or employe upon whom a duty is laid by this act who shall wilfully neglect or refuse to perform such duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(h) Any person who inserts or intentionally permits to be inserted any name or material entry in any registration card street list affidavit petition subpoena certificate report or other record authorized or required by this act to be made or prepared for any purpose herein mentioned except in accordance herewith or who materially alters or destroys an entry which has been duly made therein except as herein provided or who takes and removes any such book paper card or other record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspector or copied as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(i) Any person who neglects or refuses to furnish to any commissioner or to any inspector of registration any information which he is herein authorized to obtain or to exhibit any records papers or documents herein authorized to be in-

spected by him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(j) Any constable policeman sheriff or other peace or police officer or deputy or subordinate thereof who shall fail upon demand of any commissioner or inspector of registration to render such aid and assistance to him as he shall demand in the maintenance of peace and in the making of arrests without warrant as herein provided or who shall wilfully hinder or delay or attempt to hinder or delay any commissioner or inspector of registration in the performance of any duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(k) Any person who intentionally interferes with hinders or delays any other person in the performance of any act or duty authorized or imposed herein shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars

Section 44 Partial Invalidity Legislative Intent It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 45 Repeals The act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violations of its provisions" and the various supplements and amendments thereto are hereby repealed

All other acts or parts of acts inconsistent herewith are hereby repealed in so far as they affect cities of the third class

Section 46 EFFECTIVE DATE This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. REED. Mr. President, I move that Senate Bill No. 66, the bill just read, be recommitted to the Committee on Elections

Mr. GRAFF. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 86 (House Bill No. 56), entitled:

An Act to amend sections one thousand seven hundred and seventy-six two thousand one hundred and twelve and two thousand one hundred and forty-one of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" lengthening the time for which assessment bonds for street and sewer improvements may be issued regulating notice where sewer-works are constructed without the limits of a borough

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 100, as follows:

An Act supplement to an act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An act for the government of cities of the second class" creating the position of Solicitor for the Department of City Controller

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 The City Controller of each city of the second class shall designate and appoint one person learned in the law to act as solicitor for the department of City Controller Such Solicitor shall be an attorney at law admitted and qualified to practise in the Courts of this Commonwealth Such Solicitor shall be the legal adviser of the City Controller in matters pertaining to or affecting his department and he shall when requested by the City Controller act as his counsel in any litigation involving any matter or thing pertaining to or affecting the Department of City Controller The authorization in writing of the City Controller in all cases shall be a sufficient warrant of attorney for appearing for and representing him in any such litigation The Solicitor shall hold office at the pleasure of the City Controller and shall be paid a salary not less than the sum of twenty-four hundred dollars per annum as the city by ordinance may provide

Section 2 All acts inconsistent herewith shall be and the same are hereby repealed

Section 3 This act shall take effect forthwith upon its enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 115, as follows:

An Act authorizing counties cities boroughs townships incorporated towns and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding and limiting any compensation payable therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any county city borough incorporated town township or school district of this Commonwealth shall have issued bonds which have matured and remain unpaid or which shall hereafter mature it shall be lawful for such county city borough incorporated town township or school district for the purpose of refunding or retiring such outstanding bonds at maturity to issue new bonds bearing interest not exceeding six per centum (6%) per annum and payable not more than twenty years from the date thereof and to exchange such new bonds for such outstanding bonds Provided however That the face value of the new bonds so authorized to be exchanged shall not exceed the face value of the outstanding bonds to be refunded or retired And provided further That such municipality shall not pay any compensation or commission for obtaining such exchanges in excess of one per centum (1%) of the face value of any new bonds actually exchanged as aforesaid

Section 2 The provisions of any other law regulating the manner of the sale or offering for sale of bonds of any municipal subdivision and especially any law requiring sale of bonds for cash and by public bidding shall not apply to any bonds exchanged under the provisions of this act

Section 3 Nothing in this act shall be construed as compelling any holder or holders of outstanding bonds of any

municipality of this Commonwealth to surrender the same in exchange for new bonds

Section 4 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 123, as follows:

An Act to amend the title and section one of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws one thousand nineteen) entitled "An act relating to seated lands purchased by county commissions at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances" by extending the provisions thereof to unseated lands

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title and section one of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws one thousand nineteen) entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances" are hereby amended to read as follows

An Act relating to seated and unseated lands purchased by county commissioners at county treasurer's [sale of seated] sales of such lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act county commissioners be and they are hereby authorized to sell at private sale any and all seated and unseated lands purchased by them pursuant to existing law at any county treasurer's sale of seated or unseated lands for the collection of taxes and not redeemed within two years from the date of such sale to the county commissioners upon first procuring the approval of such sale by the court of common pleas of the county in which such lands are situated

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Senate Bill No. 124, on second reading, entitled:

An Act to further amend sections one two three ten eighteen and nineteen of the Act approved the thirteenth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended pursuant to Amendment Number Five to the Constitution of the Commonwealth adopted November seventh one thousand nine hundred thirty-three eliminating the taxpaying qualification for voters

Senate Bill No. 125, on second reading, entitled:

An Act to amend the act approved the fifteenth day of May, One Thousand nine hundred and Thirty-three (Pamphlet Laws six hundred and twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers; defining the rights powers duties liabilities and immunities of such corporations of exstent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporations association or person and fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by providing for establishment maintenance and operation of branch banks branch offices and agencies and by further providing for the powers and limitations upon the facts of corporations and persons authorized to engage in a banking or a fiduciary business or both and of affiliates of such corporations or persons and of officers directors trustees and employes of such corporations and persons

Senate Bill No. 126, on second reading, entitled:

An Act to amend sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" by further limiting the exemption of certain private banks and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision

are not up from the printer and will go over in their order

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. ARMSTRONG. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARMSTRONG, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 131 (House Bill No. 129), entitled:

An Act to amend section three of article twenty-eight of the act approved the ninth day of June one thousand nine

hundred and eleven (Pamphlet Laws seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending the provisions of said act to all bituminous coal mines employing five or more persons and empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures.

Mr. HOWELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 130 (House Bill No. 128), entitled:

An act to amend section one of article one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Law and Order, reported as omended, Senate Bill No. 90, entitled:

An act relating to advertising by holders of licenses to sell liquors or malt liquors for consumption on the premises.

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER, from the Committee on Public Printing, reported as committed, the following resolution, which was laid upon the table:

LEGISLATIVE REFERENCE BUREAU 5,000 COPIES OF THE GENERAL BOROUGH ACT TO BE PRINTED.

In the House of Representatives, December 4, 1933.

Resolved (if the Senate concur), That the Legislature Reference Bureau is hereby directed to have printed, as a legislative document, five thousand copies of the General Borough Act of May 4, 1927, P. L. 519, with all the amendment thereto, to be distributed and sold by the Division of Documents of the Department of Property and Supplies in the manner provided by law.

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth·

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

WORKMEN'S COMPENSATION REFEREE

James P. Casey, Philadelphia, from May 6, 1933, until third Tuesday of January, 1935.

MEMBERS OF THE STATE BOARDS OF EXAMINERS OF ARCHITECTS

David H. Morgan, Philadelphia, from July 28, 1933, for six yeahs.

John Hall Rankin, Philadelphia, from July 28, 1933, for six years.

MEMBER BOARD OF FISH COMMISSIONERS

Edgar W. Nicholson, Philadelphia, from May 6, 1933, for the term of six years.

MEMBERS WASHINGTON CROSSING PARK COMMISSION

Mrs. Norma Bright Carson, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935.

Edwin B. Malone, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935.

MEMBERS VALLEY FORGE PARK COMMISSION

(Mrs.) Lillian H. Ketterer, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

Albert Cook Myers, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

(Mrs.) Bessie Dobson Altemus, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

Ellis Paxton Oberholtzer, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

SECRETARY OF WELFARE

(Mrs.) Alice F. Liveright, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

MEMBERS OF STATE WELFARE COMMISSION

Earl D. Bond, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

Jacob Billikopf, Philadelphia, from May 6, 1933, until the third Tuesday of Jnuary, 1935, or until his successor shall have been appointed and qualified.

Mrs. Margaret C. Madeira, Philadelphia, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

MEMBERS OF THE STATE COUNCIL FOR THE BLIND

Samuel Horton Brown, Philadelphia, from May 6, 1933, for the term of four years.

MEMBERS OF BOARD OF TRUSTEES OF EASTERN STATE PENITENTIARY

Samuel R. Boggs, Philadelphia, from May 6, 1933, for the term of fur years, and until his successory is qualified.

Oscar E. Gerney, Philadelphia, from May 6, 1933, for the term of four years and until his successor is qualified.

MEMBER OF BOARD OF TRUSTEES OF CUMBERLAND VALLEY STATE INSTITUTION FOR MENTAL DEFECTIVES

James Harwood Closson, Philadelphia, from September 6, 1933, for the term of four years, and until his successor is qualified.

MEMBER STATE BOARD OF OSTEOPATHIC EXAMINERS

Wesley P. Dunnington, Philadelphia, from May 6, 1933, for four years.

MEMBER OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF PHILADELPHIA COUNTY

(Mrs.) Elsie Pfaelzer, Philadelphia, from August 14, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBER OF STATE BOARD OF OSTEOPATHIC EXAMINERS

H. M. Vastine, Harrisburg, from May 6, 1933, for the term of 4 years

MEMBER STATE FOREST COMMISSION

Edward Bailey, Harrisburg, from May 6, 1933, until the third Tuesday of January 1935.

MEMBER OF THE STATE WELFARE COMMISSION

Mrs. Belle West Jennings, Harrisburg, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been duly appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF DAUPHIN COUNTY

(Mrs.) Marion K. Deatrick, Middletown, from August 2, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Katharine Gilbert Rutherford, Steelton, from August 4, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBER OF STATE FOREST COMMISSION

Nelson P. Wheeler, Jr., Endeavor, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBER OF THE BOARD OF FISH COMMISSION

Roy Smull, Mackeyville, from August 2, 1933, for the term of 6 years.

MEMBERS OF THE VALLEY FORGE PARK COMMISSION

Mrs. Lora H. Cook, Cooksburg, from May 6, 1933, until the third Tuesday of January, 1935, or until her successor shall have been apointed and qualified.

George C. Kime, Ridgway, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF CLARION CO.

(Mrs.) Jennie L. Thomas, East Brady, from August 7, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) America S. Panton, Foxburg, from August 14, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBERS OF BOARD OF TRUSTEES O FMOTHERS' ASSISTANCE FUND OF CLINTON CO.

(Mrs.) Caroline P. Baird, Renova, from August 18, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Marian A. Good, Lock Haven, from August 24, 1933, until June 1, 1939, and until her successor is duly appointed and qualifed.

MEMBERS OF THE COMMISSION TO MAKE A SURVEY OF THE CONSTRUCTION AND MAINTENANCE OF PUBLIC ROADS, STREETS, HIGHWAYS, AND BRIDGES WITHIN THE COMMONWEALTH

Chester H. Rhoades, Stroudsburg, from July 24, 1933, until annulled.

MEMBERS OF THE BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF CARBON COUNTY

(Mrs.) Florence E. Bingaman, Palmerton, from August 14, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Elizabeth W. Hatrick, East Mauch Chunk, from August 16, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF MONROE COUNTY

(Mrs.) Helen W. Hoffman, East Stroudsburg, from November 9, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Hazel S. Achterman, Stroudsburg, from November 9, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF WAYNE COUNTY

(Mrs.) Rena Wood White, Ariel, from August 7, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Lena E. Kohlman, Hawley, from August 9, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Ada V. Snedeker, Aldenville, from August 14, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Cora Ault Polley, Hamlin, from August 16, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

Miss) Mattie E. Gillen, Honesdale, from August 18, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Katie Brennan, Pleasant Mount, from August 18, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

MEMBER OF THE WASHINGTON CROSSING PARK COMMISSION

C. K. Williams, Eeastn, from May 6, 1933, until the third Tuesday of January, 1935, and until his successor shall have been appointed and qualified.

MEMBER OF THE VALLEY FORGE PARK COMMISSION

D. H. Keller, Bangor, from May 6, 1933, until the third Tuesday of January, 1935, and until his successor shall have been appointed and qualified.

MEMBER OF THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Harold J. Kennard, Eeaston, from May 6, 1933, until annulled.

MEMBER OF THE BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF NORTHAMPTON COUNTY

(Mrs.) Marie Beckler, Bethlehem, from August 28, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Anne B. Cox, Easton, from September 1, 1933, until June 1, 1939, and until her success or is duly appointed and qualified.

MEMBER OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE BOARD OF CHESTER COUNTY

(Mrs.) Helen C. Pyle, West Grove, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

MEMBER OF STATE AERONAUTICS COMMISSION

Leon D. Metzger, Indiana, from May 6, 1933, for the term of six years.

MEMBER OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF INDIANA COUNTY

(Mrs.) Martha M. Coon, Indiana, from August 8, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Maude Boden Hart, Saltsburg, from August 9, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF JEFFERSON COUNTY

(Mrs.) Ida Enterline, Big Run, from August 19, 1933, until June 1, 1939, and until her successor is duly apointed and qualified.

(Mrs.) Rena S. Haley, Punxsutawney, from August 14, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

GIFFORD PINCHOT.

MEMBER BOARD OF TRUSTEES OF THE EASTERN STATE PENITENTIARY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 21, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Doctor Louis N. Robinson, of Swarthmore, Delaware County, as a member of the Board of Trustees of the Eastern State Penitentiary, vice Henry N. Woolman, removed from office November 20, 1933, for the term of four years, and until his successor is qualified.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 11, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Martha Mancos, Glassport.

BLAIR COUNTY

Clair L. Clark, Hollidaysburg.

DAUPHIN COUNTY

Charles E. Deibler, Linglestown.
John D. Paul, Harrisburg.

DELAWARE COUNTY

Harry E. Barrett, Upper Darby.
W. C. Henderson, Crum Lynn.
H. W. Kent, Upper Darby.
James C. Owens, Eddystone.
Wm. J. Wolf, Chester.

FAYETTE COUNTY

Francis J. Gehrlein, Uniontown.

PHILADELPHIA COUNTY

Leo J. Donnelly, Philadelphia, 280 Bourse Building.
A. C. Downs, Philadelphia, 1500 Chestnut Street.
Miss Mary A. McGuigan, Philadelphia, 239 South 13th Street.
Robert Mkitarian, Philadelphia, 6051 Market Street.
Miss Jeanne Tomlinson, Philadelphia, 7981 Oxford Street.

WASHINGTON COUNTY

Miss Mae S. McKillen, Canonsburg.

WESTMORELAND COUNTY

Theodore Cappone, New Kensington

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and that the Senate do now resolve itself into Executive Session for the purpose of acting upon the foregoing nominations.

Which was agreed to,

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. QUIGLEY. Mr. President, I move that Executive Session do now rise.

Mr. BRANDT. Mr. President, I second the motion

The motion was agreed to.

HOUSE MESSAGE

TIME OF NEXT MEETING

The Clerk of the House of Representatives, being introduced, presented communication from the House of Representatives informing the Senate that the House of Representatives has concurred in resolution from the Senate as follows:

In the Senate, December 12, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, December eighteenth, at nine o'clock; and that when the House of Representatives adjourns this week it reconvene Monday evening, December eighteenth, at nine o'clock.

REPORT FROM COMMITTEE

Mr. EINSTEIN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EINSTEIN, from the Committee on Municipal Affairs reported as committed, Senate Bill No. 136, entitled:

An Act to amend paragraph four of section one of article fifteen of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," by modifying the provision relating to the giving of bonds by contractors.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until 5 o'clock this afternoon

Mr. FAY. Mr. President, I second the motion

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House of Representatives as follows:

House Bill No. 26 (Senate Bill No. 137), entitled:

An Act to promote public health safety morals and general welfare by providing for the elimination of unsanitary and dangerous housing conditions and the construction and supervision of safe and sanitary dwellings and apartments and for the renting thereof at reasonable rentals creating a State Board of Housing in the Department of Property and Supplies for the purpose of encouraging approving assisting supervising and regulating such activities prescribing and defining the powers and duties of the board including supervisory and regulatory powers over limited dividend housing companies engaged in such activities authorizing the board to fix within certain limits rentals of housing accommodations furnished by limited dividend housing companies and making an appropriation

Which was committed to the Committee on Appropriations.

House Bill No. 107 (Senate Bll No. 138), enttled:

An Act to amend the act, approved the thirty-first day of May, one thousand nine hundred and thirty-three (P. L. 1134), entitled "An act adjourning county treasurers sales of seated and unseated lands in counties of the fourth class to be held in the year one thousand nine hundred thirty-three until the time fixed by law for such sales in the year one thousand nine hundred and thirty-four or any later date to which such sales may be adjourned; and suspending existing laws;" providing for the adjournment of such tax sales in the year one thousand nine hundred and thirty-four.

Which was committed to the Committee on Judiciary General.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 87

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 87, entitled:

An Act appropriating the moneys in The State Stores Fund.

SENATE BILL NO. 43 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 43, entitled:

An Act making an appropriation to the Department of Military Affairs

with the infromation that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. REED. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows: Page 1, Section 1, line 4, strike ou the word "ten" and insert in lieu thereof the word "twenty-five." Also, on Page 1, Section 1, line 4, strike out the figures "10,000" and insert in lieu thereof the figures "25,000."

On the question,

Will the Senate agree to the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. HARRIS (By Request). Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS, from the Committee on Elections, reported as committed, Senate Bill No. 98, entitled:

An Act to amend sections ten and fourteen of the act approved the twelfth day of July, one thousand nine hundred thirteen (Pamphlet Laws, seven hundred nineteen), entitled "An act regulating certain political parties: providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National Party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expense of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and this providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as variously amended, by substituting additional copies of the general return sheet for the triplicate party return sheets in the preparation for, conduct of, and returning, canvassing and computing the vote cast at primary elections, regulating the form of the numbered lists of voters, regulating the duties of election officers in calling and tabulating the votes, and regulating return board procedure.

BILLS INTRODUCED

Mr. THOMPSON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 139, entitled:

An Act to make void an election obtained by fraud with the knowledge of the candidate.

Which was committed to the Committee on Elections.

Mr. SHAPIRO. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO read in his place and presented to the Chair Senate Bill No. 140, entitled:

An Act to amend section one thousand five of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the busines and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and approprating the Banking Department Fund; authorizing the Department of Banking, under certain circumstance, to examine corporations, associations, or persons affiliated, or having business transactions, with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts."

Which was committed to the Committee on Banks and Building and Loan Associations.

The PRESIDENT. At the morning session there were four bills on the Calendar that were not up from the printer; they are now here and the Senate will proceed to the consideration of the Calendar.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 49, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing cetrain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics and boards of school directors and imposing penalties

And said bill havng been read at length the third time, and agreed to,

And the amendments made therto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS 0

A majorty of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 124, as follows:

An Act to further amend sections one two three ten eighteen and nineteen of the act approved the thirteenth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended pursuant to Amendment Number Five to the Constitution of the Commonwealth adopted November seventh one thousand nine hundred thirty-three eliminating the tax-paying qualification for voters

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended by section one of the act approved the twenty-ninth day of May one thousand eight hundred and ninety-one (Pamphlet Laws one hundred thirty-four) entitled "An act to amend sections one two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four changing the time and manner of making the registry of voters and the duties of registry assessors" is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that for the purpose of making the original annual [assessment and] registration of voters in each of the election districts in which personal registration of voters is not required under the laws of this Commonwealth it shall be the duty of each of the assessors who are required to perform any of the duties incident to the holding of elections and the registration of voters in [the different] such election districts of this Commonwealth to visit in person each and every dwelling house in his district on the first Monday in May [and on the first Monday in December] of each year or as soon thereafter as may be possible and practicable when all of said dwelling houses cannot be personally visited by him on the said first Monday of May [and on the first Monday in December] and to make a list in a book prepared for that purpose by the county commissioners of all the qualified electors that he shall find upon careful and diligent inquiry to be bona fide residents of his district together with the date when such dwelling house was visited by the assessor entering them in such book in the order in which such dwelling houses are visited and the qualified electors in each dwelling house being grouped together and if in a city or town the names of the qualified electors shall be grouped together by streets alleys or courts and the persons so found to be legally qualified electors shall forthwith be registered [assessed] the assessor shall in all cases personally ascertain by careful and diligent inquiry of the voter or some known resident of the election district in which the voter claims the right to vote upon what ground each person so registered [assessed] claims to be a legally qualified voter The list thus prepared shall be designated and known as the "Original registry list" It shall be the duty of said assessor to enter in said "Original registery list" the names of the [male] cit-

izens twenty-one years of age and upwards claiming to be qualified voters in the election district of which he is the assessor and opposite each of said names state whether said citizen is or is not a housekeeper and if he is the number of his residence in cities or towns where the same are numbered with ths street alley or court in which situated and if in a city or town where there are no numbers the name of the street alley or court on which said house fronts also the occupation of the person at the date of such registration [assessment] and where he is not a housekeeper the occupation place of boarding and with whom at the date of his registration [assessment] and if working for another the name of the employer and write opposite each of said names the word "voter" Where any person claims to vote by reason of naturalization he shall exhibit his certificate thereof to the assessor unless he has been for two consecutive years next preceding a voter in said district and in all cases where the person has been naturalized the name shall be marked with the letter "N" where the person has merely declared his intentions to become a citizen and designs to be naturalized before the next election he shall exhibit the certificate of his declaration of intention and the name shall be marked "D I" and where the person shall be entitled by existing laws to be naturalized without making a declaration of his intentions to be naturalized and intends to be naturalized at least one month before the next general election the name of such person shall be marked "I N" [where the claim is to vote by reason of being of the age of twenty-one years and under twenty-two as provided by law the word 'age' shall be entered and] if the person has moved into the election district to reside since the last general election the letter "R" shall be placed opposite the name

Section 2 That section two of the said act as amended by the act approved the twenty-second day of May one thousand nine hundred and thirty-three (Pamphlet Laws nine hundred eight) entitled "An act to amend section two of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled 'A further supplement to the act regulating elections in this Commonwealth' as amended eliminating one of the days required of registry assessors sitting at the polling places" is hereby further amended to read as follows

Section 2 It shall be the duty of the said assessor to forthwith make a copy of the said original list with the observations and explanations required to be noted as aforesaid to be made out as soon as practicable It shall be his duty on or prior to the fourth Monday of May [and on or prior to the second Monday of December] in each year to place a copy on the door of or on the house where the election of the respective district is required to be held and retain the original list in his possession for the inspection free of charge of any person resident in the said election district who shall desire to see the same and it shall be the duty of the said assessor to register [assess] from time to time on the personal application of any one claiming the right to vote the name of such claimant and mark opposite the name "C V" and immediately register [assess] him noting as in all other cases his occupation residence the date of his registration [assessment] whether a boarder or housekeeper if a boarder with whom he boards and whether naturalized or designing to be marking in all cases opposite the name the letter "N" "D" or "I N" as the case may be if the person claiming to be registered [assessed] be naturalized he shall exhibit to the assessor his certificate of naturalization and if he claims that he designs to be naturalized before the next ensuing election he shall exhibit the certificate of his declaration of intention if such previous declaration is required by the laws of the United States It shall be the duty of the said assessor to be present at the election house of the said election district during the secular day next preceding the day fixed by the third section of this act for returning the lists to the county commissioners from ten ante meridian to three post meridian and from six post meridian to nine post meridian for the purpose of hearing and acting upon application to be made under the provisions of this section or relating to names upon said list or that are sought to be placed thereon or struck therefrom and it shall be his duty to correct said original list by adding thereto upon personal application the names of persons entitled to vote not already thereon and by striking therefrom fictitious names or names of persons who may have died or removed from said district and in all cases it shall be the duty of the said assessor to enter in his book opposite the name of each voter the name or names of the person or persons together with the residence of the same who shall furnish information as to the residence and qualifications of each voter who has been registered [assessed] or as to the persons whose names shall be stricken from said original list and the said original list shall be open for inspection by any qualified elector of the county or ward in which the election district is situated as well as by the person claiming to be registered [and the] The court of common pleas of the proper county or any law judge thereof at chambers on the application of any qualified elector of the ward or county under oath which oath may be made at any time before the day of election shall call the assessor and the complainant before it or him by citation or rule to show cause and shall hear the parties and dispose of the subject in a summary manner as to law and justice shall belong and shall if need be order the assessor to correct the registry accordingly and the said court or judge may enforce such order by attachment as in proceedings for contempt [Provided That nothing contained in this amendment shall be construed as applying to cities of the first and second class but in such cities the said assessor shall be present at the election house of said election district during the two secular days next preceding the day fixed by the third section of this act and perform the duties herein specified]

Section 3 That section three of the said act as amended by the act approved this sixteenth day of May one thousand eight hundred and ninety-five (Pamphlet Laws seventy-five) entitled "An act to amend sections two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the twenty-ninth day of May one thousand eight hundred and ninety-one changing the time and manner of making the registry of voters and the duties of registry assessors" is hereby further amended to read as follows

Section 3 After the [assessments have] registration has been completed [on the sixty-second day before the third Tuesday of February and] on the sixty-second day before the Tuesday next following the first Monday of November in each year and on the sixty-second day before the spring primary in even-numbered years the assessor shall on the following day make a return to the county commissioners of the "Original Registry List" thus revised and completed and the county commissioners shall thereupon proceed to make out [a complete list] duplicate lists in alphabetical order of all persons so returned as registered [taxables] in said election district to be known as the "Ballot Check List" and "Voting Check List" respectively and furnish the same together with the necessary election blank to the officers of the election in such election district on or before seven o'clock in the morning of the election and no [man] one shall be permitted to vote at the election on that day in districts in which personal registration of voters is not required whose name is not on said [list] lists unless he shall make proof of his right to vote as [hereinbefore] required by law "The Original Registry List" as returned to the county commissioners preceding the November election shall be returned by the county commissioners to the assessor before the [first Monday of December which shall be used by said assessor to make his original registry list for December as heretofore provided] sixty-second day before the spring primary in even-numbered years to be revised by him on the sixty-second day before the spring primary and returned as above provided

Section 4 That section ten of the said act as amended by the act approved the sixth day of May one thousand eight hundred and ninety-nine (Pamphlet Laws two hundred fifty-four) entitled "An act to amend the tenth section of an act entitled 'A further supplement to the act regulating elecions in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four" is hereby further amended to read as follows

Section 10 On the day of election any person whose name shall not appear on the registry of voters and who claims the right to vote at said election shall produce at least one qualified voter of the district as a witness to the residence of the claimant in the district in which he claims to be a voter for the the period of at least two months immediately preceding said election which witness shall be sworn or affirmed and subscribe a written or partly written and partly printed affidavit to the facts stated by him which affidavit shall define

clearly where the residence is of the person so claiming to be a voter and the person so claiming the right to vote shall also take and subscribe a written or partly written and partly printed affidavit stating to the best of his knowledge and belief when and where he was born that he has been a citizen of the United States for one month and of the Commonwealth of Pennsylvania that he has resided in the Commonwealth one year or if formerly a qualified elector or a native born citizen thereof and has removed therefrom and returned that he hase resided therein six months next preceding said election that he has resided in the district in which he claims to be a voter for the period of at least two months immediately preceding said election that he has not moved into the district for the purpose of voting therein [that he has if twenty-two years of age or upwards paid a state or county tax within two years which was assessed at least two months and paid at least one month before the election] The [said affidavit shall also state when and where the tax claimed to be paid by the affiant was assessed and when and where and to whom paid and the tax receipt therefor shall be produced for examination unless the] affiant shall state in his affidavit [that is has been lost or destroyed or that he never received any and] if a naturalized citizens [shall also state] when where and by what court he was naturalized and shall also produce his certificate of naturalization for examination [But if the person so claiming the right to vote shall take and subscribe an affidavit that he is a native born citizen of the United States or if born elsewhere shall state the fact in his affidavit and shall produce evidence that he has been naturalized or that he is entitled to citizenship by reason of his father's naturalization and shall further state in his affidavit that he is at the time of making the affidavit of the age of twenty-one and under twenty-two years that he has been a citizen of the United States one month and has resided in the state one year or if a native born citizen of the state and removed therefrom and returned that he has resided there in six months next preceding said election and in the election district two months immediately preceding such election and he shall be entitled to vote although he shall not have paid taxes] The said affidavits of all persons making such claims and the affidavits of the witnesses to their residence shall be preserved by the election board and at the close of the election they shall be enclosed with the list of voters tally lists and other papers required by law to be filed by the return judge with the prothonotary and shall remain on file therewith in the prothonotary's office subject to examination as other election papers are If the election officers shall find that the applicant possesses all the legal qualifications of a voter he shall be permitted to vote and his name shall be added to the ballot check list [of taxables] and voting check list by the election officers the [word "tax"] words "nonregistered voter" being added [where the claimant claims to vote on tax and the word "age" where he claims to vote on age] the same words being added by the clerks in each case respectively on the lists of persons voting at such election Provided That in case any person is allowed to vote at an election who is not registered but makes an affidavit which by reason of the failure to fully observe the requirements of his section is insufficient in any contest growing out of said election it shall be lawful to correct any mistakes or supply any deficiencies in such affidavit so as to show that the said person was in fact a qualified voter but this shall not apply to non-registered voters who make no affidavit or one which makes no attempt to comply with the law

Section 5 That section fifteen of the said act is hereby amended to read as follows

Section 15 At the municipal election to be held [on the third Tuesday of February next] in the year one thousand nine hundred and thirty-five and at the municipal election [annually] biennially thereafter there shall be elected in each election district in the state [as well as in those wherein the registration of voters has heretofore been made by officers appointed and not chosen by the people to perform the duty as in all others] one person as judge and two inspectors in conformity with the general laws of the Commonwealth to conduct the elections for [one year] two years and also [an] at the municipal election to be held in the year one thousand nine hundred and thirty-seven and at the municipal election every four years thereafter there shall be elected in each election district in which personal registration of electors is not required except in townships boroughs and wards of boroughs composing but one election district and in which an assessor for valuation of taxable property is required by law to be elected a registry assessor who shall perform the duties incident to elections as required by the provisions of this act

Section 6 That section eighteen of the said act is hereby amended to read as follows

Section 18 The assessors shall each receive the same compensation for the time necessarily spent in performing the duties hereby enjoined as is provided by law to assessors making valuations to be paid by the county commissioners as in other cases [and it shall not be lawful for any assessor to assess a tax against any person whatever within sixty-one days next preceding the annual election in November any violation of this provision shall be a misdemeanor and subject the officer so offending to a fine on conviction not exceeding one hundred dollars or to imprisonment not exceeding three months or both at the discretion of the court]

Section 7 That section nineteen of the said act is hereby amended to read as follows

Section 19 Any assessor election officer or person appointed as an overseer who shall neglect or refuse to perform any duty enjoined by this act without reasonable or legal cause shall be subject to a penalty of one hundred dollars and if any assessor shall knowingly [assess] register any person as a voter who is not qualified or shall wilfully refuse to [assess] register any one who is qualified he shall be guilty of a misdemeanor in office and on conviction be punished by a fine not exceeding one thousand dollars or imprisonment not exceeding two years or both at the discretion of the court and also be subject to an action for damages by the party aggrieved and if any person shall fraudulently alter add to deface or destroy any list of voters made out as directed by this act or tear down or remove the same from the place where it has been fixed with fraudulent or mischievous intent or for any improper purpose the person so offending shall be guilty of a misdemeanor and on conviction shall be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding two two years or both at the discretion of the court and if any person shall by violence or intimidation drive or attempt to drive from the polls any person or persons appointed by the court to act as overseers of an election or in any way wilfully prevent said overseers from performing the duties enjoined upon them by this act such person shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding two years or both at the discretion of the court Any person who shall on the day of any election visit a polling place in any election district at which he is not entitled to vote and shall use any intimidation or violence for the purpose of preventing any officer of election from performing the duties required of him by law or for the purpose of preventing any qualified voter of such district exercising his right to vote or from exercising his right to challenge any person offering to vote such person shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding two years or both at the discretion of the court [Any clerk overseer or election officer who shall disclose how any elector shall have voted unless required to] [do so as a witness in a judicial proceeding shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding two years or both in the discretion of the court]

Section 8 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requirings bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 125, as follows:

An Act to amend the act approved the fifteenth day of May One Thousand Nine Hundred and Thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to

the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated coporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by providing for establishment maintenance and operation of branch banks branch offices and agencies and by further providing for the powers and limitations upon the facts of corporations and persons authorized to engage in a banking or a fiduciary business or both and of affiliates of such corporations or persons and of officers directors trustees and employees of such corporations and persons.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Sections 2 204 409 513 808 906 1001 1003 1017 1202 1208 and 1506 of the Act approved the fifteenth day of May One Thousand Nine Hundred and Thirty-three (Pamphlet Laws six hunder twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing cretain acts and parts of acts are hereby amended to read as follows.

Section 2 Definintions A The following terms shall be construed in this act to have the following meaning except in those instances where the context clearly indicates otherwise

"Affiliated corporations or persons" means such an affiliate corporation or person as is defined by any Federal law or any regulation issued by any Federal authority pursuant to law to be a corporation or person affiliated with a national banking association or a member of a Federal Reserve Bank whether as a holding company affiliate or otherwise

"Articles" include the original articles of incorporation any or all amendments thereto articles of merger consolidation or conversion and also what have heretofore been designated by law as certificates of incorporation or charters

"Assets" includes all the property and rights of every kind of an institution as herein defined

"Attorney" includes any attorney at law who receives a general retainer as solicitor or as counsel for an institution

"Authorized capital" means the sum of the par value of the shares authorized to be issued in the articles of incorporation or in any amendment thereto

"Bank" includes any bank which does not have the power to act as trustee guardian executor administrator or in other fiduciary capacities incorporated under this act or under the act approved the thirteenth day of May One Thousand Eight Hundred and Seventy-six (Pamphlet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" its amendments and supplements or under any special act of the General Assembly of this Commonwealth

"Bank and Trust Company" includes any bank and trust company incorporated under this act or any bank incorporated under the act approved the thirteenth day of May One Thousand Eight Hundred and Seventy-six (Pamplet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" its amendments and supplements which has acquired the power to act as fiduciary under the act approved the seventeenth day of July One Thousand Nine Hundred and Nineteen (Pamphlet Laws one thousand thirty-two) entitled "An act authorizing banking companies incorporated and organized under the laws of the Commonwealth and having capital stock at least equal to the capital stock which trust companies are required by law to have to act in any fiduciary capacity in which trust companies organized under the laws of the Commonwealth are empowered to act and prescribing the method of acquiring such rights" or any corporation organized "for insurance of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and incumbrances" under the act approved the twenty-ninth day of April One Thousand Eight Hundred and Seventy-four (Pamplete Laws seventy-three) its amendments and supplements and which has acquired the power to engage in the business of banking and to act as fiduciary under the supplement to that act approved the ninth day of May One Thousand Eight Hundred and Eighty-nine (Pamphlet Laws one hundred fifty-nine) or a corporation organized under any special act of the General Assembly of this Commonwealth which has the power to engage in a banking business and to act as fiduciary

"Banking" means discounting and negotiating promissory notes drafts bills of exchange and other evidences of debt receiving money and commercial paper on deposit or for transmission lending money on real or personal security buying and selling gold and silver bullion freign exchange coin or bills of exchange

"Capital" means the sum of the par value of the common shares issued and outstanding

"Corporation" means a corporation or a joint stock association organized under the laws of this Commonwealth of the United States or of any other state territory foreign country or dependency

"Department" means the Department of Banking of this Commonwealth

"Director" includes any individual who is a member of a board of directors board of managers or board of trustees of a bank bank and trust company or trust company

"Incorporator" means a signer of the original articles of incorporation

"Incorporated Institution" includes any bank bank and trust compny savings bank or trust company

"Institution" includes any bank bank and trust company savings bank trust company or private bank

"Net Worth" means the total of all the assets of every kind employed in the business of a private bank less the total of all the liabilities of every kind of such business

"Person" means an individual or an unincorporated association including a partnership a limited partnership or any other form of incorporated enterprise owned by two or more individuals

"Private Bank" means a banking business other than those specifically exempted by this act owned and operated in this Commonwealth by an individual a partnership or any other unincorporated association but this shall not include clubs and hotels which receive money from members and guests for temporary safe-keeping express steamship or telegraph companies which receive money for transmission attorneys at law real estate agents fiscal agents and attorneys in fact who are not engaged in the business of receiving moneys in this Commonwealth for deposit or for transmission but receive and transmit moneys only as an incident to their general business or profession and brokers licensed under the laws of this Commonwealth holding membership in a lawfully constituted brokerage exchange who do and have authority to do only such banking as is incident to their brokerage business.

"Private Banker" means an individual who by himself or as a member of a partnership or other unincorporated association owns or operates a private bank

"Recognized Stock Exchange" means the stock exchange of any city having a population of more than five hundred thousand according to the latest official census

"Savings Bank" includes any savings bank incorporated under this act or under the act approved the twentieth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws

two hundred forty-six) entitled "An act to provide for the incorporation and regulation of savings banks and institutions without capital stock established for the encouragement of saving money" or under any special act of the General Assembly of this Commonwealth

"Shares" means the units into which the shareholders' right to participate in the control of an incorporated institution in its undivided profits or in the distribution of its assets are divided

"Shareholder" means a registered owner of shares in an incorporated institution

"Share Certificate" means a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the corporation or person therein named is the registered owner of the shares thereindescribed It also includes the term "certificate of stock" as used in existing laws

"Trust Company" includes any trust company incorporated under this act or any corporation organized for insurance of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and encumbrances under the act approved the twenty-ninth day of April One Thousand Eight Hundred and Seventy-four (Pamphlet Laws seventy-three) its amendments and supplements and which has acquired the power to engage in the business of banking and acting as a fiduciary under the supplement to the act approved the ninth day of May One Thousand Eight Hundred and Eighty-nine (Pamphlet Laws one hundred fifty-nine) or any other bank and trust company which renounces or has renounced its power to transact a banking business or a corporation organized under any special act of the General Assembly of this Commonwealth which has the power to engage in the banking business and act as a fiduciary but which renounces or has renounced its power to transact a banking business.

"Trustee" includes any individual who is a member of the board of managers or board of trustees of a savings bank

"Written" includes printed typewritten engraved lithographed photographed photostated or telephotographed

B The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 204 Branh Offices and Sub-Agencies A An institution shall not establish maintain or operate either directly or indirectly any branch bank branch office or agency [sub-office sub-agency or branch place of business] within this Commonwealth for the transaction of any part of its business [but all of the business of such institution shall be carried on solely and exclusively at its principal place of business] except as may be permitted by this act

[This section shall not apply to branches sub-offices and sub-agencies established or those for which locations had been purchased or leased by deed recorded or leases actually delivered prior to the first day of March One Thousand Nine Hundred and Twenty-seven or to branches sub-offices and sub-agencies which resulted from mergers or consolidations of institutions effective prior to the first day of April One Thousand Nine Hundred and Twenty-seven and such institutions shall have the right to relocate the same within the corporate limits of the city borough or township in which the principal place of business is located at the time of such relocation provided that such relocation is made with the approval of the department in the manner provided by this act for any removal of the place of business of an institution

This section shall not apply to any institution which has its principal place of business in a city borough or township within this Commonwealth in which one or more national banking associations incorporated under the laws of the United States was on the first day of March one thousand nine hundred and twenty-seven operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business for the transaction of any part of its business and any such institution may hereafter establish subject to the approval of the department and thereafter maintain and operate branch banks branch offices agencies sub-offices sub-agencies and branch places of business for the transaction of any part of its business but only within the corporate limits of the city borough or township in which its principal office is located and in which such national banking association was on the first day of March one thousand nine hundred and twenty-seven operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business The right to establish and maintain branch banks branch offices agencies sub-offices sub-agencies or branch places of business under the provisions of this subsection shall be limited to the territory included within the corporate limits on the first day of March one thousand nine hundred and twenty-seven of the respective cities boroughs or townships in which such national banking associations were on that date operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business and such right shall not extend to additional territory which may after the first day of March one thousand nine hundred and twenty-seven be added to such cities boroughs or townships by annexation consolidation with one or more municipal corporations or otherwise nor shall it extend to other portions or divisions of municipal corporations to which such cities boroughs or townships may be annexed or with which they may be consolidated after that date the intention being to limit to the respective corporate limits such cities boroughs or townships as they existed on the first day of March one thousand nine hundred and twenty-seven the right to establish and maintain the branch banks branch offices agencies sub-offices sub-agencies and branch places of business authorized in this section]

B If the Department of Banking shall determine that the convenience and advantage of the public will be served thereby any institution may in thet manner provided in this section establish one or more branch banks branch offices or agencies for the transaction of any part of its business at any place within this Commonwealth which is not more than fifty miles from the place where the principal office of such institution is located but no such branch bank branch office or agency shall be established in any community where in the opinion of the Department other adequate banking facilities are in existence and are being maintained and operated at the time it is prosposed to establish such branch bank branch office or agency unless the establishment of such branch bank branch office or agency shall be in pursuance of a plan of merger or consolidation under the provisions of this act with another institution doing business in such a community

C In the case of a private bank which desires to establish a branch bank branch office or agency the prior written permission of the Department shall be obtained in the manner provided by this act for obtaining a new certificate of authorization In the case of an incorporated institution desiring to establish a branch bank branch office or agency the institution shall file in the manner provided by this act articles of amendment to its articles of incorporation or articles of merger or consolidation as the case may be setting forth particularly the location of such bank branch office or agency as well as all such other information as may be required by this act

D If any incorporated institution shall establish any branch bank branch office or agency as permitted by this section the minimum capital and surplus of such insitution shall be at least equal to the aggregate minimum capital and surplus required by this act for the establishment of a separate incorporated institution in each place where the institution and its branches are located

E Any institution may continue to maintain and operate any branch bank branch office or agency [sub-office sub-agency or branch place of business] lawfully established by such institution

F.Any institution may in the manner provided by this [act] section [for an amendemnt to its articles] establish a branch bank branch office or agency [sub-office sub-agency or branch place of business] at any place within this Commonwealth where at the time such institution proposes to establish such branch bank branch office or agency [sub-office sub-agency branch place of business] any national banking association having its principal office [in the same county] at the same place as [that in which the principal office of the] such institution [proposing to take such action is located] would have the power under the laws of the United States now or hereafter enacted to establish a branch bank branch office or agency [sub-office sub-agency or branch place of business] of such national banking association.

Section 409 Issuance of Fractional Shares or Scrip A bank a bank and trust company or a trust company may in paying a dividend or in pursuance of a plan of merger [or] consolidation or reorganization issue a certificate for a fractional share and by action of its board of directors may issue

in lieu thereof scrip or other evidence of ownership which shall entitle the holder to receive a certificate for a full share upon the surrender of such scrip or other evidence of ownership aggregating a full share but for which shall not entitle the holder to exercise any voting right or to receive any dividend However any such holder shall be entitled to participate proportionately in any of the assets of the bank bank and trust company or trust company in the event of liquidation The board of directors may cause such scrip or evidence of ownership to be issued subject to the condition that it shall become void if not exchanged for share certificates before a specified date or subject to the condition that the shares for which such scrip or evidence of ownership is exchangeable may be sold by the bank the bank and trust company or the trust company and the proceeds thereof distributed to the holders of such scrip or other evidence of ownership or subject to any other conditions not prohibited by this act which the board of directors may deem advisable

Section 513 Bonds of Officers and Employees A The officers and employees of every institution as well as any director or trustee of an incorporated institution who is authorized to receive payments of moneys or to handle negotiable securities on behalf of such incorporated institution shall before entering upon the performance of their duties furnish to it bonds in such amount as is specified with such surety as is approved in the case of an incorporated institution by the directors or trustees and in the case of a private bank by the private banker or bankers Such bond shall be conditioned [upon the faithful performance of the duties] to indemnify the institution against loss resulting from any dishonest act of such officers directors trustees or employees The cost of such bonds may be paid by the institution.

B The Departments shall have the power to require any such officer director trustee or employee at any time during his term of office or employment to furnish a bond in an amount greater than that required by the board of directors or trustees of the incorporated institution or by the private banker or bankers as the case may be or it may require new or additional surety

Section 808 Approval of Articles of Amendment by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles of amendment from the Department of State conduct such examination as it may deem necessary to ascertain from the best sources of information at its command whether such amendment or amendments will be lawful not injurious to the community and in accordance with the purposes of the articles of incorporation The costs of such examination and any other charges of the Department of Banking bearing upon the filing of articles of amendment shall be assessed upon the incorporated institution in the manner provided by law or assessments by the Department of Banking of costs of examinations or other charges

B Within thirty days after the receipt of the articles of amendment from the Department of State the Department of Banking shall upon bases of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action It if shall approve the articles of amendment it shall endorse its approval thereon and shall return them to the Department of State [If the purpose of the amendment is to establish a branch bank branch office agency sub-office sub-agency or branch place of business and if the Department of Banking shall approve such amendment any person aggrieved by the action of the Department of Banking in approving the articles of amendment my appeal to the court of common pleas of the county in which it is proposed to establish such branch bank branch office agency sub-office sub-agency or branch place of business The court shall hear such appeal promptly and shall decide the matter upon its merits The court shall send to the Department of Banking certified copy of its order]

C If the Department of Banking disapproves the articles of amendment it shall return them to the Department of State stating in detail its reasons for doing so The Deparment of State shall immediately give notice to the incorporated institution of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The decision of the Department of Banking [in disapproving any articles of amendment] shall be conclusive and not subject to any review

Section 906 Deposits with Other Corporations or Persons Authorize to Receive Deposits Reserve Agents A Except as otherwise specifically provided in this act any institution may deposit any of its funds in any other institution national banking association or any corporation or person [doing business in another state] authorized by [the laws of such other state] law to receive deposits and subject to the supervision of the banking authorities of [such other state] the United States of the State in which such corporation or person transacts business but an incorporated institution shall not deposit any of its funds in such other institution national banking association or corporation or person unless it has been designated as a depository by a majority of all the members of the board of directors or of the board of trustees as the case may be of the depositing incorporated institution

B An institution shall not have on deposit at any one time with any other institution national banking association or other corporation or person [doing business in another state authorized by the laws of such other state to receive deposits and subject to the supervision of the banking authorities of such other state] an amount in excess of ten per centum of the unimpaired capital plus ten per centum of the unimpaired surplus of the depositing institution if a bank or a bank and trust company or an amount in excess of ten per centum of its trust company or an amount in excess of ten per cent of its unimpaired surplus if a savings bank or an amount in excess of ten per centum of its net worth if a private bank unless such other institution national banking association or other corporation or person has been duly approved for this purpose by the department

C A Director of a bank a bank and trust company or a trust company or a trustee of a savings bank shall not have a vote in designating as a depository any institution national banking association or other corporation or person of which he is an officer or director or if the proposed depository is a private bank of which he is one of the owners or if it is an incorporated institution a national banking association or any other corporation of which he owns five per centum or more of the shares of its capital

D A reserve agent of an institution for the purposes of this act shall be any institution national banking association or corporation or person designated as a depository of such institution in the manner provided by this act and approved by the department as a depository for any moneys of such institution which are part of the reserve fund against deposits and demand liabilities as defined herein which is required by this act to be established and maintained by such institution

Section 908 Reserve Fund against Deposits and Demand Liabilities A Every bank bank and trust company or private bank shall establish and maintain a reserve fund in an amount equal to at least fifteen per centum of the total of its net demand deposits and net demand ialibilities plus seven and one-half per centum of its total net time deposits as herein defined

B Except in the case of a savings bank the term "demand deposits" shall be construed to refer to all deposits payment of which can legally be required on demand or within any period less than thirty days after demand

The term "demand liabilities" shall be construed to refer to all obligations of the institution other than deposits payment of which can legally be required on demand

Except in the case of a savings bank the term "time deposits" shall be construed to refer to all deposits payment of which cannot legally be required within thirty days

C Except in the case of a savings bank the total of such reserve fund may and at least one-third [thereof] of the reserve fund against demand deposits and demand liabilities shall consist of gold bullion gold coin United States gold or silver certificates notes or bills issued by any national banking association or Federal reserve bank or any other form of currency of the United States and be kept on hand at the place of business of the institution unpledged unassigned and unhypothecated

One-third of such reserve fund may consist of bonds or other interest-bearing obligations of the United States the Commonwealth of Pennsylvania or any political subdivision thereof Such bonds while being carried in the reserve fund shall be computed at their current market value They shall be the absolute property of the institution and shall not be pledged assigned or hypothecated in any manner whatsoever

[The balance of such reserve fund or any] Any part [thereof but] of such reserve fund not [exceeding two-thirds of the total reserve fund] required to consist of gold bullion gold coin or any form of currency kept on hand at the place of business of the institution may consist of an actual net balance of moneys on deposit subject to call without notice in any reserve agent as hereinbefore defined

D Every savings bank shall establish and maintain a reserve fund in an amount equal to at least seven and one-half per centum of the total of its net deposits

E In the case of savings banks the total of such reserve fund may and at least two-thirds thereof shall consist of gold bullion gold coin United States gold or silver certificates notes or bills issued by any national banking association or Federal reserve bank or any other form of currency of the United States kept on hand at the place of business of the institution unpledged unassigned and unhypothecated or an actual net balance of moneys on deposit subject to call without notice in any reserve agent as hereinbefore defined

The balance of such reserve fund may consist of bonds or other interest-bearing obligations of the United States the Commonwealth of Pennsylvania or any political subdivision thereof Such bonds while being carried in the reserve fund shall be computed at their current market value They shall be the absolute property of the institution and shall not be pledged assigned or hypothecated in any manner whatsoever

Section 1001 Powers of Banks Bank and Trust Companies or Trust Companies A In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a bank or a bank and trust company elsewhere in this act a bank or a bank and trust company shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To receive money on deposit and to pay interest thereon

(2) To receive money for transmission either to a foreign country or otherwise

(3) To rediscount and borrow money bonds or other securities and to pledge collateral therefor

(4) To lend money either upon the security of real or person property or otherwise to charge or to receive in advance interest therefor

(5) To discount buy sell negotiate or assign promissory notes drafts bills of exchange trade and bank acceptances stocks bonds or other evidences of debt

(6) To buy and sell exchange coin and bullion

(7) To purchase hold or convey real property

(8) To improve or to lease real property for its accommodation

(9) To accept for payment at a future date drafts or bills of exchange drawn upon it

(10) To issue letters of credit authorizing the holders thereof to draw drafts or bills of exchange upon it or its correspondents

(11) To become a member of a Federal Reserve Bank

(12) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(13) To invest in the shares of an institution engaged in a foreign banking business

(14) To become a member of a clearing house association and to pledge such assets therewith as will qualify it for membership therein

(15) To establish branch banks branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(16) To become a member of the Federal Deposit Insurance Corporation in accordance with the provisions of the Federal "Banking Act of one thousand nine hundred and thirty-three" approved the sixteenth day of June one thousand nine hundred and thirty-three its amendments and supplements or of any other corporation hereafter organized by the United States for the purpose of insuring deposits in banks or bank and trust companies and to purchase and hold so much of the capital of the Federal Deposit Insurance Corporation or of such other corporation as will qualify it for membership therein

B In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a trust company elsewhere in this act a trust company shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To purchase hold or convey real property

(2) To improve or to lease real property for its accommodation

(3) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(4) To establish branch trust companies branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(5) To make any investments subject to the same limitations as in the case of savings banks incorporated hereunder including such investments as are specifically authorized by its articles

Section 1003 Interest on Deposits A A bank or a bank and trust company shall have the power to credit and pay on all deposits such interest as may be established from time to time by agreement or regulation Such interest shall be paid to the respective depositors or credited to their accounts at least annually and in the case of certificates of deposit interest shall be paid or accrued a least annually

B A bank or a bank and trust company shall not credit or pay any interest on any deposit for a longer period than it has been deposited with the bank or bank and trust company except that deposits made not later than the fifth business day of the month or deposits withdrawn upon one of the last three business days of the month ending any annual semi-annual or quarterly interest period may have interest declared upon them for the whole of the period or month in which they were so deposited or withdrawn It shall also be lawful for deposit accounts closed between interest periods to be credited with interest computed from the last interest period to the date when closed

Section 1017 Protection against Loss on Previous Loan or Investment The restrictions imposed by this act shall not be construed to prevent a bank or a bank and trust company in order to protect itself from loss upon a loan or investment previously made lawfully and in good faith from acquiring ownership of or otherwise taking and holding any kind of property or security whether real or personal Except as otherwise provided by this act any property so acquired unless of the character and nature by this act authorized to be purchased or held by such bank or bank and trust company shall be sold by it within five years but the department may upon application of a bank or bank and trust company grant to it in writing the power to hold such property for a longer period

Section 1202 Powers of Savings Banks In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a savings bank elsewhere in this act a savings bank shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To receive money on deposit and pay interest thereon

(2) To receive money for transmission to a foreign country or otherwise and to forward such money through any bank bank and trust company private bank national banking association or any other corporation or person authorized by the laws of any state to receive deposits and subject to the supervision of the banking authorities of such state

(3) To borrow money to repay the demands of depositors and to pledge its assets therefor

(4) To make investments

(5) To lend money upon the security of real or personal property and to charge or to receive in advance interest therefor

(6) To purchase hold or convey real property

(7) To improve or to lease real property for its accommodation

(8) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(9) To establish branch savings banks branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(10) To become a member of a Federal Reserve Bank and for such purpose to purchase and hold so much of the capital of such Federal Reserve Bank as will under any Federal law qualify it for membership therein

(11) To become a member of the Federal Deposit Insurance Corporation in accordance with the provisions of the Federal "Banking Act of one thousand nine hundred thirty-three" approved the sixteenth day of June one thousand nine hundred thirty-three its amendments and supplements or of any other corporation hereafter organized by the United States for the purpose of insuring deposits in savings banks and to purchase and hold so much of the capital of the Federal Deposit Insurance Corporation or of such other corporation as will qualify it for membership therein

Section 1208. Authorized Investments of Savings Banks Not Under Special Charter A Except as otherwise specifically provided in this act a savings bank other than a savings bank organized under a special act of the General Assembly shall not make any investments except as follows

(1) Bonds or other interest-bearing obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged including the bonds or other interest-bearing obligations of the District of Columbia

(2) Farm loan bonds issued by Federal land banks operating under the provisions of the Federal Farm Loan Act approved the seventeenth day of July one thousand nine hundred sixteen its amendments and supplements

(3) Bonds issued by the Home Owners' Loan Corporation under the provisions of the Federal "Home Owners' Loan Act of one thousand nine hundred thirty-three" approved the thirteeth day of June one thousand nine hundred thirty-three its amendments and supplements

[(3)] (4) Bonds or other interest-bearing obligations of the Commonwealth of Pennsylvania or of any state of the United States or those for the payment of the principal and interest on which the faith and credit of this Commonwealth or of such state is pledged provided that it has not at any time within the ten years immediately preceding the date of the purchase of such bonds or other obligations by the savings bank defaulted in the payment of any part of any principal or interest due by it

[(4)] (5) Bonds or other interest-bearing obligations of any county city borough township school district or other political subdivision of the Commonwealth of Pennsylvania or of any city borough township school district or other political subdivision of any state of the United States or those for the payment of the principal and interest on which the faith and credit of such political subdivisions is pledged provided that it has not within the ten years immediately preceding the date of the purchase of such bonds or other obligations by the savings bank defaulted in the payment of any part of any principal or interest due by it

[(5)] (6) Obligations issued assumed or guaranteed as to principal and interest by or equipment bonds of any railroad corporation whether incorporate under the laws of this Commonwealth of any other state or of the Dominion of Canada provided that such railroad corporation has not at any time within the five years immediately preceding the date of the investment in such obligations or bonds by the savings bank failed punctually to pay the matured principal and interest on all of its indebtedness

[(6)] (7) The bonds of any corporation whether incorporated under the laws of the United States of any other state or of the District of Columbia which transacts the business of supplying electrical energy artificial gas or natural gas purchased from another corporation and supplied in substitution for or in mixture with artificial gas for light heat power and other purposes or which transacts any two or all of such businesses but at least seventy-five per centum of the gross operating revenues of such corporation shall be derived from such business and not more than fifteen per centum of the gross operating revenues shall be derived from any one kind of business other than supplying electricity and gas and such corporation shall be subject to regulation by a public service commission a public utility commission or any other similar regulatory body duly established by the laws of the United States or of any state in which such corporation operates subject to the following conditions

(a) Such corporation shall have all the franchises necesary to operate in territory in which at least seventy-five per centum of its gross income is earned which franchises shall either be made intermediate permits of or agreements with or subject to the jurisdiction of a public service commission or other duly constituted regulatory body or shall extend at least five years beyond the maturity of such bond and such corporation shal file with the department and make public in each year a statement and a report giving the income account covering the previous fiscal year and a balance sheet showing in reasonable detail the assets and liabilities at the end of the year

(b) The outstanding full-paid capital stock of such corporation shall at the time of such investment be equal to at least two-thirds of the total debt secured by mortgage liens on any part or all of its property but in the case of a corporation having non-par value shares the amount of capital which such shares represent shall be the capital as shown by the books of the corporation

(c) Such corporation shall have been in existence for a period of not less than eight fiscal years and at no time within such period of eight fiscal years immediately preceding the date of such investment shall such corporation have failed to pay promptly and regularly the matured principal and interest of all its indebtedness direct assumed or guaranteed but the period of life of the corporation together with the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation merger or purchase shall be considered together in determining such required period

(d) For period of five fiscal years immediately preceding such investment the net earnings of such corporation shall have averaged per year not less than twice the average annual interest charges on its total funded debt applicable to that period and for the last fiscal year preceding such investment such net earnings shall have been not less than twice the interest charges for a full year on its total funded debt outstanding at the time of such investment and for such period the gross operating revenues of any such corporation shall have averaged per year not less than one million dollars and such corporation shall have for each such year either earned an amount available for dividends or paid an amount in dividends equal to four per centum upon a sum equivalent to two-thirds of its funded debt

(e) In determining the qualifications of any bond under this clause where a corporation shall have acquired its property or any substantial part thereof within the five years immediately preceding the date of such investment by consolidation or by merger or by the purchase of all or a substantial portion of the property of any other corporation or corporations the gross operating revenues net earnings and interest charges of the several predecessor constituent corporations shall be consolidated and adjusted so as to ascertain whether the requirements of the paragraph immediately preceding this one as to net and gross nearings and as to dividends have been complied with

(f) The gross operating revenues and expenses of a corporation for the purpose of this clause shall be respectively the total amount earned from the operation of and the total expense of maintaining and operating all property owned and operated by or leased and operated by such corporation as determined by the system of accounts prescribed by the public service commission or public utility commission or other similar regulatory body having jurisdiction in the matter The gross operating revenue and expenses as defined above of subsidiary companies may be included provided that all the mortgage bonds and a controlling interest in shares of such subsidiary companies are pledged as part of the security for the mortgage debt of the principal company

The net earnings of any corporation for the purpose of this clause shall be the balance obtained by deducting from its gross operating revenues its operating and maintenance expenses taxes other than Federal and State income taxes rentals and provision for renewals and retirements of the physical assets of the corporation and by adding to such balance its income from securities and miscellaneous sources but not however exceeding fifteen per centum of such balance

(g) Such bonds must be part of an issue of not less than one million dollars and must be mortgage bonds secured by a first or refunding mortgage secured by property

owned and operated by the corporation issuing or assuming them or must be underlying mortgage bonds secured by property owned and operated by the corporations issuing or assuming them but such bonds shall be refunded by a junior mortgage providing for their retirement the bonds under such junior mortgage shall comply with the requirements of this section and such underlying mortgage shall be either a closed mortgage or shall remain open solely for the issue of additional bonds which are to be pledged under such junior mortgage The aggregate principal amount of bonds secured by such first or refunding mortgage plus the principal amount of all the underlying outstanding bonds shall not exceed sixty per centum of the value of the physical property owned as shown by the books of the corporation and subject to the lien of such mortgage or mortgages securing the total mortgage debt However if such mortgage is a refunding mortgage it must provide for the retirement on or before the date of their maturity of all bonds secured by prior liens on the property

(h) The term funded debt shall be construed to mean all interest-bearing debts maturing more than one year from date of issue

[(7)] (8) The bonds of any corporation whether incorporated under the laws of the United States of any other state or of the District of Columbia which engages and is authorized to engage in the business of furnishing telephone service in the United States provided that such corporation is subject to regulation by the interstate commerce commission a public service commission a public utility commission or any other similar Federal or Stae regulatory body duly established by the laws of the United States or by the laws of any state in which such corporation operates subject to the following conditions

(a) Such corporation shall have been in existence for a period of not less than eight fiscal years and at no time within such period of eight fiscal years immediately preceding the date of such investment shall such corporation have failed to pay promptly and regularly the matured principal and interest of all its indebtedness direct assumed or guaranteed but the period of life of the corporation together with the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation merger or purchase shall be considered together in determining the required period of such corporation shall file with the department and make public in each year a statement and a report giving the income account covering the previous fiscal year and a balance sheet showing in reasonable detail the assets and liabilities at the end of the year

(b) The outstanding full-paid capital stock of such corporation shall at the time of such investment be equal to at least two-thirds of the total debt secured by mortgage liens on any part or all of its property

(c) For a period of five fiscal years immediately preceding such investment the net earnings of such corporation shall have averaged per year not less than twice the average annual interest charges on its total funded debt applicable to that period and for the last fiscal year preceding such investment such net earnings shall have been not less than twice the interest charges for a full year on its total funded debt outstanding at the time of such investment and for such period the gross operating revenues of any such corporation shall have averaged per year not less than five million dollars and such corporation shall have for each such year either earned an amount available for dividends or paid an amount in dividends equal to four per centum upon all its outstanding capital stock

(d) Such bonds must be part of an issue of not less than five million dollars and must be secured by a first or refunding mortgage and the aggregate principal amount of bonds secured thereby plus the principal amount of all underlying outstanding bonds shall not exceed sixty per centum of the value of the property real and personal owned absolutely and subject to the lien of such mortgage However if such mortgage is a refunding mortgage it must provide for the retirement of all bonds secured by prior liens on the property Not more than thirty-three and one-third per centum of the property constituting the specific security for such bonds may consist of shares or unsecured obligations of affilated or other telephone companies or both

(e) In determining the qualifications of any bond under this clause where a corporation shall have acquired its property or any substantial part thereof within five years immediately preceding the date of such investment by consolidation by merger or by the purchase of all or a substantial portions of the property of any other corporation or corporations the gross operating revenues net earnings and interest charges of the several predecessor or constituent corporations shall be consolidated and adjusted so as to ascertain whether the requirements of this clause as to earnings and dividends have been complied with

(f) The gross operating revenues and expenses of a corporation for the purpose of this clause shall be respectively the total amount earned from the operation of and the total expense of maintaining and operating all property owned and operated by or leased and operated by such corporation as determined by the system of accounts prescribed by the interstate commerce commission or the public service commission or the public utility commission or any other similar Federal or State regulatory body having jurisdiction in the matter

(g) The net earnings of any corporation for the purpose of this clause shall be the balance obtained by deducting from its gross operating revenues its operating and maintenance expenses provision for depreciation of the physical assets of the corporation taxes other than Federal and State income taxes rentals and miscellaneous charges and by adding to such balance its income from securities and miscellaneous sources but not however to exceed fifteen per centum of such balance

(h) The term funded debt shall be construed to mean all interest-bearing debts maturing more than one year from date of issue

[(8)] (9) Bonds secured by mortgages which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years unless amortized in equal annual installments over a period not exceeding fifteen years Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of the savings bank by the mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the savings bank making the investment It shall be lawful for a savings bank to renew such policies at the expense of such mortgagor from year to year or for a longer or shorter period not however exceeding the term of the bond in case the mortgagor shall fail to do so All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such mortgagor In the event that the mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so mortgaged All expenses of searchers examinations certificates of titles or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the savings bank.

B A savings bank other than a savings bank organized under a special act of the General Assembly may make such additional investments as are authorized by its articles but it shall not purchase or invest in bonds secured by mortgage upon real property other than such as are expressly authorized by this act nor shall it invest in the shares of capital of any corporation whatsoever except a Federal Reserve Bank

Section 1506 Prohibition upon Corporations Acting as Fiduciary Penalty A The only corporations organized under the laws of this Commonwealth which shall have authority to act in this Commonwealth as trustees guardians executors administrators or in any similar fiduciary capacity shall be bank and trust companies and trust companies

B A corporation organized under the laws of any state of the United States other than Pennsylvania shall not have authority to act in this Commonwealth as trustee guardian executor administrator or in any other similar fiduciary capacity unless it shall be appointed such fiduciary by any last will and testament or codicil thereto or other testamentary writing or by deed of trust inter vivos or by any court of register of wills of this Commonwealth and unless the laws of such other state confer like powers upon corporations organized under the laws of this Commonwealth but such corporations organized under the laws of another state shall be required to give such bond or other security as shall be deemed adequate by the court or register of wills in the Commonwealth having jurisdiction over the estate of which the corporation is acting as trustee guardian executor administrator or similar fiduciary

C The provisions of this section shall not be construed to permit a corporation organized under the laws of any other state other than this Commonwealth to establish in this Commonwealth a place of business for the conducting of the business of acting as fiduciary

D The provisions of this section shall not apply to any nonprofit corporation nor shall they be construed to prevent any court or testator from appointing any corporation as trustee to execute a trust for its own use within the purposes of such corporation or to prevent any corporation from liquidating and winding-up the business and affairs of another corporation other than a bank a bank and trust company or a trust company for the benefit of the creditors and shareholders of such other corporation

E Any national banking association having authority under the laws of the United States to act as trustee guardian executor administrator or similar fiduciary shall upon the adoption by its board of directors of a resolution agreeing to place its trust department under the supervision of the Department of Banking and upon the transmission of a certified copy of such resolution to the Department of Banking be authorized to act as such fiduciary in this Commonwealth

F Any corporation whether organized under the laws of this Commonwealth or of any other state which violates the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding five thousand dollars

Section 2 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 3 This act shall become effective immediately upon it approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. SHAPIRO. Mr. President, I move that Senate Bill No. 125, the bill just read, be recommitted to the Committee on Banks and Building and Loan Asosciations

Mr. BRANDT. Mr. President, I second the motion

The motion was agreed to.

Argeeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 126, as follows:

An Act to amend sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" by further limiting the exemption of certain private bankers and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Depjartment Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departmente commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts or parts of acts" are hereby amended to read as follows

Section 15 Act Not Applicable to Small Loan Companies and Certain Private Banks

A This act does not apply to and does not affect any act relating to corporations and persons licensed by the department to make small loans as provided by the act approved the seventeenth day of June one thousand nine hundred fifteen (Pamphlet Laws one thousand twelve) entitled "An act regulating the business of loaning money in sums of three hundred ($300.00) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rate of interest and charges therefore requiring the licensing of lenders and prescribing penalties for the violation of this act" its amendments and supplements

B This act does not apply to any individual partnership or unincorporated association engaged in business as a private banker or private bankers if such individual partnership or unincorporated association and his or their predecessors or one or more of the members thereof have continuously and in the same locality conducted the business since a date not less than seven years prior to the nineteenth day of June one thousand nine hundred eleven and if such individual partnership or unincorporated association on or before the sixteenth day of June one thousand nine hundred and thirty-four and continuously thereafter shall submit to periodic examination by the Comptroller of the Currency or by the Federal Reserve Bank of the district in which he or they are located and shall make and publish periodic reports of his or their condition exhibiting in detail his or their resources and liabilities such examination and reports to be made and published at the same times and in the same manner as are provided by Section twenty-one of the Federal "Banking Act of one thousand nine hundred and thirty-three' approved the sixteenth day of June one thousand nine hundred and thirty-three its amendments and supplements

Section 105 Advance Payments of Dividends to Depositors [After the expiration of the period fixed by the secretary pursuant to the provisions of this act for the presentation of claims he] After filing a supplement to the certificate of possession setting forth his determination to liquidate the affairs of the institution the secretary may without leave of court and without filing an account make an advance payment of a dividend to all depositors the amounts of whose claims as they appear upon the books or other records of the institutions are undisputed The dividend shall be calculated as if the claim of all other depositors as they appear upon the books or other records of the institution and the claims of all creditors or other corporations or persons who assert priority over or parity with depositors in the order of distribution of the assets were valid and uncontested

However the secretary shall not make such an advance payment of a dividend to any depositor until he shall have set aside an amount sufficient to pay in full the claims of all creditors or other corporations or persons asserting or entitled to priority over depositors in the order of distribution and to pay the proportionate dividend on the accounts claimed by the other depositors and by any creditors or other corporations or persons who are entitled to or who claim parity with depositors in the order of distribution provided for by law. He shall likewise set aside before making such advance payment such amount as he shall deem necessary for the expenses of administration of the institution by him as receiver

Section 2 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 3 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the second time and agreed to

Ordered To be transcribed for a third reading

Mr. SHAPIRO. Mr. President I move that Senate Bill No. 126, the bill just read be recommitted to the Committee on Banks and Building and Loans Associations

Mr. SARDONI. Mr. President I second the motion

The motion was agreed to

MOTION TO RECONSIDER SENATE BILL No. 115

Mr. SCOTT. Mr. President I move to reconsider the vote by which Senate Bill No. 115, entitled:

An Act authorizing counties cities boroughs townships incorporated towns and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding and limiting any compensation payable therefor

passed second reading.

An Act authorizing counties cities boroughs townships incorporated towns and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding and limiting any compensation payable therefor

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. SCOTT. Mr. President, I voted "aye".

Mr. ARON. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. ARON. Mr. President, I voted "aye"

The motion was agreed to

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 115.

And the question recurring,

Will the Senate agree to transcribe the bill for a third reading?

Mr. SCOTT. Mr. President, I move to reconsider the vote by which the Senate agreed to the bill on second reading.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. SCOTT. Mr. President, I move to reconsider the vote by which the title of the bill was agreed to.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the title?

The fourth, third and second sections of the bill were separately reconsidered.

And the question recurring,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to reconsider the vote by which the first section of the bill was agreed to.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

The first section of the bill was read as follows:

Section 1. Bt it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any county city borough incorporated town township or school district of this Commonwealth shall have issued bonds which have matured and remain unpaid or which shall hereafter mature it shall be lawful for such county city borough incorporated town township or school district for the purpose of refunding or retiring such outstanding bonds at maturity to issue new bonds bearing interest not exceeding six per centum (6%) per annum and payable not more than twenty years from the date thereof and to exchange such new bonds for such outstanding bonds Provided however That the face value of the new bonds so authorized to be exchanged shall not exceed the face value of the outstanding bonds to be refunded or retired And provided further That such municipality shall not pay any compensation or commission for obtaining such exchanges in excess of one per centum (1%) of the face value of any new bonds actually exchanged as aforesaid

And the question recurring,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1, page 1, line 5, by inserting after the syllable "ship" and before the word "or" the following: "poor district"; also line 8, by inserting after the word "township" and before the word "or" the following: "poor district."

Mr. ARON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second, third and fourth sections were read as follows and agreed to:

Section 2 The provisions of any other law regulating the manner of the sale or offering for sale of bonds of any municipal subdivision and especially any law requiring sale

of bonds for cash and by public bidding shall not apply to any bonds exchanged under the provision of this act

Section 3 Nothing in this act shall be construed as compelling any holder or holders of outstanding bonds of any municipality of this Commonwealth to surrender the same in exchange for new bonds

Section 4 This act shall become effective immediately upon its approval by the Governor

The title of the bill was read as follows:

An Ace authorizing counties cities boroughs townships incorporated towns and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding and limiting any compensation payable therefor

And the question recurring,

Will the Senate agree to the title?

Mr. SCOTT. Mr. President, I move to amend the title page 1, line 2, by inserting after the word "towns" and before the word "and" the following: "poor districts."

Mr. ARON. Mr. President, I second the motion

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bi having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 41 entitled:

An Act making an appropriation for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three

House Bill No. 88 entitled:

An Act making an appropriation out of the General Fund to the Pennsylvania Alcohol Permit Board for the administration and enforcement of the Pennsylvania Liquor Control Act, including the establishment, operation, maintenance and equipment of Pennsylvania Liquor Stores, and places for the storing and testing of liquors, and providing for the partial reimbursement of the General Fund by making an appropriation from The State Stores Fund, to be transferred in installments to the General Fund.

House Bill No. 55 entitled:

An Act making an appropriation out of The State Stores Fund to the State Emergency Relief Board, for direct relief, work relief and expenses; defining the purposes for which such moneys may be expended; providing for the audit of such expenditures; and the prescribing the powers and duties of the State Emergency Relief Board and of certain State departments.

House Bill No. 87 entitled:

An Act appropriating the moneys in The State Stores Fund.

Whereupon,

The PRESIDENT (Lieutenant Governor Edward C. Shannon) in the presence of the Senate signed the same.

BILL RECOMMITTED

Mr. SHAPIRO. Mr. President, I move that Senate Bill No. 39, on second reading, entitled:

An Act to amend sections fifteen two hundred one and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State department commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" by extending its provisions to all private bankers and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision

be recommitted to the Committee on Banks and Building and Loan Associations.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

ANNOUNCEMENT OF COMMITTEE MEETINGS

The PRESIDENT. There will be a meeting of the Committee on Judiciary General immediately after the recess, within a few minutes, in the room to the left. Senator Ealy, chairman.

The meeting of the Committee on Judiciary General will be followed by a meeting of the Committee on Public Roads and Highways, in the same room. Senator Gelder, chairman.

A meeting of the Committee on Appropriations will follow the meeting of the Committee on Public Roads and Highways Senator Bell chairman.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until 8 o'clock.

Mr. FAY. Mr. President, I second the motion

The motion was agreed to

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. HOMSHER. Mr. President, I ask unamnious consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 10, entitled:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon, and making an appropriation.

Mr. BRANDT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BRANDT, from the Committee on Appropriations, reported as committed, Senate Bill No. 134 (House Bill No. 192), entitled:

An Act making appropriations to the Department of Welfare for pensions for the blind and for the administration of the distribution of such pensions.

Mr. EALY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY, from the Committee on Judiciary General, reported as committed, Senate Bill No. 47, entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 73, entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 75, entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of the liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 77, entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 118, entitled:

An Act to protect the owners of mortgaged property during the present emergency; restricting the right to proceed on mortgage bonds and the amounts recoverable thereon during a certain period.

Mr. WILLIAMSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WILLIAMSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 74, entitled:

An Act to amend section three hundred fifteen of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An act defining the libility of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing precedure for the determination of liability and compensation thereunder" as amended by extending the period within which claims can be made.

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Judiciary General, reported as committed, Senate Bill No. 71, entitled:

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by payment has been made.

ACTING PRESIDENT PRO TEMPORE (Mr. John G. Homsher) in the Chair.

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, reported as committed, Senate Bill No. 87 (House Bill No. 74), entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years begining June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," by making additional appropriations to the Executive and Judicial Departments of the Commonwealth.

Also, from the Committee on Appropriations. reported as committed, Senate Bill No. 132 (House Bill No. 169), entitled:

An Act authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium placing the sanatorium upon completion under the jurisdiction and control of the Department of Health and making an appropriation.

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Public Roads nad Highways, re-reported as amended, Senate Bill No. 27, entitled:

An Act providing for the construction of a tunnel or tunnels between the State of New Jersey and the Commonwealth of Pennsylvania under the Delaware River and the issuance of permits therefor.

Mr. GELDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Public Roads and Highways reported as amended, Senate Bill No. 110 (House Bill No. 102), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges; defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; providing for the payment of interest on, and the redemption of, such bonds; and making an appropriation.

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Public Roads and Highways reported as amended, Senate Bill No. 111 (House Bill No. 193), entitled:

An Act to amend sections two nine and eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred ninety-five) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" by providing for the purchase of such toll bridges wholly within the Commonwealth out of the Toll Bridge Fund the construction maintenance and repair of such bridges by the Department of Highways and further regulating the collection of tolls and reimbursing the Commonwealth for the cost of acquiring such bridges and making an appropriation.

MOTION TO READ BILLS THE FIRST TIME

Mr. SCOTT. Mr. President, I move all bills reported from committees at today's session be read the first time.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 47, entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 71, entitled:

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 73, entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 74, entitled:

An Act to amend section three hundred fifteen of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the period within which claims can be made.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 75, entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of the liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 77, entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the action of the board.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 87 (House Bill No. 74), entitled:

A Supplement to act number three hundred-A approved the third day of June one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine) entitled "An act to

provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to the Executive and Judicial Departments of the Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 98, entitled:

An Act to amend sections ten and fourteen of the act approved the twelfth day of July, one thousand nine hundred thirteen (Pamphlet Laws, seven hundred nineteen), entitled "An act regulating certain political parties: providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National Party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expense of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses p rovided for herein; and repealing inconsistent legislation", as variously amended, by substituting additional copies of the general return sheet for the triplicate party return sheets in the preparation for, conduct of, and returning, canvassing and computing the vote cast at primary elections, regulating the form of the numbered lists of voters regulating the duties of election officers in calling and tabulating the votes, and regulating return board procedure.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 110 (House Bill No. 102), entitled:

An Act authorizing the issuance and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 111 (House Bill No. 103), entitled:

An Act to amend sections two nine and eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred ninety-five) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" by providing for the purchase of such toll bridges wholly within the Commonwealth out of the Toll Bridge Fund the construction maintenance and repair of such bridges by the Department of Highways and further regulating the collection of tolls and reimbursing the Commonwealth for the cost of acquiring such bridges and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for a second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 118, entitled:

An Act to protect the owners of mortgaged property during the present emergency; restricting the right to proceed on mortgage bonds and the amounts recoverable thereon during a certain period.

And said bill having been read at length the first time,

Ordered, To be laid aside for a second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 119, entitled:

An Act to amend section four and section five as amended, of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act;" by placing upon the Commonwealth the cost of constructing, maintaining and reconstructing certain structures on such streets.

And said bill having been read at length the first time,

Ordered, To be laid aside for a second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 130 (House Bill No. 128), entitled:

An Act to amend section one of article one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures.

And said bill having been read at length the first time,

Ordered, To be laid aside for a second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 131 (House Bill No. 129), entitled:

An act to amend section three of article twenty-eight of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending the provisions of said act to all bituminous coal mines employing five or

more persons and empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 132 (House Bill No. 169), entitled:

An Act authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium placing the sanatorium upon completion under the jurisdiction and control of the Department of Health and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 134 (House Bill No. 192), entitled:

An Act making appropriations to the Department of Welfare for pensions for the blind and for the administration of the distribution of such pensions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 136, entitled:

An act to amend paragraph four of section one of article fifteen of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," by modifying the provision relating to the giving of bands by contractors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 11:00 o'clock.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 8:38 p. m. until 11:00 o'clock Wednesday morning, December 13, 1933.

HOUSE OF REPRESENTATIVES

TUESDAY, December 12, 1933.

The House met at 11.00 o'clock A. M.
The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Almighty God, we thank Thee for the inspiration Thou hast vouchsafed to human instrumentality in the ordering of the affairs of men. When Thy servant Abraham struck out into new and untried ways Thou did'st promise to be with him and bless him. Let Thy blessing be upon this Legislature as it seeks to find new ways of correcting old wrongs. May they find and apply new principles, that the halt, the blind, the old, the young, the rich and the poor may live together on a broader basis of human brotherhood. Graciously enlighten the minds of these Thy servants as they study the principles and practices of our social order, and may they each enact laws in the light of human values and human needs. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. Carson, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 89 (HOUSE BILL No. 234)

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects providing for the payment of damages by counties and townships as a result of relocating widening or constructing said highways or bridges and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities

Referred to the Committee on Highways.

REPORT FROM COMMITTEE

Mr. WOOD, from the Committee on Counties, reported as committed, House Bill No. 174, entitled:

An Act authorizing the county commissioners of the several counties to secure from Federal agencies funds for the erection and acquisition of bridges.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 55.

An Act making an appropriation out of The State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments

Whereupon,
The SPEAKER, in the presence of the House, signed the same.

RESOLUTIONS

The SPEAKER. The Chair is informed that the resolutions offered last evening (December 11) are not on file. The Chair will endeavor to have them placed upon the desks of the members as soon as possible.

DISCHARGING COMMITTEE FROM CONSIDERATION OF HOUSE BILL No. 163

Mr. HOWARD offered a resolution which was twice read by the Clerk as follows:

December 11, 1933.

Resolved, That the Committee on Elections be discharged from further consideration of House Bill No. 163 and that the Bill be placed on the Calendar notwithstanding the action of the Committee.

On the question,
Will the House adopt the resolution?

Mr. BLUMBERG. Mr. Speaker and members of the House, may I say that the Committee on Elections has met every week of this session with the exception of the first week, in which they met and organized. The particular bill in question, House Bill No. 163, which is known as the "one party bill" provides against candidates for certain offices being candidates on more than one party ticket. This bill was considered by the committee on last Wednesday afternoon and at that time by vote of the committee was again postponed.

The sponsor of this bill spoke to me last night in the House and I gave him that information and told him out of courtesy to him, and because of his interest in the bill, and despite the fact that this is the only bill now in the Committee on Elections at the present time which has not been definitely postponed or reported to this House, I informed the sponsor that out of courtesy to him I would call a meeting of this committee today for the sole purpose of considering this bill.

That is all the information that I can give the House, except to say that this bill has had the consideration of the committee on last Wednesday and the action was almost unanimous to postpone action on the bill. I would, therefore ask the House to defeat the motion.

Mr. Speaker, may I also state in order to clear the atmosphere, that one of the objections raised to this bill is that it does not come within the call.

Mr. HOWARD. Mr. Speaker and members of the House, it is the truth that Mr. Blumberg tells you, but this committee, I understand him to say, was to meet yesterday afternoon or yesterday evening and it has not done so.

All I ask is that this bill be brought to the floor of the House. I am not asking for any undue movement by the committee in favor of myself or anybody else, but I do think that this bill should come to the floor of the House. I don't think this is the time to pickle this bill, which I know is in progress today. I would like to see this bill placed upon the calendar. I have no censure against the committee. There are only seven members left and they did not even have notice to appear there. The meeting was not placed upon the board even.

I ask for the vote of this House and I ask for a roll call on this motion.

The request for a roll call was seconded by Mr. Cannon.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Howard and Mr. Cannon and were as follows:

YEAS—42

Boyd,	Flynn, J. W.,	Lovett, J. E.,	Powers,
Brancato,	Furman,	Male,	Quinn,
Brown, J. E.,	Gallagher, T. J.,	Marcks,	Raub,
Brown, W. L.,	Harmuth,	McCandless,	Shettel,
Cannon,	Hester,	McCreary,	Shugarts,
Caputo,	Holmes, J. B.,	McGinnis,	Sterling, R. B.,
Carson,	Hoopes,	McGrail,	Wagner,
Chervenak,	Howard,	McHenry,	Welsh,
Cramer,	Jones,	Melchiorre,	Westrick,
Eroe,	Kane, J. J.,	O'Connor,	Wilson, L. M.,
Flanagan,	Lane,	O'Keefe,	

NAYS—120

Baldi,	Haines,	McKinney,	Shreiner,
Barnhardt,	Hamilton,	Meredith,	Simon,
Beech,	Harris,	Merrell,	Snyder,
Bennett,	Heffernan,	Mohn,	Sowers,
Blumberg,	Hefferon,	Moore,	Spann,
Brennan,	Heffner,	Munley,	Steedle,
Carey,	Hermansen,	Murphy,	Sterling, P.,
Conner,	Hewitt,	Myers,	Stevens,
Cooke,	Himes, H. E.,	Negley,	Stott,
Cordier,	Holmes, J. L.,	Nothnagle,	Tahl,
Craig,	Horst,	Patterson,	Terry,
Dane,	Hough,	Pennock,	Trout,
Davies,	Hutton,	Perry, D. R.,	Turner,
DeFrehn,	Jaffe,	Perry, J. J.,	Wade,
Denning,	Kane, L. P.,	Peters,	Walker, W. A.,
Downey, G. E.,	King,	Price,	Wall,
Downey, J. J.,	Kinney,	Powell,	Wasserman,
Duffy,	Labar,	Rectenwald,	Way,
Dunmire,	Laubach,	Rice,	Weidemann,
Ederer,	Lewis,	Roan,	White,
Emhardt,	Lord,	Root,	Wike,
Evans,	Lose,	Royle,	Williams, G. W.,
Fleisher,	Lovett, W. S.,	Ruby,	Williams, J. J.,
Flinchbaugh,	Lynch, J. R.,	Ruth,	Wilson, T. B.,
Forrest,	Maloney,	Sautter,	Wood,
Gallagher, W. J.,	Mason,	Schrock,	Woodside,
Gillette,	McBride,	Schwab,	Wright,
Gorman,	McElwee,	Schwartz,	Yeakel,
Griffith,	McGregor,	Shellenberger,	Zimmerman,
Habbyshaw,	McKay,	Shortz,	Talbot,
			Speaker.

So the question was determined in the negative and the resolution was not adopted.

SYMPATHY EXTENDED ON DEATH OF HONORABLE WILLIAM W. ROPER

Mr. CONNER offered the following resolution which was twice read, considered and unanimously adopted by a rising vote.

In the House of Representatives, December 12, 1933.

Death has again reached out its discriminating hand and from the political life of Philadelphia has removed an outstanding figure and in the circle of those who devote their energies to the athletic training of the youth of the Nation has created an unfillable void.

As a bright scintillating athletic star during his college days at Princeton University and as the successful coach of the football teams of his Alma Mater, the Honorable William W. Roper was known throughout the Nation.

As a courageous and independent Republican and a member of councils in the City of Philadelphia who valiantly fought for those principles he so deeply believed were for the best interests of those he represented, he won the admiration, respect and esteem of all who knew him.

His outstanding qualities of courage and independence in all important matter effecting the city he so deeply loved, distinguished him throughout his public career, endeared him to his colleagues in councils and to the citizens of Philadelphia, therefore be it

Resolved, That in his sudden unexpected and untimely death, his friends, the City of Philadelphia, and the Commonwealth of Pennsyvania have sustained a serious loss, the councils of the City of Pennsylvania have lost a valued member and his constituents are deprived of the services of a warm, staunch and courageous advocate of their cause, and be it further

Resolved, That this resolution be spread upon the Journal of this House and that a copy thereof be forwarded to the sorrowing widow of the said Honorable William W. Roper.

BILL RECOMMITTED

Mr. WILSON. Mr. Speaker, yesterday I made a motion to recommit a bill and withdrew it because of the absence of the sponsor. I have since spoken to him and now make this motion after consultation with him:

I move that House Bill No. 80, printer's No. 47, entitled

An Act to amend section two of the act approved the fifth day of March, one thousand nine hundred and six, (P. L. 63), entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions," as amended; providing that the county commissioners may appoint the registrars for each district with-

out nomination petitions from the party representatives of the district.

on page 6 of today's calendar, bills on second reading be recommitted to the Committee on Elections for the purpose of further consideration.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 151, entitled:

An Act to amend sections two, three, five, six, seven, eight, ten, eleven, twelve, section thirteen as amended, sections fourteen, nineteen, twenty, twenty-one, twenty-two, twenty-four, twenty-six, thirty-two, thirty-three, thirty-four, thirty-six, thirty-seven, section forty-three as amended, sections forty-seven, forty-nine of, and to add sections eight and one-tenth, twelve, twelve and one-tenth, twenty-three and one-tenth, twenty-three and two-tenths, twenty-five and one-tenth, forty-nine and one-tenth, forty-nine and two-tenths, forty-nine and three-tenths to the act approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 857), entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections, and their enrollment as members of political parties as a further condition of their right to vote at primaries, in cities of the first class of this Commonwealth, by removing from office all existing registration commissioners and their appointees in said cities, and authorizing the Governor to appoint registration commissions therein; defining the jurisdiction of said commissions, and the powers and duties of the commissioners constituting same, and of their appointees, including registrars, inspectors of registration, clerks, and counsel; fixing their qualifications, terms of office, and compensation; granting them certain immunity from arrest on registration days; and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence, as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof, to copy or demand a list of the lodgers therein, and to supervise the conduct of registrars; regulating the registration of electors at polling places by registrars, and at the offices of commissions by commissioners, and the right of parties or bodies of electors to have watchers thereat, and the prepration and use of street lists and other records of those registered; allowing the names of persons not entitled to vote to be struck from the registers in certain cases; permitting all records regarding registration to be inspected and copies by any elector under certain conditions; directing how the registers shall be used at elections and primaries; compelling the attendance of witnesses and payment of witness fees; and providing penalties for refusal to obey subpoenas; directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor; authorizing such clerks to administer oaths, sign subpoenas and vouchers, and to collect and disburse witness fees; prescribing a method for challenging persons applying for registration, and the procedure for the correction of registers, and for appealing from actions of registrars to said commissions; and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas; imposing certain duties upon election officers and upon the councils, treasurers, controllers, receivers of taxes, police officers, and other officials of said cities and upon the courts, judges, prothonotaries, sheriffs, commissioners, peace officers, and other officials of the judicial districts and counties in which said cities are situated or with which they are co-extensive; legalizing certain acts required hereby if done on any Sunday or legal holiday; requiring said cities to provide for the maintenance of said commissions, and the compensation of their appointees, and the payment of all expenses necessary to carry out the provisions of this act, and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions; punishing and fixing penalties for violations hereof; and repealing all legislation inconsistent herewith"; providing a system of permanent personal registration for such cities; changing the number of the members of the registration commission, removing the existing registration commissioners, and providing for the appointment of the new members thereof; and imposing additional duties and restrictions upon the registration commissioners, county commissioners, registrars, and inspectors of registration.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 95, entitled:

An Act to provide for the investigation and study of wages of men, women and minors employed in trade and industry in the Commonwealth of Pennsylvania, and for the determination and establishment of minimum fair wage standards for such workers and for the purpose of preventing unfair and oppressive exploitation of such workers; providing procedure to enforce the payment of such minimum wages; and prescribing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 200, entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 124, entitled:

An Act to amend the act approved the thirteenth day of May, one thousand nine hundred fifteen (Pamphlet Laws, two hundred eighty-six), entitled "An act to provide for the health, safety, and welfare of minors; by forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment, by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance, authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by prohibiting employment of minors between fourteen and sixteen years of age, except in certain types of work which will not interfere with school attendance; further limiting the occupations in which minors between fourteen and eighteen

years of age may be employed or permitted to work and the hours of labor; further regulating employment certificates and requiring minors under eighteen to procure such certificates, imposing on school districts to issue such certificates and repealing certain sections and acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 149, entitled:

An Act to amend section four of the act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1024), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," by changing the hours during which females may be employed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. POWELL. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor for the purpose of further study.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 98, entitled:

An Act to regulate commerce and prevent unfair competition; defining fair prices, prescribing remedies to uphold the same, and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 171, entitled:

An Act to amend section one of article six of the act approved the seventh day of March, one thousand nine hundred and one, (P. L. 20), entitled "An act for the government of cities of the second class," as amended, by providing for the assessment of a less rate of tax upon buildings than upon land, graded over a period of years, until the rate upon buildings shall become one-fifth of the rate upon land.

Mr. HOOPES. Mr. Speaker, I think there is a mistake in both House Bill No. 117, Printer's No. 103, on page 5 of today's calendar, the bill which has just been read, and House Bill No. 117, Printer's No. 103, on page 8 of today's calendar. If you will refer to page 8, you will find the same bill number and the same printer's number on a bill of which I am the sponsor, and I happen to know that that is the correct bill number and printer's number on my bill.

The SPEAKER. The Chair is informed that the correct bill number for the bill on page 5 is House Bill No. 171, Printer's No. 119. The title as it appears on the calendar is correct. Are there objections to this bill being read the first time? The Chair hears none and the bill will be read.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 199, entitled:

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 35, entitled:

An Act providing for, requiring and regulating the installation, through the budget secretary of the Commonwealth of budget and accounting systems for certain political subdivisions of the Commonwealth; regulating tax levies, appropriation expenditures, contracts, and purchases by and requiring certain reports from such political subdivisions; imposing duties upon the officers of such political subdivisions and the budget secretary; and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. JOHN J. WILLIAMS. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of amendment.

On the question,
Will the House agree to the motion?

Mr. COHEN. Mr. Speaker, I think out of deference to the sponsor of this bill that this motion should be withheld until that gentleman is in the House.

On the question recurring,
Will the House agree to the motion?
It was agreed to.

BILLS ON FIRST READING

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 196, entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder," as amended by extending the time for appeals from the referee's decision to the board.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 86, entitled:

An Act to prohibit discrimination and intimidation on account of race or color in employment under contracts for public buildings or public works, and fixing penalties therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 60, entitled:

An Act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotives trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains and other self propelled engines or machines to provide the qualification of certain employes and to provide a penalty for the violation thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the first reading and consideration of House Bill No. 85, entitled:

An Act to amend section one hundred and seventy-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by decreasing and limiting the compensation of the members of the board of viewers in counties of the fourth class

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and seventy-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by section one of the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred one) is hereby further amended to read as follows

Section 171 Number of Members Qualifications Compensation There is hereby established in each county a board of viewers The board of viewers in counties of the second class shall consist of not less than six nor more than nine members one-third of whom may be learned in the law and members of the bar of the county In each county of the third fourth fifth sixth seventh and eighth classes said board shall consist of not less than three nor more than nine members one-third of whom may be surveyors or members of the bar of the county The judges of the court of common pleas shall in each case determine within the aforesaid limits the total number of members of which the board shall be composed fixing and determining such number as shall be deemed necessary for the proper performance of the duties imposed upon the board The court may also from time to time change the total number of members within the above limits

In counties of the second class each member of the board of viewers shall receive an annual salary of six thousand five hundred dollars ($6.500)

In counties of the third [and four classes] class each member of the board of viewers shall receive the sum of twelve dollars ($12.00) per day for each day actually and necessarily spent by him in the performance of the duties of his office and ten (10) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office Provided however That the amount so received by any member of the board of viewers in counties of the third class shall not exceed exclusive of traveling expenses the sum of two thousand dollars ($2000) for any calendar year

In counties of the fourth class each member of the board of viewers shall receive the sum of seven dollars and fifty cents ($7.50) per day for each day actually and necessarily spent by him in the performance of the duties of his office and five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office.

In counties of the fifth and sixth classes each member of the board of county viewers shall receive the sum of ten dollars ($10.00) per day for each day actually and necessarily spent by him in the performance of the duties of his office and the sum of five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office

In counties of the seventh and eighth classes each member of the board of viewers shall receive the sum of seven dollars and fifty cents ($7.50) per day for each day actually and necessarily spent by him in the performance of the duties of his office and five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office

All per diem compensation shall be for a full day's work regardless of the number of properties viewed or the number of proceedings heard on such day Where a number of properties are involved in connection with the same public improvement and they can all be viewed in one day compensation for one day only shall be allowed by such view

The compensation of said viewers shall be paid monthly by the respective counties under such conditions as to the verification of the time of employment as may be prescribed by rules and regulations which shall be made by the courts of the respective counties

On the question,

Will the House agree to the section?

Mr. McCREARY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 1, page 3, line 7, by inserting after the word "fourth" the following: "fifth, sixth, seventh and eighth"

Amend Section 1, page 3, line 8, by striking out the word "seven" and inserting in lieu thereof "six"

Amend Section 1, page 3, line 9, by striking out the following "and fifty cents ($7.50)" and inserting in lieu thereof "($6.00)"

Amend Section 1, page 3, line 14, by inserting a light-faced bracket before the word "In" thus "["

Amend Section 1, page 3, line 27, by inserting a light-faced bracket after the word "office" thus "]"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 This act shall become effective immediately upon final enactment

The title was read as follows:

An Act to amend section one hundred and seventy-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by decreasing and limiting the compensation of members of the board of viewers in counties of the fourth class

On the question,

Will the House agree to the title?

Mr. McCREARY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 10 of title, by inserting after the word "fourth" the following: "fifth, sixth, seventh and eighth."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 82, as follows:

An Act relating to the collection of delinquent municipal subdivision and school district taxes and liens

Whereas The large volume of unpaid municipal subdivision and school district taxes and liens is creating such a serious tendency toward nonpayment of current taxes and municipal liens that a public emergecy demands some plan be made available to municipal subdivisions and school districts for the prompt collection of current taxes and assessments without requiring the immediate payment of arrears but such a plan to be helpful must recognize the need of the property owner to maintain as a first lien the mortgage encumbrance upon his property Now therefore in order to encourage the owner to use every effort to keep his property by granting him an opportunity to pay his present arrears in fixed installments over a term of years

The first section was as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assmbly met and it is hereby enacted by the authority of the same That whenever the governing body of any municipal subdivision or school district of this Commonwealth shall by resolution or other proper action adopted during the calendar year one thousand nine hundred and thirty-three declare that it is for the best interest of its citizens that the provisions of this act be made available to its property owners then all taxes assessments or other municipal liens in arrears on January first one thousand nine hundred and thirty-three and not yet paid and satisfied together with the interest and penalties thereon shall when brought under the provisions of this act by compliance with section seven of this act and subject to the conditions hereinafter set out be totaled as of said date and the payment of such totaled sum shall be spread over a period of ten years and the same shall be payable in monthly or quarterly installments as stated in said resolution or other action commencing August first one thousand nine hundred and thirty-three with interest on the several upaid balances at the rate of six per centum per annum payable on the same monthly or quarterly dates

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. NOTHNAGLE. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 27, as follows:

An Act relating to limited dividend housing companies defining and providing for the formation of such corporations for the purpose of eliminating unsanitary and dangerous housing conditions and constructing and operating safe and sanitary dwellings and apartments to be let at reasonable rentals extending to such corporations certain existing laws relating generally to business corporations providing for the supervision and regulation of the activities of such corporations by the State Board of Housing in the Department of Property and Supplies providing for the protection of such corporations and the parties dealing with them prescribing defining and limiting the powers and duties of such corporations conferring upon certain of such corporations and limiting their use of the power of eminent domain exempting such corporations from the payment of the capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and savings institutions and authorizing certain existing companies to accept the provisions of this act

Whereas It is hereby declared that bad housing conditions which exist in certain localities of the Commonwealth are a menance to the health safety morals welfare and reasonable comfort of the citizens of the Commonwealth and

Whereas the correction of these conditions in such areas being now otherwise impossible it is essential that provisions be made for the investment of private funds at low interest rates the acquisition at fair prices of adequate parcels of land the gradual demolition of existing unsanitary and unsafe housing and the construction of new housing facilities under public supervision in accord with proper standards of sanitation and safety and at a cost which will permit monthly rentals which families of low income can afford to pay

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Limited Dividend Housing Company Law"

Section 2 Definitions The following words and phrases when used in this act shall have the meanings respectively ascribed to them in this section

"Board" shall mean the State Board of Housing in the Department of Property and Supplies of this Commonwealth

"Municipality" shall include only cities boroughs and townships

"A public limited dividend housing company" referred to hereafter as a class A company shall be a company (a) to which shall apply the provisions of the general corporation laws relating to business corporations as hereafter from time to time amended or revised except where such provisions are in conflict herewith (b) incorporated by three or more persons who declare as a public purpose the intention to build and operate or to operate a housing project to be rented at rates not exceeding those prescribed by the board as chargeable by limited dividend housing companies (c) in which no shareholder or debenture holder shall receive on his investment a greater dividend or interest return than seven per centum per annum except as otherwise provided herein (d) which may exercise the power of eminent domain in the acquistion of land as provided in this act and (e) which meets all the requirements for class A companies prescribed in this act

"A semi-public limited dividend housing company" referred to hereinafter as a class B company shall be a company similar to a class A company except that (a) it may with the consent of the board sell assign or convey or dispose of real property or any interest therein owned by it and (b) it may under no circumstances acquire property otherwise than by purchase exchange bequest or gift or subject to the approval of the board by lease for a term of years not less than thirty years nor less than the time required to amortize the cost of the housing project

Section 3 Formation of Public (Class A) Limited Dividend Housing Companies Three or more persons may in the manner prescribed in the Business Corporation Law approved

the fifth day of May one thousand nine hmundred thirty-three (Pamphlet Laws three hundred sixty-four) except where the provisions of this act are in conflict therewith become a class A company for the purpose of acquiring constructing maintaining and operating housing projects when authorized by and subject to the supervision of the board The term for which any such corporation is organized shall be not less than thirty years The articles of incorporation to be filed with the Department of State by the incorporators shall set forth in addition to the information required by the aforementioned Business Corporation Law

(a) A declaration that the corporation has been organized to serve a public purpose and that it shall remain at all times subject to the supervision and control of the board or of other appropriate State authority that all real estate acquired by it and all structures erected by it shall be deemed to be acquired for the purpose of promoting the public health safety morals and general welfare and that its shareholders shall be deemed when they subscribe to and receive the shares thereof to have agreed that they shall at no time receive or accept from the company in repayment of their investment in its shares any sums in excess of the par value of the shares together with cumulative dividends at the rate of seven per centum per annum and that any surplus earnings in excess of such amount if such company shall be dissolved shall revert to the Commonwealth

(b) A stipulation that the real property of the corporation shall not be sold transferred or assigned except under and pursuant to the terms and provisions of this act

(c) That all the shares of the corporation shall have a par value

The articles of incorporation may provide that in the event that income debenture certificates are issued by the corporation the owners thereof may be given the same right to vote as they would have if possessed of shares certificates of the amount and par value of the income debenture certificates held by them If provision is made for the issuance of income debenture certificates interest shall be paid by the company on income debenture certificates only out of net earnings of the company that would be applicable to payment of dividends if there were no income debentures

The articles of incorporation may permit the retirement of income debenture certificates and share of the company if as and when there shall be funds available in the treasury of the company from the receipt of amortization or sinking fund installments for that purpose as provided by this act but the amount so retired shall not exceed ninety per centum of the par value of all classes of shares or of shares and income debentures issued and outstanding at the time of the final completion of the building or buildings embraced in the project

Section 4 Consent of Board to Incorporation of Limited Dividend Housing Companies Before any articles of inporation are filed with the Department of State under this act the incorporators shall apply to and receive from the board a certificate that it approves the project for which the proposed limited dividend housing company is to be formed and that it consents to the formation of such corporation The certificate from the board shall be presented to the Governor together with the certificate of incorporation The Department of State shall not issue a certificate of incorporation evidencing the incorporation of any limited dividend housing company unless and until a certificate from the board as aforesaid is presented to it

Section 5 Restrictions on Public (Class A) Companies No public limited dividend housing company shall

(a) Acquire any real property or interest therein unless it shall first have obtained from the board a certificate that such acquisition is necessary or convenient for carrying out a housing project approved the board

(b) Sell transfer or assign any real property except (1) to another public limited dividend housing company formed under this act and (2) without first having obtained the consent of the board and (3) for a price in exces of the cost of such property less any amounts paid in amortization of the first lien and the retirement or redemption of shares plus so much of the limited dividends on the shares of the company from the date of issue as shall have been unpaid and accrued interest on the mortgage indebtednes and income debenture certificates

(c) Pay interest returns (1) on its mortgage indebtedness at a higher rate than deemed necessary by the board but the rate shall not exceed six per centum per annum or (2) upon its income debenture certificates at a rate higher than seven per centum per annum

(d) Issue its shares debentures and bonds covering any project undertaken by it in an amount greater in the aggregate than the total actual final cost of such project including the lands improvements charges for financing and supervision approved by the board and interest and other carrying charges during construction and an allowance for working capital to be approved by the board but not exceeding three per centum of the estimated cost or of the total actual final cost of the project if that shall be greater than the estimated cost

(e) Mortgage any real property without first having obtained the consent of the board

(f) Issue any securties or evidences of indebtedness without first having obtained the approval of the board

(g) Use any building erected or acquired by it for other than housing purposes except that upon approval of the board it may in the first story of a two-family or multiple dwelling above the cellar or basement and the space below such story or in the case of a group of one-family or two-family houses in a reasonable proportion of such buildings provide for stores professional offices commercial cooperative or recreational purposes and when permitted by law the roof of multiple dwellings may be used for cooperative or community purposes

(h) Charge or accept any rental for housing accomodations in any building constructed acquired operated or managed by it in excess of the prices prescribed by the board

(i) Make other than authorized payments which shall be limited to (1) all fixed charges and all operating and maintenance charges and expenses including taxes assessments insurance amortization charges in amounts approved by the board to amortize the mortgage indebtedness in whole or in part depreciation charges if when and to the extent deemed necessary by the board reserves sinking funds and corporate expenses essential to operation and management of the project in amounts approved by the board (2) a dividend not exceeding the maximum fixed by this act upon the shares of the corporation allotted to the project by the board (3) where feasible in the discretion of the board a sinking fund in an amount to be fixed by the board for the gradual retirement of the shares and income debentures of the corporation When tenants own shares or income debentures in a limited dividend housing company incorporated under this act a sinking fund may with the approval and subject to the regulations of the board be set up and maintained out of the net profits applicable to surplus and used subject to the regulations of the board for the purchase at not to exceed par and accrued interest of the shares and income debentures held by tenants ceasing to be occupants of the buildings Shares so purchased may be resold by the corporation

(j) Enter into contracts for the construction of housing projects or for the payment of salaries to officers or employes except subject to the inspection and revision of the board and under such regulations as the board may from time to time prescribe

(k) Voluntarily dissolve without first having obtained the consent of the board

(l) Make any guaranty without the approval of the board

Section 6 Formation of Semi-public (Class B) Limited Dividend Housing Companies Three or more persons may in the manner prescribed in the Business Corporation Law approved the fifth day of May one thousand nine hundred thirty-three (Pamphlet Laws three hundred sixty four) except where the provisions of this act are in conflict therewith become a class B company for the purpose of acquiring constructing reconditioning maintaining and operating housing projects when authorized by and subject to the supervision of the board The articles of incorporation to be filed with the Department of State shall set forth in addition to the information required by the aforementioned Business Corporation Law all of the provisions required or permitted under Section three of this act Before the articles of incorporation are filed with the Department of State the incorporators shall procure the approval of the board in the manner prescribed by Section four of this act

Class B companies shall be subject to all the provisions of Section five except paragraphs (a) and (b) thereof Class B companies are hereby authorized to sell assign convey and otherwise dispose of real property owned by them to any person copartnership or corporation but no class B company shall sell assign or convey any real property owned operated or managed by it or any right title or interest therein except upon notice to the board of the terms of such sale transfer or assignment and unless and until the board shall consent thereto and any sale transfer or assignment in violation of the terms hereof shall be void Class B companies shall not under any circumstances have or exercise the power of eminent domain or acquire property otherwise than by purchase exchange bequest or gift or subject to the approval of the board by lease for a term of years not less than thirty years nor less than the time required to amortize the cost of the housing project

Section 7 Application of Other Corporation laws Tax Exemptions The provision of the general corporation laws relating generally to business corporations as hereafter from time to time amended or revised shall apply to limited dividend housing companies incorporated under this act except where such provisions are in conflict herewith but the capital stock of limited dividend housing companies incorporated under the provisions of this act shall not be taxed for State purposes under the provisions of existing laws

Section 8 Changes of Class of Corporation With the consent of the board a class B company may with the approval of the board amend its articles and become a class A company and a class A company which has not obtained lands through the exercise of the power of eminent domain may amend its articles and become a class B company

Any limited dividend housing corporation incorporated under existing laws prior to the passage of this act may with the approval of the board accept the provisions of this act by amending its articles in conformity herewith and thereupon become subject to the terms and provisions of this act

Section 9 Reorganization of Companies Reorganization of limited dividend housing companies shall be subject to the supervision and control of the board and no such reorganization shall be had without the authorization of the board Upon all such reorganizations the amount of capitalization including all shares income debentures bonds and other evidence of indebtedness shall be such as is authorized by the board not exceeding the fair value of the property involved

Section 10 Limited Return on Shares and Debentures No shareholder in any company formed hereunder shall receive any dividend in any one year in excess of seven per centum per annum except that when in any year dividends in the amount prescribed in its articles shall not have been paid in the shares of such company the shareholders may be paid the deficiency without interest out of any surplus earned in succeeding years This provision shall likewise be applicable to income debenture certificates and interest thereon at the rate specified in such certificates shall be cumulative

Section 11 Time of Payment of Subscriptions Subscriptions to the shares or income debentures of a corporation formed hereunder shall be paid at such times and in such installments as the corporation may require with the approval of the board If any default shall be made in the payment of any installment as so required the corporation may enforce the subscription by appropriate action and upon its failure so to do such subscription may be enforced by the board acting through the Department of Justice

Section 12 Consideration for Issuance of Shares and Bonds no limited dividend housing company shall issue shares bonds or income debentures except for money or property actually received for the use and lawful purposes of the corporation No shares bonds or income debentures shall be issued for property except upon a valuation approved by the board and such valuation shall be used in computing actual or estimated costs In no event shall the shares and income debentures issued by the corporation be less than the total of one-third of the actual cost as defined by law of any approved housing project or projects undertaken by it The board may however permit shares or income debentures to be issued to an amount not exceeding three per centum of the estimated total cost of three per centum of the actual cost if the actual cost should exceed estimated cost of a project for working capital to be used in connection with such project

Section 13. Minimum Amount of shares and Debentures The entire amount to be paid in cash or property by the shareholders and income debenture holders of a limited dividend housing company shall be equivalent to at least one-third of the total cost of the project or projects which it operates

Section 14 Surplus A surplus of an amount approved by the board shall be permitted limited dividend housing companies but the amount of the net earnings transferable to surplus in any year shall be subject to the approval of the board On dissolution of any limited dividend housing company the shareholders shall in no event receive more than the par value of their shares plus accumulated accrued or unpaid didivends and any remaining surplus shall revert to the Commonwealth

Section 15 Income Debentures With the approval of the board the articles of a limited dividend housing company may authorize the issuance of income debenture certificates bearing no greater interest than seven per centum per annum After the incorporation of a limited dividend housing company the directors thereof may with the consent of two-thirds of the holders of the preferred shares issued and outstanding offer to the shareholders of the company the privilege of exchanging their shares in such quantities and at such times as may be approved by the board for such income debenture certificates In no event shall the stated capital of the corporation be less than ten per centum of the total amount of stated capital and income debentures

Section 16 Mortgages and Mortgage Bonds Any corporation formed under this act may subject to the approval of the board borrow funds and secure the repayment thereof by bond and mortgage or by an issue of bonds under trust indenture Each mortgage or issue of bonds by a company formed hereunder shall relate only to a single specified project and no other and such bonds shall be secured by first mortgage upon all of the real property of which such project consists First lien bonds of such company when secured by mortgage not excedeing two-thirds of the estimated cost prior to the completion of the project or two-thirds of the appraised value or actual cost whichever shall be less after such completion as certified by the board are hereby declared securities in which all public officers and bodies of the municipal subdivisions of the Commonwealth all insurance companies and associations all banks bank and trust companies and savings banks in the Commonwealth may legally invest funds within their control The bonds so issued and secured and the mortgage or trust indentures relating thereto may be so drawn that a first or senior interest and a second or junior interest therin may be acquired by different investors or classes of investors In such event only the first or senior interest therein shall be deemed securities in which the officers bodies corporations and associations heretofore specified may legally invest funds within their control Such bonds and mortgages may contain such other clauses and provisions as shall be approved by the board including the right to assignment of rents and entry into possession in case of default but the operation of the housing projects in the event of such entry by mortgagee or receiver shall be subject to the regulations of the board under this act Provisions for the amortization of the bonded indebtedness of companies formed under this act shall be subject to the approval of the Board

Section 17 Acquisition of Land Construction of Buildings When a limited dividend housing company shall have received from the board an approval of a project for the construction or acquisition of housing accommodations such company may undertake the acquisition of the property needed for such project Such property may be acquired by purchase gift bequest exchange or subject to the approval of the board by lease for a term of years not less than thirty years nor less than the time required to amortize the cost of the housing project and in the case of class A companies also by the exercise of the power of eminent domain The procedure in the latter case shall be in accordance with the procedure prescribed in section forty-one of the Corporation Act of one thousand eight hundred seventy-four (Act of April twenty-nine one thousand eight hundred seventy-four Pamphlet Laws seventy-three) as amended or supplemented Property adjoining or surrounding approved or acquired sites for low rental housing may be acquired by con-

demnation by class A companies if such property is to be used for public play or recreation grounds or parks The power of eminent domain shall in no case be exercised by a class A company except in areas of bad housing designated by the board in the manner provided by law and except with specific authorization of such action by the board folowing the acquisition either by purchase gift bequest exchange or duly authenticated option to purchase by such class A company of at least 50 per centum of the net land area needed for such housing project and for such purpose the board shall specify that the acquisition of the property and the construction of the particular housing accommodations in connection with which such power is requested has been determined by the board after a public hearing to be in the public interest Such grant of power to exercise the right of eminent domain shall permit the immediate taking possession of the property either by filing an adequate bond with the Court of Common Pleas having jurisdiction of the proceeding or by paying to such Court a sum deemed sufficient by said Court to cover a possible award The hearing shall be held at a time and place appointed by the board and notice of such hearing shall be given by the board by publication in a newspaper published and circulated in the locality wherein the property is stiuated at least ten days prior to such hearing The board may expressly except from its certificate hereunder any part of the property proposed to be acquired as unnecessary to the plan A duly certified copy of such certificate shall be conclusive evidence as to the matters lawfully certified therein in any condemnation proceedings to acquire property or any part thereof set forth in such certificate

Section 18 Purchase of Other Companies' Property Before any limited dividend housing corporation shall purchase the property of any other limited dividend housing corporation it shall file an application with the board in the manner hereinbefore provided as for a new project and shall obtain the consent of the board as to the purchase and agree to be bound by the provisions of this act and the board shall not give its consent unless it is shown to the satisfaction of the board that the project is one that can be successfully operated according to law

Section 19 Transfer of Buildings and Structures No limited dividend housing company shall convey encumber or lease all or any part of its real property to any other person copartnership association or corporation without the written consent of the board Provided however That leases conforming to the regulations and rules of the board and for actual occupancy by the lessees may be made without the consent of the board Any conveyance encumbrance lease or sublease made in violation of the provisions of this section and any transfer or assignment thereof shall be void

Section 20 Authority to Borrow Money From Agencies of the United States Government Any corporation formed under or accepting the provisions of this act may borrow money from the Reconstruction Finance Corporation or any other agency of the United States Government on such terms and conditions as the Reconstruction Finance Corporation or other agency of the United States Government may prescribe Any such corporation may pledge as security for money so borrowed any personal or real property or both of such corporation including its shares income debenture certificates or bonds Every approved project financed wholly or in part by funds borrowed from the Reconstruction Finance Corporation or other agency of the United States Government shall be subject to such rules and regulations pertaining to the security of any money borrowed hereunder to finance such project as may be prescribed by the Reconstruction Finance Corporation or other agency of the United States Government It shall be the duty of the board to facilitate the procurement of such loans by such corporations by giving its prompt approval to all matters in connection thereto which this act requires the board to approve and to co-operate with the Reconstruction Finance Corporation or any other agency of the United States Government in the procurement and repayment of such money

Section 21 Constitutional Construction The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision so holding shall not be construed to affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 22 When to Take Effect This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 144, as follows:

A Joint Resolution proposing an amendment to section seven article nine of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section seven of article nine of the Constitution of the Commonwealth of Pennsylvania is hereby amended to read as follows

Section 7 The General Assembly shall not authorize any county city borough township or incorporated district to become a stockholder in any company association or corporation or to obtain or appropriate money for or to loan its credit to any corporation association institution or individual Provided That the General Assembly may authorize any county city borough township or incorporated district to appropriate money for assistance to mothers having dependent children and to aged persons without adequate means of support

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 153, as follows:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the proposed amendment to the Constitution of the United States providing as follows

"Section 1 The Congress shall have power to limit regulate and prohibit the labor of persons under eighteen years of age

"Section 2 The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress" is hereby ratified by the General Assembly of the Commonwealth of Pennsylvania

Be it further resolved That a certified copy of the foregoing preamble and resolution be forwarded to the Secretary of State for the United States in accordance with section two hundred and five of the Revised Statutes of the United States and also to the President of the United States Senate and the Speaker of the United States House of Representatives

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 117, entitled:

An Act to regulate the payment of wages or compensation for labor or service in private employments establishing regular

pay days providing that notices as to pay days must be kept posted by the employer and providing penalties

Sections 1 to 6 inclusive were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever an employer discharges an employe or in any other manner terminates his employment the wages or compensation for labor or services earned and unpaid at the time of such discharge or termination of employment shall become due and payable immediately Whenever an employe not having a written contract for a definite period quits or resigns his employment the wages or compensation shall become due and payable and shall be paid not later than seventy-two hours thereafter unless such employe shall have given seventy-two hours previous notice of his intention to quit in which latter case such employe shall be entitled to his wages or compensation and the employer shall pay the same at the time of quitting

Section 2 All wages or compensation other than those mentioned in section one of this act earned by any person in any employment shall become due and payable and shall be paid semi-monthly or twice during each calendar month on days to be designated in advance by the employer as the regular pay day Provided however That services rendered between the first and fifteenth days inclusive of any calendar month shall be paid for between the sixteenth and the twenty-sixth day of the month during which services were rendered and for all services rendered between the sixteenth and the last day inclusive of any calendar month said services shall be paid for between the first and tenth day of the following month

Provided however That in case of employment when the employes in the said employments are boarded and lodged by the employer the wages or compensation due any employe remaining in such employment shall become due and payable and shall be paid monthly or once in each calendar month on a day designated in advance by the employer as the regular pay day but no two successive such pay days shall be more than thirty-one days apart and the payment or settlement shall include all amounts due for labor or service up to the regular pay day

Section 3 The wages or compensation subject to the provisions of this act shall include all amounts for labor or service performed by employes of every description however fixed or ascertained Provided That the labor or service to be paid for is performed personally by the person demanding payment Nothing contained in this act shall in any way limit or prohibit the payment of wages or compensation at more frequent intervals or in greater amounts or in full when or before due but no provision of this act can in any way be contravened or set aside by a private agreement whether written oral or implied and any such agreement is hereby declared null and void

Section 4 All wages payable from any employer to any employe shall be paid in courent money of the United States or in valid and negotiable checks for the full amount of wages due without any deductions whatsoever except such deductions as may be made pursuant to any agreement between the employer and any labor union of which the employe is a member for the check-off of dues by such employer out of wages

Section 5 Every employer shall post and keep posted conspicuously at the place of work if practicable or otherwise where it can be seen as employes come or go to their places of work or at the office or nearest agency for payment kept by the employer a notice specifying the regular pay days and the time and place of payment in accordance with the provisions of section two of this act also any changes in those regards occurring from time to time Every employe who is discharged shall be paid at the place of discharge and every employe who quits or resigns shall be paid at the office or agency of the employer where such employe has been performing the labor or service for the employer

Section 6 In the happening of any strike or lock-out the unpaid wages or compensation earned by employes shall become due and payable on the employer's next regular pay day and the payment or settlement shall include all amounts due such employes without abatement or reduction and the employer shall return to each such employe any deposit or money or other guaranty required by him from such employe for the faithful performance of the duties of the employment

The seventh section was read as follows:

Section 7 Any person copartnership association or corporation or agent manager superintendent or officer thereof who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars or undergo imprisonment not exceeding six months or both at the discretion of the court

On the question,
Will the House agree to the section?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend bill, Section 7, page 4, by inserting after line 18 the following:

"Section 8. It shall be the duty of the Secretary of Labor and Industry to inquire diligently for violations of this act, to direct officers and employes of the Department of Labor and Industry to institute prosecutions for such violations in such cases as the Secretary may deem proper, and to enforce generally the provisions of this act.

"Section 9. At the request of any employe, the Secretary of Labor and Industry may take an assignment of any unpaid wage claim in trust for the assigning employe, and may bring any legal action necessary to collect such claim, and the employer shall be required to pay the costs and such reasonable attorney fees as may be allowed by the court."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The eighth section was read as follows:

Section 8 If any section sentence clause or part of this act is for any reason held to be unconstitutional such decision shall not affect the remaining portions of this act The Legislature hereby declares that it would have passed this act and each section sentence clause or part thereof irrespective of the fact that one of more sections sentences clauses or parts be declared unconstitutional

On the question,
Will the House agree to the section?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend the bill, Section 8, page 4, line 19, by striking out the figure "8" and inserting "10"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The ninth section was read as follows:

Section 9 Nothing in this act shall apply to the payment of wages or compensation of employes directly employed by any county city borough or town or other municipal corporation Nor shall anything herein apply to employes directly employed by the State any department bureau office board commission or institution thereof All other employments shall for the purposes of this act be deemed private employments and subject to the provisions hereof

On the question,

Will the House agree to the section?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend the bill, Section 9, page 4, line 26, by striking out the figure "9" and inserting "11"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The tenth section was read as follows:

Section 10 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the section?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend the bill, Section 10, page 5, line 6, by striking out the figure "10" and insert "12."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An act to regulate the payment of wages or compensation for labor or service in private employments; establishing regular pay days; providing that notices as to pay days must be kept posted by the employer; and providing penalties.

On the question,

Will the House agree to the title?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 4, by adding after the word "Employer" the folowing: "imposing duties and conferring powers upon the Secretary of the Department of Labor and Industry."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 5, as follows:

An Act authorizing the adoption by employers in certain cases of a "check off" system whereby the union dues of employes and the wages of check weighmen or other persons may be deducted from the wages of employes making unlawful other deductions and providing a penalty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for any employer of labor to agree with his her or its employes to establish the so-called "check off" system by means of which the employer agrees to deduct from the wages of the employes periodically as may be agreed upon sufficient moneys for the payment of the regular labor union dues of such employes or the compensation of a check weighman or other person employed by the employes to check or otherwise keep a record of the amount of production by each of said employes or to deduct moneys for both of such purposes as may be agreed upon

Section 2 Any amounts so deducted by the employer for regular labor union dues shall be paid over periodically as deducted to the treasurer of the labor union with which the respective employes are affiliated or such other person authorized to receive and receipt for the same Any amounts so deducted by the employer for the compensation of any check weighman or other person employed by the employes in such capacity shall be paid to the person so employed at the same time and in the same manner as in the case of payments to the employes of the employer

Section 3 It is unlawful for any employer to deduct under the authority of this act from the wages of employes any amounts other than those required to pay regular union dues and the compensation of any check wighman or other person employed as hereinbefore provided Any employer found guilty of such unlawful act in a summary proceeding shall be subject to a fine not in excess of one hundred dollars and the costs of prosecution

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 121, as follows:

An Act requiring wages to be paid in cash check or other evidence of indebtedness redeemable in lawful money of the United States

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all wages due employes of any person firm or corporation shall be payable only in cash check or other evidence of indebtednes redeemable by the company on demand of the bona fide holder thereof in lawful money of the United States of America

Section 2 Any person firm or corporation paying or attempting to pay wages due an employe in any other form than provided in this act upon conviction thereof in a summary proceeding before any alderman magistrate or justice of the peace of the proper county shall be sentenced to pay a fine not exceeding one hundred dollars ($100.00)

Section 3 This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 197, as follows:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred twenty-seven as last amended by an act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ninety-eight) of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended is hereby amended to read as follows

Section 427 Any party may appeal from any action of the board on matters of law to the court of common pleas of the county in which the accident occurred or of the county in which the adverse party resides or has a permanent place of business or by agreement of the parties to the court of common pleas of any other county of this Commonwealth Such appeal must be brought within [ten] twenty days after notice of the action of the board has been served upon such party unless any court of common pleas to which an appeal lies shall upon cause shown extend the time herein providing for taking the appeal The party taking the appeal shall at the time of taking the appeal serve upon the adverse party a written notice thereof setting forth the date of the appeal and the court in which the same is filed and shall file either with his notice of appeal or within thirty days thereafter such exceptions to the action of the board as he may desire to take and shall specify the findings of fact if any of the board or of the referee sustained by the board which he alleges to be unsupported by competent evidence

Upon filing of the notice of an appeal the prothonotary of the court of common pleas to which the appeal has been taken shall issue a writ of certiorari directed to the Workmen's Compensation Board commanding it within ten days after service thereof to certify to such court its entire record in the matter in which the appeal has been taken The writ so issued shall be mailed by the prothonotary to the bureau at Harrisburg together with a copy of the exceptions The board shall within ten days after such service certify to such court its entire record in the matter in which the appeal has been taken including the notes of testimony

Any court before whom an appeal is pending from any action of the board may remit the record to the board for more specific findings of fact if the findings of the board or referee are not in his opinion sufficient to enable it to decide the question of law raised by the appeal

If the court of common pleas of any county of this Commonwealth shall affirm an award or order of the board or of a referee sustained by the board fixing the compensation payable under this act the court shall enter judgment for the total amount stated by the award or order to be payable whether then due and accrued or payable in future instalments If such court shall sustain the appellant's exceptions to a finding or findings of fact and reverse the action of the board founded thereon the court shall remit the record to the board for further hearing and determination in which the procedure shall be the same as that hereinbefore provided in this article in the case of a petition presented to the board except that the board may order that any part of the testimony taken in the original proceedings may be considered as though taken in such further hearing

The prothonotary of any court of common pleas to which an appeal has been taken from the board shall send to the board a certificate of the judgment of the court as soon as rendered with a copy of any opinion which may be filed in the case and within five days shall give notice of such judgment and the date thereof by registered mail to each attorney-at-law appearing in the case at the address given by the attorney in the pleadings and if no attorney-at-law has appeared by registered by mail to the party or parties not represented by counsel At the end of the period hereinafter allowed for an appeal from the judgment of the court the record of the board shall be remitted to it by the prothonotary unless an appeal shall have been taken If such appeal shall be taken the record shall be remitted to the board by the prothonotary on its return from the appellate court

Any party may appeal to the Superior Court from the judgment of the court of common pleas within thirty days after entry of said judgment irrespective of the amount involved Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Superior Court and the record so certified shall contain all that was before the court of common pleas Any appeal from the action of the board to a court of common pleas and from it to the Superior Court shall take precedence over all other civil actions The judgment of the Superior Court shall be final unless an appeal therefrom is allowed as in the case of other judgments of that tribunal.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 63, as follows:

An Act creating an Unemployment Insurance Commission defining the powers and duties of said Commission and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an Unemployment Insurance Commission is hereby created to be composed of seven citizens of the Commonwealth to be appointed by the Governor The Commission shall organize at the call of the Governor by the election of a chairman vice-chairman and secretary The secretary need not be a member of the Commission

The members of the Commission shall serve without compensation but shall be entitled to all necessary travelling and hotel expenses

The Commission shall have power to employ such clerks assistants and experts as may be deemed necessary to properly perform its functions and to make a report and to fix their compensation The Commission may also fix a compensation for the secretary if not a member of the Commission

The Commission may hold such meetings and hearings in Harrisburg or elsewhere within the Commonwealth as is deemed advisable

Section 2 It shall be the duty of the Commission to study the laws of other states and countries relating to unemployment insurance the experience of such states and countries the feasibility and advisability of adopting an unemployment insurance law in this Commonwealth ways and means of financing any such system in case the Commission reports favorable and such other matters in relation thereto as the Commission deems advisable

The Commission shall make a report to the General Assembly not later than the first day of February one thousand nine hundred thirty-five of its findings which report shall contain such drafts of legislation as the Commission deems advisable for the consideration of the General Assembly

Section 3 The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Commission for the payment of the expenses of the members for salaries and expenses of employes for postage supplies and incidental expenses and for printing and distributing its report

Section 4 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 145, as follows:

A Joint Resolution proposing an amendment to section eighteen article three of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section eighteen of article three of the Constitution of the Commonwealth of Pennsylvania is hereby amended to read as follows

Section 18 No appropriations shall be made for charitable educational or benevolent purposes to any person or community nor to any denominational or sectarian institution corporation or association Provided That appropriations may be made for pensions or gratuities for military services And provided further That appropriations may be made by general law for assistance to mothers having dependent children and to aged persons without adequate means of support

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 142, as follows:

An Act to amend section four of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand twenty-four) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in presecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" prohibiting the employment of females in foundries

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand twenty-four) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" is hereby amended to read as follows

Night-Work Prohibition In Manufacturing Establishments

Section 4 No female shall be employed or permitted to work in any manufacturing establishments before the hour of six o'clock in the morning or after the hour of ten o'clock in the evening of any day Provided that this section shall not apply to managers superintendents or persons doing clerical or stenographic work

No female shall be employed or be permitted to work in any foundry

Section 2 This act shall become effective on the first day of February one thousand nine hundred and thirty-four

And said bill having been read at length the second time and agreed to,

Ordered to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration Bill No. 138, as follows:

An Act to further amend clause (e) of section three hundred and six of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establish an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" by permitting the extension of time for hospitalization to ninety days at the option of the employer or insurer and fixing the date when this act becomes effective

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (e) of section three hundred and six of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by the act approved the thirteenth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws one hundred eighty-six) is hereby further amended to read as follows

(e) During the first thirty days or at the option of the employer or any insurer during the first ninety days after disability begins the employer shall furnish reasonable surgical and medical services medicines and supplies as and when needed unless the employe refuses to allow them to be furnished by the employer The cost of such services medicines and supplies shall not exceed one hundred dollars ($100) unless agreed to by the employer or insurer If the employer shall upon application made to him refuse to furnish such services medicines and supplies the employe may procure the same and shall receive from the employer the reasonable cost thereof within the above limitations In addition to the above service medicines and supplies hospital treatment services and supplies shall be furnished by the employer for the said period of thirty days or ninety days as the case may be The cost for such hospital treatment service and supplies shall not in any case exceed the prevailing charge in the hospital for like services to other individuals If the employe shall refuse reasonable surgical medical and hospital services medicines and supplies tendered to him by his employer he shall forfeit all right to compensation for any injury or any increase to his incapacity shown to have resulted from such refusal

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 57, as follows:

A Joint Resolution creating an Unemployment Insurance Investigation Commission defining the powers and duties of said Commission and making an appropriation

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That an Unemployment Insurance Investigation Commission is hereby created to be composed of three Senators appointed by the President Pro Tempore of the Senate and four Representatives to be appointed by the Speaker of the House of Representatives The Commission shall organize by the election of a chairman vice-chairman and secretary The secretary need not be a member of the Commission

The members of the Commission shall serve without compensation but shall be entitled to all necessary traveling and hotel expenses

The Commission shall have power to employ such clerks assistants and experts as may be deemed necessary to properly perform its functions and to make a report and to fix their compensation The Commission may also fix a compensation for the secretary if not a member of the Commission

The Commission may hold such meetings and hearings in Harrisburg or elsewhere within the Commonwealth as is deemed advisable

Section 2 It shall be the duty of the Commission to study the laws of other states and countries relating to unemployment insurance the experience of such state and countries the feasability and advisability of adopting an unemployment insurance law in this Commonwealth ways and means of financing any such system in case the Commission reports favorable and such other matters in relation thereto as the Commission deems advisable

The Commission shall make a report to the General Assembly not later than the first day of February one thousand nine hundred and thirty-five of its findings which report shall contain such drafts of legislation as the Commission deems advisable for the consideration of the General Assembly

Section 3 The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the Commission for the payment of the expenses of the members for salaries and expenses of employes for postage supplies and incidental expenses and for printing and distributing of its report

Section 4 This resolution shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 21, as follows:

An Act relating to labor declaring the policy of the Commonwealth as to the hours of and prohibiting the employment of persons for more than six hours in any one day or for more than thirty hours in any one week providing for overtime employment and attaching penalties thereto and providing penalties for violations hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is the public policy of the Commonweatlh of Pennsylvania that no person shall be hired nor permitted to work for wages under any conditions for longer hours or days of service than is consistent with his health and physical well being and ability to promote the general welfare by his increasing usefulness as a healthy and intelligent citizen Involuntary unemployment is hereby recognized as one of the most serious evils of our present industrial system and it is the public policy of this Commonwealth to limit the hours which employed persons shall be permitted to work in order that the available work may be distributed among a greater number of persons and the evil of unemployment thereby abated.

Section 2 It is hereby declared that the working of any person more than six hours in one day or for more than thirty hours in any one week in any trade occupation or branch of industy or labor is injurious to the physical health and well being of such person and tends to prevent him from acquiring that degree of intelligence that is necessary to make him a useful and desirable citizen of the Commonwealth and further tends to increase unemployment of other workers with its consequent bad moral and physical effects upon them

Section 3 No person shall be employed in any trade occupation or branch of industry or labor in this Commonwealth more than six hours in any one day or more than thirty hours in any one week except watchmen and employes when engaged in making necessary repairs or in case of emergency where life or property is in imminent danger Provided however That employes may work overtime not to exceed two hours in any one day conditioned that as a penalty for such additional employment imposed for the purpose of discouraging the same payment be made for said overtime at the rate of time and one-half the regular wage.

Section 4 The Department of Labor and Industry through its offfcers representatives and employes is hereby charged with the enforcement of the provisions of this act and for such purpose such persons are hereby authorized to enter into and inspect any establishment or place of business within the Commonwealth

Section 5 Any person who knowingly (1) employs or aids or abets in the employment of any person in violation of any of the provisions of this act (2) interferes with or obstructs or hinders the Department of Labor and Industry its officers or agents or any other person herein authorized in inspecting places of employment or (3) refuses to answer truthfully questions properly asked by said persons in an attempt to enforce any provisions of this act shall for a first offense be punished by a fine of not less than ten dollars ($10) nor more than fifty dollars ($50) or by imprisonment of not more than ten (10 days or by both such fine and imprisonment for a second offense by a fine of not less than fifty dollars ($50) nor more than two hundred dollars ($200) or by imprisonment for not more than thirty (30) days or by both such fine and imprisonment for a third or subsequent offense by a fine of not less than two hundred dollars ($200) and by imprisonment for not less than ten (10) days nor more than one year

Section 6 The provisions of this act shall be severable and if any of its provisions shall be declared by the courts to be unconstitutional or invalid the decision of the court shall not affect the validity of the remaining provisions of the act It is hereby declared as a legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provision not been included therein

Section 7 All other acts and parts of acts inconsistent herewith are hereby repealed

Section 8 This act shall take effect the first day of January one thousand nine hundred and thirty-five

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 207, as follows:

An Act to amend an act approved the twenty-fifth day of July one thousand nine hundred thirteen (Pamphlet Laws one thousand twenty-four) entitled "An act to protect the public health and welfare by regulating the employment of

females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" by excepting from the provisions of the act domestic service in private homes and further regulating the hours of labor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (Pamphlet Laws one thousand twenty-four) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "establishment" when used in this act shall mean any place within this Commonwealth where work is done for compensation of any sort to whomever payable Provided That this act shall not apply to [work] domestic service in private homes and farming

The term "person" when used in this act shall be construed to include any individual partnership or other unincorporated association corporation and municipality

The term "week" when used in this act shall mean any seven consecutive days and the term "day" shall mean any twenty-four consecutive hours

Section 2 That section three of the said act as last amended by the act approved the first day of June one thousand nine hundred fifteen (Pamphlet Law seven hundred nine) is hereby amended to read as follows

Section 3 (a) No female shall be employed or permitted to work in or in connection with any establishment for more than six days in any one week or more than [fifty-four] forty-four hours in any one week or more than [ten] eight hours in any one day Provided That during weeks in which a legal holiday occurs and is observed by an establishment any female may be employed by such establishment during three days of such week for a longer period of time than is allowed by this act but no female shall be permitted to work more than two hours overtime during any one of such three days nor more than the maximum hours per week specified in this act

The employment of such persons at any other time than as stated herein shall be deemed a violation of the provisions of this section unless it appears that such employment was to make up time lost in the same week in consequence of the alteration repairs or accidents to machinery or plant upon which she was employed and dependent for employment but no stopping of machinery for less than thirty consecutive minutes shall justify such overtime employment nor shall such overtime employment be legal unless a written report of the same is sent to the Commissioner of Labor and Industry but no female shall be permitted to work more than two hours overtime during any one day nor more than the maximum number of hours per week specified in this act Provided That aforesaid restrictions as to hours shall not apply to females engaged in the canning of fruit and vegetable products And provided further That the one day of holiday in seven may be subdivided into two days of twelve hours each for women employes in hotels boarding-houses and in charitable educational and religious institutions at the discretion of the Industrial Board of the Department of Labor and Industry Provided That if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is for any reason invalid such holding shall not be taken in any case to affect or impair the remaining provisions of this section

(b) Whenever any female shall be employed or permitted to work in or in connection with more than one establishment in any one week or in any one day the aggregate number of hours during which she shall be employed or permitted to work in or in connection with such [establishment] establishments shall not exceed the number of hours prescribed in this section for such females in any one week or any one day

(c) The provisions of this section shall not apply to the work of nurses in hospitals

Section 3 That section six of the said act is hereby amended to read as follows

Section 6 Not less than [forty-five] thirty minutes shall be allowed to every female employed or permitted to work in or in connection with any establishment for the mid-day meal which period shall not be considered a part of the hours of labor [Provided That whenever any female shall be employed or permitted to work in or in connection with any establishment for less than eight hours in any one day the time allowed for the mid-day meal may be reduced to not less than thirty minutes]

Employes shall not be required to remain in the workrooms during the time allowed for meals

Section 4 That section seven of the said act is hereby amended to read as follows

Section 7 No female shall be employed or permitted to work for more than [six] five hours continuously in or in connection with any establishment without an interval of at least [forty-five] thirty minutes and no period of less than [forty-five] thirty minutes shall be deemed to interrupt a continuous period of work [Provided That whenever any female shall be employed or permitted to work in or in connection with any establishment for less than eight hours in any one day the interval between work-periods may be reduced to not less than thirty minutes]

Employes shall not be required to remain in the workrooms during the rest periods required by this section

Section 5 That section seventeen of the said act as last amended by the act approved the eighteenth day of April one thousand nine hundred twenty-nine (Pamphlet Laws six hundred seventeen) is hereby amended to read as follows

Section 17 All prosecutions for violations of this act shall be instituted by the Department of Labor and Industry before a magistrate alderman or justice of the peace [who shall issue a summons commanding the person charged with a violation of the act to appear within not less than five nor more than eight days] and shall be in the form of summary proceedings Upon conviction after hearing the penalties provided in this act shall be imposed and shall be final unless an appeal be taken to the court of proper jurisdiction within twenty days after the imposition of the penalties aforesaid in the manner already provided by law in appeals from penalties

Section 6 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 177, as follows:

An Act providing that one-third of the cost of the board of revision of taxes and of the assessors other than personal property assessors in counties of the first class shall be paid by the school district coextensive therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the administrative costs and expenses of the board of revision of taxes in any county of the first class including the salaries of the members of said board and the costs and expenses of the property assessors in such county incurred in the performance of their duties including the salaries of such assessors shall be borne as follows two-thirds thereof by such county and one-third thereof by the school district coextensive therewith Provided however That

the salaries and expenses of the personal property assessors and deputy assessors of personal property of such counties shall be borne by such county as heretofore

Section 2 This act shall become effective on the first day of January one thouasnd nine hundred and thirty-four

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 229 (Senate Bill No. 52), entitled:

An Act to amend the title and sections one two and three of the act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" as amended by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of the act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" is hereby amended to read as follows

An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk [for human consumption] conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. HAINES. Mr. Speaker, I move that this bill be recommitteed to the Committee on Agriculture for the purpose of further study and amendment.

The motion was agreed to.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 4

An Act authorizing officers departments boards and commissions of the Commonwealth and also cities counties boroughs incorporated towns townships school districts and poor districts to cancel certain supply contracts and to relieve contractors of obligations thereunder and certain circumstances and validating like cancellations made heretofore.

SENATE BILL No. 15

An Act to enable city, county, poor, ward, school, borough and township tax collectors, their executors and administrators if they are deceased, or either surety or sureties, to collect taxes, for the payment of which they have become personally liable without having collected the same, by the expiration of the authority of their respective bonds, or by the expiration of the authority of their respective warrants, or by the expiration of their terms of office, and to extend the time for the collections of the same for a period of two years from the passage of this act.

SENATE BILL No. 16

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," making an appropriation for the payment of certain expenses of the General Assembly convened in Extraordinary Session on the thirteenth day of November, one thousand nine hundred thirty-three.

SENATE BILL No. 44

An Act making an appropriation to the Department of Military Affairs for the purchase of supplies materials and equipment to improve the Military Reservation at Indiantown Gap.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 107, entitled:

An Act to amend the act approved the thirty-first day of May one thousand nine hundred and thirty-three (Pamphlet Laws one thousand one hundred thirty-four) entitled "An act adjourning county treasurers sales of seated and unseated lands in counties of the fourth class to be held in the year one thousand nine hundred thirty-three until the time fixed by law for such sales in the year one thousand nine hundred and thirty-four or any later date to which such sales may be adjourned and suspending existing laws providing for the adjournment of such tax sales in the year one thousand nine hundred and thirty-four

And said bill having been read at length the third time, sidered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Gorman,	McCreary,	Shellenberger,
Baker,	Green,	McElwee,	Shenkel,
Baldi,	Greenstein,	McGinnis,	Shettel,
Barnhardt,	Griffith,	McGrail,	Shortz,
Bechtel,	Habbyshaw,	McGregor,	Shreiner,
Beech	Haines,	McHenry,	Shugarts,
Bennett,	Hamilton,	McKay,	Simon,
Bernhard,	Harris,	McKinney,	Snyder,
Blumberg,	Hart,	Melchiorre,	Sowers,
Boyd,	Heffernan,	Meredith,	Spann,
Brancato,	Hefferon,	Merrell,	Stank,
Brennan,	Hermansen,	Mohn,	Steedle,
Brown, J. E.	Hester,	Moore,	Sterling, P.,
Brown, W. L.,	Hewitt,	Mumford,	Sterling, R. B.,
Brownfield,	Himes, H. E.	Munley,	Stevens,
Cannon,	Himes, L. R.,	Murphy,	Stiteler,
Caputo,	Hoffman,	Myers,	Stone,
Carey,	Holmes, J. B.,	Negley,	Storb,
Carson,	Holmes, J. L.,	Nothnagle,	Stott,
Chervenak	Hoopes,	O'Connor,	Tahl,

Cohen,	Horst,	O'Keefe,	Terry,
Conner,	Hough,	O'Neill	Trout,
Cooke,	Howard,	O'Rourke,	Turner,
Cordier,	Hutton,	Patterson,	Wade,
Craig,	Jaffe,	Peelor,	Wagner,
Cramer,	Jones,	Pennock,	Walker, G. E.,
Dane,	Kane, J. J.,	Perry, D. R.,	Walker, W. A.,
Davies,	Kane, L. P.,	Perry, J. J.,	Wall,
DeFrehn,	King,	Powers,	Wasserman,
Denning,	Kinney,	Raub,	Way,
Downey, G. E.,	Labar,	Rectenwald,	Weidemann,
Downey, J. J.,	Lane,	Reed,	Welsh,
Duffy,	Laubach,	Reilly,	Westrick,
Dunmire,	Lenahan,	Rice,	White,
Ederer,	Lewis,	Roan,	Wike,
Emhardt,	Long,	Root,	Williams, G. W.
Eroe,	Lord,	Roth,	Williams, J. J.,
Evans,	Lose,	Royle,	Wilson, L. M.,
Flanagan,	Lovett, J. E.,	Ruby,	Wilson, T. B.
Fleisher,	Lovett, W. S.	Ruth,	Witkin,
Flinchbaugh,	Lynch, J. R.	Sarig,	Wood,
Flynn, J. M.,	Lynch, M.,	Sautter,	Woodside,
Flynn, J. W.	Male,	Schrock,	Wright,
Forrest,	Malina,	Schrope,	Yeakel,
Furman,	Maloney,	Schwab,	Yourishin,
Gallagher, T. J.	Marcks,	Schwartz,	Zimmerman,
Gallagher, W. J.,	Mason,	Scorza,	Talbot,
Gartner,	McBride,	Scott,	Speaker.
Gillette,	McCandless,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 26, entitled:

An Act to promote public health safetly morals and general welfare by providing for the elimination of unsanitary and dangerous housing conditions and the construction and supervision of safe and sanitary dwellings and apartments and for the renting thereof at reasonable rentals creating a State Board of Housing in the Department of Property and Supplies for the purpose of encouraging approving assisting supervising and regulating such activities prescribing and defining powers and duties of the board including supervisory and regulatory powers over limited dividend housing companies engaged in such activities authorizing the board to fix within certain limits rentals of housing accommodations furnished by limited dividend housing companies and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130

Andrews,	Harmuth,	McElwee,	Schwab,
Baker,	Hartman,	McGinnis,	Schwartz,
Baldi,	Heffernan,	McGrail,	Scorza,
Barnhardt,	Hefferon,	McHenry,	Scott,
Beech,	Heffner,	Melchiorre,	Sheffer,
Bennett,	Hermansen,	Meredith,	Shenkel,
Boyd,	Hester,	Merrell,	Shettel,
Brancato,	Hewitt,	Mohn,	Shortz,
Brown, J. E.,	Himes, L. R.,	Moore,	Shugarts,
Brown, W. L.,	Hoffman,	Munley,	Simon,
Brownfield,	Holmes, J. B.,	Murphy,	Snyder,
Cannon,	Hoopes,	Myers,	Sowers,
Caputo,	Horst,	O'Connor,	Spann,
Carson,	Hough,	O'Keefe,	Stank,
Chervenak,	Howard,	O'Neill,	Sterling, P.,
Cohen,	Jones,	O'Rourke,	Sterling, R. B.,
Cooke,	Kane, J. J.,	Peelor,	Stevens,
Cordier,	Kane, L. P.,	Powell,	Stone,
Craig,	Kinney,	Powers,	Stott,
Cramer,	Labar,	Price,	Wagner,
Downey, G. E.,	Lane,	Raub,	Walker, G. E.,
Downey, J. J.,	Laubach,	Rectenwald,	Walker, W. A.,
Duffy,	Lenahan,	Reilly,	Wasserman,
Dunmire,	Lord,	Rhodes,	Welsh,
Eroe,	Lovett, J. E.,	Roan,	Westrick,
Fitzgerald,	Lynch, J. R.,	Root,	Williams, G. W.,
Flanagan,	Lynch, M.,	Roth,	Williams, J. J.,
Flinchbaugh,	Male,	Royle,	Wilson, L. M.,
Flynn, J. M.,	Marcks,	Ruby,	Witkin,
Flynn, J. W.,	McBride,	Ruth,	Wood,
Furman,	McCandless,	Sarig,	Wright,
Gallagher, T. J.	McClure,	Sautter,	Yourishin,
Gallagher, W. J.,	McCreary,	Schrope,	Zimmerman,

NAYS—26

DeFrehn,	Hutton,	Schrock,	Wall,
Ederer,	King,	Shellenberger,	Weidemann,
Griffith,	McGregor,	Shreiner,	White,
Habbyshaw,	Nothnagle,	Stiteler,	Wilson, T. B.,
Haines,	Perry, D. R.,	Terry,	Yeakel,
Harris,	Peters,	Trout,	Talbot,
Himes, H. E.,	Rice,	Turner,	Speaker.

The majority required by the Constitution having voted in in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 28, entitled:

An act relating to limited dividend reconstruction corporations defining and providing for the formation of such corporations for the purpose of reconstructing slum areas extending to such corporations certain existing laws relating generally to business corporations providing for the supervision and regulation of the activities of such corporations by the State Board of Housing in the Department of Property and Supplies providing for the protection of such corporations and the parties dealing with them prescribing defining and limiting the powers and duties of such corporations conferring upon such coroprations and limiting their use of the power of eminent domain exempting such corporations from the payment of the capital stock tax conferring certain powers on municipalities making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and savings institutions

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HUTTON. Mr. Speaker, I would like the sponsor of this bill, the gentleman from Allegheny, Mr. Kane, to explain to the House just what this bill means.

The SPEAKER. Will the gentleman from Allegheny perplain the purpose of House Bill No. 28, Printer's No. 83?

Mr. JOHN J. KANE. Mr. Speaker and members of the House, House Bill No. 28 is one of the three bills introduced and known as "housing bills" or bills for the purpose of eliminating slums in the large cities.

This bill sets up a limited development reconstruction corporation with the right of eminent domain, providing options on properties in areas where the Housing Corporations desire to build are received from fifty percent of the properties involved. It also provides that these corporations shall have the authority to borrow money from the Federal Government for the purpose of these reconstruction projects or the rebuilding of the slum districts.

Mr. WILSON. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Kane.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. J. J. KANE. I will, Mr. Speaker.

Mr. WILSON. Mr. Speaker, may I ask what is the meaning of the phrase in the title "making certain securities of such corporations legal investments for funds in the hands of municipal officers, insurance companies and associations, savings banks and savings institutions."

Mr. J. J. KANE. Mr. Speaker, as I understand Bill No. 26, the Housing Board, as set up, has authority and control over these projects and gives to them authority for the handling of the funds and the investing and control of the financial investments in the housing projects.

Mr. WILSON. Mr. Speaker, do I understand the gentleman from Allegheny to mean, then, that after House Bill No. 26 is passed and you form a benevolent corporation, which does not intend to make money, and these housing corporations will rent these houses at a low figure, that then, by this act, House Bill No. 28, it will make the securities of those corporations proper investments for savings banks, insurance companies, savings funds and municipal funds?

Mr. J. J. KANE. Yes.

Mr. WILSON. Mr. Speaker, I have no interest in this bill but I have an interest in this proposition that the funds of savings banks, insurance companies and municipalities should be kept in the very best shape. They are not any too well kept with all of the safeguards that the Commonwealth has put upon them.

I have no objection to the bill excepting the feature that allows the savings banks and insurance companies to buy these no-good securities of these houses that are built for philanthropic purposes, for the purpose of giving the public housing; as I say I have no objection to that, but when you come to say that insurance companies and municipalities shall be allowed to invest the money of the people that took that insurance policy, the widows, orphans and so forth, who have their money in savings institutions, I say that the bill is a mighty bad bill and should be voted down.

Mr. J. J. KANE. Mr. Speaker and members of the House, these bills were taken to the Attorney General's office and amendments were made to them to comply with the corporation acts as amended in the General Session this year, and I believe that every precaution has been taken to safeguard the investment of any individual, bank or building and loan association that may be invested in these corporations.

Mr. HOOPES. Mr. Speaker and members of the House, in direct reply to the question asked by the gentleman from McKean, Mr. Wilson, I would ask the membere to refer to the bill on page 13, beginning at line 6, where it reads: "First lien bonds of such corporation when secured by mortgage not exceeding two-thirds of the estimated cost prior to the completion of the project or two-thirds of the appraised value of actual cost which ever shall be less after such completion as certified by the Board are hereby declared securities in which all public officers and bodies of the municipal subdivisions of the Commonwealth, all insurance companies and associations, all banks, bank and trust companies and savings banks in the Commonwealth may legally invest funds." I take it, and I think if the members of the House will consider it for a moment, that these bonds and securities secured by mortgages not exceeding two-thirds of the value of the property as fixed by the State Housing Board are a whole lot safer than a lot of first mortgages which have been taken by banks and trust companies in this state heretofore on the basis of appraisals of committees appointed by the bank which appraised the property at anywhere from one and one-half to three times what they were worth with a view of putting a mortgage on the property.

I have personal knowledge of cases where trust companies have invested in mortgages and where the property was appraised by the committee at about three times its assessed value for taxation purposes in a community where the assessment is based on two-thirds of the property value.

It seems to me that these bonds will be more secure than most trust funds are today. I think that is a complete answer to the question asked by the gentleman from McKean.

Mr. WILSON. Mr. Speaker and members of the House, I am not a defender of the method by which loans were made in the past. I am not standing here for that purpose. I say that to extend the class of securities in which trustees for other people can invest funds is a mistake and this House should be very careful now and at all other times to put guards around the places where these funds may be invested. Any kind of an institution that goes out to build houses for the poor, which is very commendable and which nobody would criticize, when they get this done and they are rented at a certain fixed figure, fixed by a state board, I say that the securities are mighty poor securities in which to invest the funds of widows and orphans, and the House should not allow it to be done.

Mr. ANDREWS. Mr. Speaker and members of the House, I had not intended to open these bills for discussion, but since the members have done so I must go on record against this bill.

For twenty years I have been on the side of those members of the legislature, and that portion of the public, which has contended for a larger measure of home rule for municipalities, and for thirty years I have been a part of the movement, a small part of the movement, which has contended against the centralization and the crystalization of power in state departments.

I can understand very readily why my friend, the gentleman from Berks, favors measures like this. It is because they are so thoroughly Socialistic. My friend from Berks believes in centralizing power not in the hands of the communities but in the hands of the state, and he blandly and with a smile sees this legislature take from the communities and add increased powers to the state, looking forward to the time when the state is socialized and the whole work of the Socialist movement has been done.

This bill opens up the opportunity for distressed owners of decrepit property to unload them upon the Commonwealth or to unload them on a corporation functioning under the name of the Commonwealth. The Department of Welfare and the Department of Property and Supplies already have too much power.

Now, if we give them the control of decrepit and distressed properties in the municipalities throughout this Commonwealth, their power is absolute and complete.

In the matter of its drafting this is the most dangerous measure that has been introduced into this legislature in thirty years.

Mr. J. J. KANE. Mr. Speaker and members of the House, I regret exceedingly that I have to take exception to the remarks of the gentleman from Cambria when he says that this is purely a Socialistic bill.

I want to read a list of the organizations in the Pittsburgh district that have given support to the House Bills that are now before you:

The Pittsburgh Chamber of Commerce. Would the gentleman from Cambria say that this is a Socialistic organization?

The Civic Club of Allegheny County.

The Allegheny County League of Women Voters.

The Public Charities Association of Pennsylvania.

The Pittsburgh Chapter American Institute of Architects. I don't think that they are very socialistic.

The Public Affairs Committee, Federation of Social Agencies. There might be a little bit of Socialism there.

The Pittsburgh Chapter of the American Association of Social Workers. People who are interested in social legislation.

I presume that anybody who arises and appeals to the Assembly in behalf of the people can be talked down by classifying them as Socialists.

Pittsburgh Wholesale Lumber Dealers Association.

Pittsburgh Housing Association.

Pittsburgh Community Council of the North Side of Pittsburgh.

And the Pittsburgh Community Council of the Hill District of Pittsburgh.

In Pittsburgh and in every other large city, as every member of this House knows, there are slum districts where the people in the congested areas of the cities are compelled to live like mere animals without regard to the laws of sanitation. Conditions are not such that these people can live as decent American citizens should live.

If an organization is set up to try and eliminate these districts, as proposed by these bills, which as I have said before, have been carefully gone over by the Attorney General's office, and I presume that is the only method we have of guiding us in regard to the safe guarding of investments of any constitutional provision of any act we may desire to present—they have made the amendments, they have advised with the folks interested in the legislation, and if these bills are passed it gives to the districts that are interested, an opportunity to build new dwellings, an opportunity to provide work and if providing work in times like these is socialistic, then this measure is socialistic. It gives an opportunity for men to go to work and if it is accomplished that it gives people an opportunity to live in better houses than the people now live in, and if that is socialistic, make the most of it, my friend from Cambria, Mr. Andrews.

Mr. HOOPES. Mr. Speaker and members of the House, we Socialists naturally take it as a compliment when any good legislation is tagged as "Socialistic." I would not call this particular legislation socialistic, however. It is good legislation. Last week you passed a housing bill in this House that was far more socialistic than this one is; you passed a bill authorizing municipalities to build houses and to rent them to the people at low rentals. In other words, you authorized the creation of public authorities for the purpose of putting up houses directly by the people through their municipal agencies. That would be the socialists way of doing it. That is the way it has been done in the City of Vienna, which is the foremost city in that phase of social work, and it is well known to all the people who are interested in the question that that has been a success.

However, because of the objections in this country to municipal housing schemes, we will support this bill, which will provide for corporations with low interest rates and with limited dividends, to build houses and to rent those houses to the people at a reasonable rental. The purpose is a laudable one, and we are for it, and you need not be afraid of it on the ground that it is socialistic. We would go further than this, and the bill which you passed last week went much further than this one does.

I sincerely hope you will vote for this bill.

Mr. WILSON. Mr. Speaker, I again wish to interrogate the gentleman from Allegheny, Mr. Kane.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated further?

Mr. WILSON. On page 14 of your bill at line [illegible] there is a provision contained which gives this limited [illegible]nd corporation the right of eminent domain under the [illegible] of this Commonwealth.

Mr. J. J. KANE. It gives it the right of eminent domain but if you read further down from line 20 to line 29, it provides if they have an option on fifty per cent. of the properties in the area.

Mr. WILSON. But it does give the right to a limited dividend corporation in Pennsylvania that wants to go out and build buildings and rent them at low rents, the right of eminent domain to take whatsoever properties they may desire?

Mr. J. J. KANE. Provided they have an option on fifty per cent. of the properties in the area and it is approved by the state board.

Mr. WILSON. With your bubble that you are blowing up you make it possible that if they want to build properties they can go into any section of any city and take any property under the right of eminent domain?

Mr. J. J. KANE. I didn't know I was blowing a bubble.

Mr. WILSON. That is what it looks like to me.

Mr. J. J. KANE. The bill says very clearly that the Housing Board shall pass on anything that the housing committee does.

The SPEAKER. The gentlemen will not indulge in a personal conversation across the hall.

Mr. WILSON. Mr. Speaker, I am attempting to interrogate the gentleman from Allegheny.

The SPEAKER. You may proceed, with the permission of the gentleman from Allegheny.

Mr. WILSON. Then, as the gentleman from Cambria has pointed out, and as you say, this would be for somebody here in Harrisburg to decide, that in any of these cities where they have these corporations somebody here in Harrisburg would decide that a certain section of that city will be wiped out and the corporation will proceed to take the property they want under the right of eminent domain, subject only to the decision of somebody in Harrisburg?

Mr. J. J. KANE. I said that provided they had options on fifty per cent. of the property in the area they then place their proposal before the Housing Board for approval.

Mr. WILSON. And that Housing Board meets here in Harrisburg?

Mr. J. J. KANE. That is right.

Mr. WILSON. And in Harrisburg somebody can decide that a certain section in Wilkes Barre, for instance, can be wiped out, and all they have to do is to go into the Prothonotary's office and file their decision to take that property, and they thereby own that property that they have decided to take over in Harrisburg, that is the result, is it not?

Mr. J. J. KANE. Mr. Speaker, just the same as the Public Service Commission controls your light and the State Liquor Board controls the glass of whiskey that you drink, that we passed last week.

Mr. WILSON. Mr. Speaker, does the gentleman mean that the State Liquor Board can come into Allegheny County and take any property without the consent of the owner?

Mr. J. J. KANE. No, Mr. Speaker, they can't take the property but they can control the liquor situation——

The SPEAKER. The gentleman will confine their remarks and interrogatories to the question before the House.

Mr. WILSON. I take it, Mr. Speaker, that this is a very serious question before the House; the question of whether or not these authorities in Harrisburg can proceed to take over a certain section of a city in the State of Pennsylvania, file notice of their intention in the Prothonotary's office, and thereby own that property under the right of eminent domain. The question of the price to be paid for it is left for determination to the Court and their title has become absolute when they file their intention to take over the property. I ask the members of the House to vote this bill down.

Mr. J. J. KANE. Mr. Speaker, inasmuch as I arose to be interrogated, and the gentleman from McKean made a speech, I ask for the same privilege.

The SPEAKER. The gentleman from Allegheny will proceed.

Mr. J. J. KANE. Mr. Speaker and members of the House, the gentleman from McKean, Mr. Wilson, is endeavoring to convey to this House the thought that some person or persons in Harrisburg will decide whether or not these Housing Corporations will have the right of eminent domain.

These Housing Corporations will have the right of eminent domain, as I have stated, when fifty percent of the properties have been secured through options, and the State Housing Board would then pass on the legality of the procedure, investigate very thoroughly and then make its decision.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a question or parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. ANDREWS. Mr. Speaker, has it been the practice on the part of this House to enforce House Rule No. 72?

The SPEAKER. The gentleman from Cambria, Mr. Andrews, has raised a parliamentary inquiry as to whether House Rule No. 72 is being enforced at the present time. The Chair first will read the rule:

"MEMBERS HAVING PRIVATE INTEREST IN BILL NOT TO VOTE

"A member who has a personal or private interest in any measure or bill proposed or pending before the House shall disclose the fact to the House and shall not vote thereon, as required by the Constitution Art. III, Sec. 33." which the Chair will read:

"MEMBERS INTERESTED NOT TO VOTE

"A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly shall disclose the fact to the House of which he is a member, and shall not vote thereon."

The Chair is of the opinion that the matter rests entirely within the conscience of the individual member. The Chair goes further and states that even if a member challenge the particular member of the House in question as to his personal interest in a bill, it is the belief and opinion of the Chair that the matter still remains within the conscience of the member challenged. Does that answer the gentleman's parliamentary inquiry?

Mr. ANDREWS. Mr. Speaker, a further question of parliamentary inquiry.

The SPEAKER. The gentleman will proceed.

Mr. ANDREWS. Mr. Speaker, would a member of the House personally interested in property that might conceivably be taken over by a housing corporation be disqualified from voting?

The SPEAKER. The Chair would be of the opinion, and rules, that if that fact were established, the member would not be privileged to vote. Does that answer the gentleman's parliamentary inquiry?

Mr. EDERER. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Laubach, Baker, Peters, Forrest, Duffy, Stiteler, Cooke, Craig, Conner, Nothnagle, Evans, Snyder, Fleisher, Shreiner, Rice, Habbyshaw, John L. Holmes, Hutton, McElwee, Wright, Griffith and others.

On the question,

Shall the main question be now put?

It was agreed to.

The question recurring,

Shall the bill pass finally?

Mr. J. J. KANE. Mr. Speaker.

The SPEAKER. The Chair will recognize the gentleman from Allegheny but before recognizing him desires to inform him that there is nothing before the House except the calling of the roll.

PARLIAMENTARY INQUIRY

Mr. J. J. KANE. Mr. Speaker, may I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. J. J. KANE. May I make a statement under a question of personal privilege, Mr. Speaker?

The SPEAKER. The gentleman may when his name is called if he has any reasons to submit on the question of his vote on the bill; otherwise there is nothing before the body but the calling of the roll.

Mr. J. J. KANE. In writing or from the floor, Mr. Speaker?

The SPEAKER. As the gentleman desires.

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. J. J. KANE. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—91

Bechtel,	Harmuth,	Marcks,	Ruth,
Beech,	Hartman,	McBride,	Sarig,
Bernhard,	Heffernan,	McCandless,	Sautter,
Boyd,	Heffner,	McClure,	Schrope,
Brancato,	Hermansen,	McElwee,	Schwab,
Brown, J. E.,	Hester,	McGinnis,	Shenkel,
Brown, W. L.,	Himes, L. R.,	McGrail,	Shettel,
Brownfield,	Hoffman,	McHenry,	Shugarts,
Cannon,	Holmes, J. B.,	Melchiorre,	Sowers,
Caputo,	Hoopes,	Murphy,	Spann,
Carson,	Hough,	Negley,	Stank,
Cohen,	Howard,	O'Connor,	Steedle,
Cramer,	Kane, J. J.,	O'Keefe,	Sterling, R. B.,
Downey, G. E.,	Kane, L. P.,	O'Rourke,	Stevens,
Downey, J. J.,	Kinney,	Powers,	Stone,
Dunmire,	Labar,	Price,	Wagner,
Eroe,	Lane,	Quinn,	Walker, G. E.,
Flanagan,	Lose,	Raub,	Walker, W. A.,
Flynn, J. W.,	Lovett, J. E.,	Rectenwald,	Welsh,
Furman,	Lynch, J. R.,	Reed,	Westrick,
Gallagher, T. J.	Lynch, M.,	Reilly,	Wilson, L. M.,
Gallagher, W. J.	Male,	Root,	Yourish,
Gartner,	Maloney,	Ruby,	

NAYS—93

Baker,	Greenstein,	Moore,	Stiteler,
Baldi,	Griffith,	Mumford,	Stott
Barnhardt,	Habbyshaw	Munley,	Tahl,
Bennett,	Haines,	Myers,	Terry,
Blumberg,	Harris,	Nothnagle,	Trout,
Brennan,	Hefferon,	O'Neill,	Turner,
Carey,	Hewitt,	Patterson,	Wade,

Conner,	Himes, H. E.,	Pennock,	Wall,
Cordier,	Holmes, J. L.,	Peters,	Way,
Craig,	Horst,	Perry, D. R.,	Weidemann,
Dane,	Hutton,	Perry, J. J.,	White,
Davies,	Jaffe,	Peters,	Wike,
DeFrehn,	King,	Rice,	Williams, G. W.,
Denning,	Laubach,	Roan,	Williams, J. J.,
Duffy,	Lewis,	Roth,	Wilson, T. B.,
Ederer,	Lord,	Royle,	Witkin,
Emhardt,	Mason,	Schrock,	Wood,
Evans,	McCreary,	Scott,	Woodside,
Fleisher,	McGregor,	Shellenberger,	Wright,
Flynn, J. M.,	McKay,	Shortz,	Yeakel,
Forrest,	McKinney,	Shreiner,	Zimmerman,
Gillette,	Meredith,	Simon,	Talbot,
Gorman,	Merrell,	Snyder,	Speaker.
Green,	Mohn,		

PRESENT

Andrews,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

(The following remarks were made by Mr. J. J. Kane when his name was called during the calling of the roll.)

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. J. J. Kane.

REASON FOR VOTE

Mr. J. J. KANE. Mr. Speaker, in presenting these bills and voting for them I desire to make this statement; I interpreted the remarks of the gentleman from Cambria to indicate that I had a personal interest in this bill. The only interest I have is an endeavor to have legislation passed that will help to eliminate slum districts in the larger cities of this Commonwealth and to start a movement that might provide work for men who need it today.

I have no property in any slum district in any city in the State of Pennsylvania and I have no personal interest other than to see the slums eliminated. So, I want to put that statement on the record so that there will be interpretation that I am supporting any of this legislation as a matter of personal interest or private gain.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be noted on the Journal.

QUESTION OF PERSONAL PRIVILEGE

Mr. HUTTON. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Franklin will state his question of personal privilege.

Mr. HUTTON. Mr. Speaker and members of the House, the following explanation that I am about to make I think is in proper justification of the members of this House who last night voted the granting to the Chief Clerk of this House a further leave of absence.

There was read to the House by the Speaker a letter from the Chief Clerk, in which he asked, first, for a continuance of his leave of absence until the next session of the General Assembly; second, that that continued absence as granted should be without pay; third, that in case the present proceeding pending against the Chief Clerk, and which is now on appeal, would be decided adversely to him, he would immediately resign.

On the motion of the gentleman from Franklin, the leave of absence was granted by this House upon the conditions and stipulations as set forth in that letter.

My attention has been directed this morning to certain publications in the public press. One of our Harrisburg papers reads as follows:—"The House by a vote of 112 to 75 granted this leave of absence at White's request. His salary of $6,000.00 a year is therefore continued."

On inspecting one of the reports as carried in a Philadelphia paper, the same statement in substance is made, from which the public could gather the inference that the Chief Clerk was to continue to enjoy a salary of $6000.00 a year despite his absence. That is not correct, and the gentlemen of the press have evidently fallen into what I am charitably disposed to interpret as an inadvertence, and I wish this to appear upon the record.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be noted in the Legislative Journal.

The SPEAKER. The Chair will clear the table.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 12, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, December eighteenth, at nine o'clock; and that when the House of Representatives adjourns this week it reconvene Monday evening, December eighteenth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, December 11, 1933.

Resolved (if the Senate concur), That House Bill No. 40, Printer's No. 90, entitled "An act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War, the war between the United States and Spain, the China Relief Expedition or in the Philippines or Guam; imposing certain duties on the Adjutant General; making an appropriation; and repealing inconsistent legislation; and providing penalties," now in the hands of the Governor, be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, December 11, 1933.

Resolved (if the Senate concur), That House Bill No. 39, Printer's No. 80, entitled "An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; creating a special fund in the State Treasury to be known as the

Veterans' Compensation Fund; defining the powers and duties of the Governor, the Auditor General, the State Treasurer and the Board of Finance and Revenue in relation thereto; and providing for the payment of interest on, and the redemption of, such bonds," now in the hands of the Governor, be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitld as follows:

HOUSE BILL No. 41.

An Act making an appropriation for the payment of preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three.

HOUSE BILL No. 86.

An Act making an appropriation out of the General Fund to the Pennsylvania Liquor Control Board for the administration and enforcement of the Pennsylvania Liquor Control Act including the establishment operation maintenance and equipmet of Pennsylvania Liquor Stores and places for the storing and testing of liquors and providing for the partial reimbursement of the General Fund by making an appropriation from The State Stores Fund to be transferred in installments to the General Fund.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 87.

An Act appropriating the moneys in The State Stores Fund

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk wil read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 3 by inserting after the word "the" the following: "authority of the same That" also line 13 by inserting after the word "of" the following: "the members of the board and"

Amend section 1, page 3, line 9 by inserting after the word "work" the following:

"(i) For reimbursing the Department of Revenue for expenditures made by that department in anticipation of this appropriation to assist the board in issuing licenses to hotels restaurants clubs and public service companies prior to the ratification of the Twenty-first Amendment."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Habbyshaw,	McCreary,	Shellenberger,
Baker,	Haines,	McElwee,	Shenkel,
Barnhardt,	Hamilton,	McGinnis,	Shreiner,
Bechtel,	Harmuth,	McGrail,	Simon,
Beech,	Harris,	McGregor,	Shortz,
Bennett,	Hartman,	McHenry,	Snyder,
Blumberg,	Heffernan,	McKay,	Sowers,
Boyd,	Hefferon,	McKinney,	Spann,
Brancato,	Heffner,	Meredith,	Stank,
Brennan,	Hermansen,	Merrell,	Steadle,
Brown, J. E.,	Hester,	Mohn,	Sterling, P.,
Brown, W. L.,	Hewitt,	Moore,	Sterling, R. B.,
Brownfield,	Himes, H. E.,	Munley,	Stevens,
Cannon,	Himes, L. R.,	Murphy,	Stiteler,
Carey,	Hoffman,	Myers,	Stone,
Carson,	Holmes, J. B.,	Nothnagle,	Storb,
Chervenak,	Holmes, J. L.,	O'Connor,	Stott,
Cohen,	Hoopes,	O'Keefe,	Tahl,
Conner,	Horst,	O'Neill,	Terry,
Cooke,	Hough,	Patterson,	Trout,
Cordier,	Howard,	Pennock,	Turner,
Craig,	Hutton,	Perry, D. R.,	Wade,
Dane,	Jaffe,	Perry, J. J.,	Wagner,
Davies,	Jones,	Peters,	Walker, G. E.,
DeFrehn,	Kane, J. J.,	Powell,	Walker, W. A.,
Denning,	Kane, L. P.,	Powers,	Wall,
Downey, G. E.,	King,	Price,	Wasserman,
Downey, J. J.,	Kinney,	Quinn,	Way,
Duffy,	Labar,	Raub,	Weidemann,
Dunmire,	Lane,	Rectenwald,	Welsh,
Ederer,	Laubach,	Reed,	Westrick,
Emhardt,	Lenahan,	Reilly,	White,
Eroe,	Lewis,	Rhodes,	Wike,
Evans,	Long,	Rice,	Williams, G. W.,
Fitzgerald,	Lord,	Roan,	Williams, J. J.,
Fleisher,	Lose,	Roth,	Wilson, L. M.,
Flinchbaugh,	Lovett, J. E.,	Royle,	Wilson, T. B.,
Flynn, J. M.,	Lovett, W. S.,	Ruby,	Witkin,
Forrest,	Lynch, J. R.,	Ruth,	Wood,
Furman,	Lynch, M.,	Sarig,	Woodside,
Gallagher, T. J.,	Male,	Sautter,	Wright,
Gartner,	Maloney,	Schrope,	Yeakel,
Gillette,	Marcks,	Schwab,	Yourishin,
Gorman,	Mason,	Schwartz,	Zimmerman,
Green,	McBride,	Scorza,	Talbot,
Greenstein,	McCandless,	Scott,	Speaker.
Griffith,	McClure,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 26. (HOUSE BILL No. 235.)

An Act accepting the provisions of an Act of Congress for the establishment of a national employment system and authorizing the Department of Labor and Industry to cooperate with the Federal Employment Service under that act, and providing for the custody and disbursement of funds granted to the Commonwealth by the Federal government thereunder.

Referred to the Committee on Judiciary General.

SENATE BILL No. 93. (HOUSE BILL No. 236.)

An Act to amend section ten of the act, approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eighty-four) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" regulating the refund of taxes paid on malt liquors.

Referred to the Committee on Ways and Means.

REPORTS OF COMMITTEES

Mr. McBRIDE, from the Committee on Counties, reported as committed, House Bill No. 191, entitled:

An Act to amend section one of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 237), entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two, and validating the liens of such taxes," further extending the period for such returns and providing for returns for the year one thousand nine hundred and thirty-three.

Mr. GREENSTEIN, from the Committee on Counties, reported as amended, House Bill No. 65, entitled:

An Act requiring all deputy sheriffs to be paid by the counties in which they are employed; prohibiting all contracts and agreement for repayment or reimbursement to any county or the sheriff thereof by any persons, copartnership, association or corporation of compensation to such deputy sheriffs; and fixing penalties.

Mr. FLINCHBAUGH, from the Committee on Counties, reported as committed, House Bill No. 185, entitled:

An Act relating to income taxes for school purposes in counties of the third, fourth, fifth, sixth, seventh and eighth classes of this Commonwealth; providing for the assessment of the potential annual income of every piece of real estate and the return of the actual net income of every natural person of the age of twenty-one years and upwards residing in the county, and every copartnership, unincorporated association, company, limited partnership and company doing business within the county; providing a method of determining said actual net income; providing that rates and levies for school purposes (except for the payment of existing indebtedness) shall be based on the sum of said potential annual income of real estate and said actual net income, and providing for the levying thereof; giving the right of appeal; and repealing all inconsistent laws.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 230, (Senate Bill No. 55), entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction, and providing for the repayment of such moneys from the General Fund.

Mr. CONNER, from the Committee on Appropriations, reported as committed, House Bill No. 226, (Senate Bill No. 42), entitled:

A Joint Resolution creating a Liquor Control Investigation Commission, defining the powers and duties of said Commission; and making an appropriation.

RESOLUTION

TIME EXTENDED FOR SALE OF LIQUOR.

Mr. WITKIN asked and obtained unanimous consent to offer a resolution which was twice read by the Clerk as follows:

In the House of Representatives, December 12, 1933.

Whereas, New Year's Day, a legal holiday, falls for the year 1934, on Monday; and

Whereas, New Year's Eve is generally celebrated throughout the State by people awaiting the advent of the New Year; and

Whereas, The sale of liquors is allowed only from 7 o'clock A. M. of any week day until 2 o'clock of the following week day; and

Whereas, It is unlawful to sell liquors on Sunday, the law is open to the construction that the intervention of Sunday between Saturday and Monday prohibits the sale of liquors on Monday between the hours of 12 o'clock midnight and 2 o'clock A. M., although such sales are legal on any other week day; therefore be it

Resolved (if the Senate concur), That it is the sense of the General Assembly that persons licensed to sell liquors for consumption on the premises where sold, shall be permitted to sell such liquors between the hours of 12 o'clock midnight and 2 o'clock A. M. on Monday, January first, 1934, and that no licensee shall be penalized or his or her license revoked for the sale of liquors on said day between the hours specified in this resolution;

Resolved, That a copy of this resolution be transmitted to the Pennsylvania Liquor Control Board by the acting Chief Clerk of the House of Representatives.

Mr. WITKIN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution.

The SPEAKER. Will the House give its unanimous consent for the immediate consideration of the resolution? Are there objections? The Chair hears objection and consent is not granted.

The resolution lies over under the rules.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 3:30 o'clock this afternoon. Are there objections? The Chair hears none, and (at 1.05 o'clock P. M.) the Chair declared a recess until 3:30 o'clock P. M.

AFTER RECESS

The House reconvened at 3.30 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 41.

An Act making an appropriation for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three.

HOUSE BILL No. 88.

An Act making an appropriation out of the General Fund to the Pennsylvania Liquor Control Board for the administration and enforcement of the Pennsylvania Liquor Control Act including the establishment operation maintenance and equipment of Pennsylvania Liquor Stores and places for the storing and testing of liquors and providing for the partial reimbursement of the General Fund by making an appropriation from The State Stores Fund to be transferred in installments to the General Fund

Whereupon,

The SPEAKER, in the presence of the House signed the same.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 223 (Senate Bill No. 43), entitled:

An Act making an appropriation to the Department of Military Affairs.

And said bill having been read at length the third time, sidered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Green,	McElwee,	Scott,
Baker,	Griffith,	McGinnis,	Scorza,
Baldi,	Habbyshaw,	McGrail,	Sheffer,
Barnhardt,	Haines,	McGregor,	Shellenberger,
Bechtel,	Hamilton,	McHenry,	Shettel,
Beech,	Harmuth,	McKay,	Shortz,
Bennett,	Harris,	McKinney,	Shreiner,
Blumberg,	Hart,	Melchiorre,	Simon,
Boyd,	Hartman,	Meredith,	Snyder,
Brancato,	Heffernan,	Merrell,	Sowers,
Brennan,	Hefferon,	Mohn,	Spann,
Brown, J. E.,	Heffner,	Moore,	Stank,
Brown, W. L.,	Hermansen,	Mumford,	Steedle,
Brownfield,	Hewitt,	Munley,	Sterling, P.,
Cannon,	Himes, H. E.,	Myers,	Stevens,
Caputo,	Himes, L. R.,	Negley,	Stiteler,
Carey,	Hoffman,	Nothnagle,	Stone,
Chervenak,	Holmes, J. E.,	O'Connor,	Storb,
Cohen,	Holmes, J. L.,	O'Neill,	Stott,
Conner,	Hoopes,	O'Rourke,	Terry,
Cooke,	Horst,	Patterson,	Trout,
Cordier,	Hough,	Peelor,	Turner
Craig,	Howard,	Pennock,	Wade,
Cramer,	Hutton,	Perry, D. R.,	Wagner,
Dane,	Jaffe,	Perry, J. J.,	Walker, G. E.,
DeFrehn,	Jones,	Peters,	Walker, W. A.,
Denning,	Kane, J. J.,	Powell,	Wall,
Downey, G. E.	King,	Powers,	Wasserman,
Duffy,	Kinney,	Price,	Way,
Dunmire,	Lane,	Quinn,	Weidemann,
Ederer,	Laubach,	Raub,	Welsh,
Embardt,	Lenahan,	Rectenwald,	Westrick,
Eroe,	Lewis,	Reed,	White,
Evans,	Long,	Reilly,	Wike,
Fitzgerald,	Lord,	Rice,	Williams, G. W.
Flanagan,	Lose,	Roan,	Williams, J. J.,
Fleisher,	Lovett, J. E.,	Roth,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Royle,	Witkin,
Flynn, J. M.,	Male,	Ruby,	Wood,
Forrest,	Malina,	Ruth,	Woodside,
Furman,	Maloney,	Sarig,	Wright,
Gallagher, T. J.,	Marcks,	Sautter,	Yeakel,
Gallagher, W. J.,	Mason,	Schrock,	Yourishin,
Gartner,	McBride,	Schrope,	Zimmerman,
Gillette,	McCandless,	Schwab,	Talbot,
Gorman,	McClure,	Schwartz,	Speaker.

NAYS—0

The majority required by the Constitution having voted in in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

RECONSIDERATION OF VOTE

Mrs. WILSON. Mr. Speaker, I move that the vote by which the House agreed to transcribe for third reading House Bill No. 145, Printer's No. 115, entitled

An Act proposing an amendment to section eighteen, article three of the Constitution of the Commonwealth of Pennsylvania,

on page 9 of today's calendar, be reconsidered.

The motion was agreed to.

Mrs. WILSON. Mr. Speaker, I move that the vote by which this bill was agreed to on second reading be reconsidered.

The motion was agreed to.

The votes by which the House agreed to the title and the several sections of the bill were separately reconsidered.

The first section was read as follows:

Section 1 Be is resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section eighteen of article three of the Constitution of the Commonwealth of Pennsylvania is hereby amended to read as follows

Section 18 No appropriations shall be made for charitable educational or benevolent purposes to any person or community nor to any denominational or sectarian institution corporation or association Provided That appopriations may be made for the pensions or gratuities for military services And provided further That appropriations may be made by general law for assistance to mothers having dependent children and to aged persons without adequate means of support

On the question,

Will the House agree to the section?

Mrs. WILSON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 14, by striking out the words "And provided further that appropriations may be made."

Amend section 1, page 2, line 1, by striking out the words "by general law" and insert in lieu thereof "and to blind persons twenty-one years of age and upwards, and"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

A Joint Resolution proposing an amendment to section eighteen article three of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length and second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Mr. HAINES. Mr. Speaker, I desire to call up House Bill No. 51, on page 11 of today's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 139 (Senate Bill No. 35), entitled:

An Act relating to milk and the products thereof declaring an emergency with respect to their production and marketing creating a Milk Control Board establishing its jurisdiction powers and duties regulating the production transportation manufacture processing storage distribution delivery and sale of milk and the products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring licensees to furnish bonds for the protection of producers authorizing the examination of the business papers and affairs of and requiring the filing of reports by licensees and other milk dealers and producers and permitting with limitations the dissemination of information obtained therefrom authorizing the issuance of subpoenas by the Board or its agents and conferring jurisdiction upon courts to punish contempts providing for appeals to the courts from decisions of the Milk Control Board imposing penalties and making an appropriation

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the exercise of the police power of the Commonwealth and to protect the public health and public welfare it is hereby declared that the production transporta-

tion manufacture processing storage distribution and sale of milk in the Commonwealth is a business affecting the public health and effected with a public interest and it is hereby declared to be the legislative intent that this act shall be an emergency measure enacted for the purpose of regulating and controlling the milk industry in this Commonwealth for the protection of the health welfare and comfort of the inhabitants thereof

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. HAINES. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture for the purpose of further study and amendment.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. WEIDEMANN, from the Committee on Municipal Corporations, reported as committed, House Bill No. 66, entitled:

An Act for the relief of financially distressed taxpayers; providing for the payment in installments of delinquent county, city, borough, incorporated town, township, school and poor taxes in certain cases, and abating additional penalties and interest thereon.

Mr. TAHL, from the Committee on Municipal Corporations, reported as committed, House Bill No. 109. entitled:

An act to amend section one of the act, approved the twenty-sixth day of August, one thousand nine hundred and thirty-two (P. L. 100), entitled "An act authorizing the abatement of penalties on local taxes," as amended, by providing for the extension of time during which such abatements may be allowed.

Mr. STONE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 137, entitled:

An Act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four, by installments and for a discount for prompt payment of such taxes, in cities of the second class and in school districts of the first class.

Mr. FLANAGAN, from the Committee on Coroprations, reported as committed, House Bill No. 34, entitled:

An Act to repeal the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-six) entitled "An act authorizing the appointment by the Governor of industrial police upon application of certain corporations companies associations and individuals prescribing the powers of such police authorizing the Governor to investigate their work and require periodical reports from them imposing duties upon the Secretary of the Commonwealth and recorders of deeds and imposing penalties.

Mr. SHREINER, from the Committee on Highways, reported as committed, House Bill No. 232, (Senate Bill No. 41), entitled:

An Act to amend paragraph (a) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand forty-isx) entitled "An act appropriating the moneys in the Motor License Fund" by appropriating such fund to the Board of Finance and Revenue for redemption of bonds issued to acquire toll bridges.

Mr. RICE, from the Committee on State Government, reported as committed, House Bill No. 226, (Senate Bill No. 31), entitled:

An Act authorizing the Department of Property and Supplies to act as purchasing agency for certain Federal agencies and making an appropriation of moneys received to reimburse the department for the cost of so acting.

Mr. TAHL, from the Committee on State Government, reported as committed, House Bill No. 227, (Senate Bill No. 34), entitled:

An Act authorizing the State Treasurer to act as custodian of moneys and securities contributed to or deposited with the Commonwealth or officers, departments, boards, or commissions of the Commonwealth, prescribing the manner in which such moneys or securities shall be held and disbursed or delivered up, and making an appropriation to the Treasury Department for the cost of administering such moneys and securities.

Mr. BRENNAN, from the Committee on Muunicipal Corporations, reported as committed, House Bill No. 225, (Senate Bill No. 62), entitled:

An Act reducing to five days the period during which municipal subdivisions of the Commonwealth are required to advertise notice of proposed awards of contracts for articles to be used on projects financed by the Federal Civil Works Administration.

Mr. LONG, from the Committee on Judiciary General, reported as committed, House Bill No. 154, entitled:

An Act to amend section twenty of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts;" making it unlawful for manufacturers of such beverages to sell the same to other than licensed distributors, except for export from this Commonwealth.

BILLS ON FIRST READING

Mr. FLANAGAN asked and obtained unanimous consent for House Bill No. 34 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 34, entitled:

An Act to repal the act approved the eighteenth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-six), entitled: "An Act authorizing the appointment by the Governor, of industrial police upon application of certain corporations companies associations and individuals prescribing the powers of such police authorizing the Governor to investigate their work and require periodical reports from them imposing duties upon the Secretary of the Commonwealth and recorders of deeds and imposing penalties."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

COMMUNICATION

The SPEAKER. The Chair laid before the House the following communication which was read by the Celrk.

URGING IMMEDIATE LEGISLATION FOR UNEMPLOYED

Allegheny Valley Central Labor Union.

Referred to the Committee on Appropriations.

ADJOURNMENT

Mr. SCHROCK. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11:00 o'clock.

The motion was agreed to, and (at 3:55 o'clock P. M.) the House adjourned until Wednesday, December 13, 1933, at 11:00 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., WEDNESDAY, DECEMBER 13, 1933. No. 17.

SENATE

WEDNESDAY, December 13, 1933

The Senate met at 11 o:clock, A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon), in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Lord, Our God, we praise and glorify Thee this morning. Grant unto each one of us a realization of our duty; that we are not here to play, to dream, to drift; we have hard work to do and loads to lift.

Guide us all by Thy spirit, and help us to be true to our trust. Be with all the members of the House today and with the members of the Senate. Grant that we may have Thy guidance and Thy direction in all that we do. Be with us personally, be in our homes, be with our loved ones; guide and keep them in Thy fear and in Thy love. We ask in Thy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HUNSICKER, the further reading was dispensed with, and the Journal was approved.

PETITION

FAVORING THE PASSAGE OF HOUSE BILLS NOS. 26, 27 AND 28

The Chair laid before the Senate communication from the Philadelphia Chapter of the American Institute of Architects urging the passage of House Bills Nos. 26, 27 and 28.

Which was referred to the Committee on Appropriations.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 43, entitled:

An Act making an appropriation to the Department of Military Affairs.

Whereupon,

The PRESIDENT (Lieutenant Governor Edward C. Shannon) in the presence of the Senate signed the same.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Marie M. Ambill, Pittsburgh, 21st and Railroad Sts.
Eugene Mehrlich, Millvale.
Miss Ruth S. Miller, Pittsburgh, 1400 Benedum-Trees Bldg
Miss Edith Shontz, Tarentum.

LAWRENCE COUNTY

Miss Elizabeth Connelly, New Castle.

LEHIGH COUNTY

Miss Kathryn M. Fogel, Allentown.

PHILADELPHIA COUNTY

D. S. Paterson, Philadelphia, 4737 Chestnut St.

GIFFORD PINCHOT.

REPORTS FROM COMMITTEES

Mr. CLARK, from the Committee on Elections, re-reported as amended, Senate Bill No. 66, entitled:

An Act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, county commissioners, registrars, inspectors of registration and other appointees of county commissioners, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

Mr. ARON, from the Committee on Appropriations, reported as committed, Senate Bill No. 135 (House Bill No. 209), entitled:

An Act appropriating certain accumulations in the Insurance Fund to cities, townships and boroughs for payment to firemen's relief, pension and retirement funds.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 10, entitled:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon, and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 27, as follows:

An Act providing for the construction of a tunnel or tunnels between the State of New Jersey and the Commonwealth of Pennsylvania under the Delaware River and the issuance of permits therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any individual partnership or corporation incorporated under the laws of this Commonwealth or authorized to do business in this Commonwealth shall have the right subject to the provisions of this act to construct and operate a tunnel or tunnels under the Delaware River connecting the Commonwealth of Pennsylvania with the State of New Jersey

Section 2 No tunnel shall be constructed without permit therefor issued by The Public Service Commission of the Commonwealth of Pennsylvania in accordance with this act

Section 3 The Public Service Commission shall issue a permit for the construction of any such tunnel upon compliance with the terms of this act and the filing with it of (a) a statement of the location of the said tunnel together with the plans and specifications therefor and an estimate of the cost of construction thereof (b) plans showing the connection of the tunnel with the existing highway systems of the Commonwealth of Pennsylvania and the State of New Jersey (c) if the applicant be a corporation a copy of its charter showing the authority to construct a tunnel and to do business within the Commonwealth (d) agreements by the holder of the permit providing for the carrying out of the terms of section eight of this act

Section 4 No permit shall be issued for the construction of any tunnel within a distance of ten miles measured along the boundary line between the Commonwealth of Pennsylvania and the State of New Jersey measured from the Delaware River Bridge connecting the City of Philadelphia and the City of Camden or at any location in violation of any compact between the State of New Jersey and the Commonwealth of Pennsylvania

Section 5 Any permit granted hereunder shall be void unless actual construction of the tunnel covered by the permit shall have been begun within a period of two years from the date of the issuance therefor

Section 6 No permit shall be issued under the terms of this act for the construction of any other tunnel within a distance of ten miles measured along the boundary line between the State of New Jersey and the Commonwealth of Pennsylvania from the site specified in any then unexpired existing permit or within the said distance of ten miles so measured from the tunnel when constructed until such time as any funds advanced by any United States Government agency shall have been paid provided however that nothing in this act will be construed to prevent the construction of any bridge or tunnel by treaties between the State of New Jersey and the Commonwealth of Pennsylvania with the approval of the Congress of the United States of America at any point connecting the State of New Jersey and the Commonwealth of Pennsylvania under or over the Delaware River

Section 7 The company constructing or owning the said tunnel shall have the right to charge tolls subject to the provisions of any existing regulatory laws for the use of the said tunnel

Section 8 The net earnings of the tunnel after the payment of all costs of maintenance and operation and necessary improvements and interest at the rate of seven per cent on the entire cost of the tunnel shall be set apart in a sinking fund for the repayment of the cost thereof At the expiration of forty years from the date of the opening of the tunnel or at such earlier time when the amount in the sinking fund shall aggregate one hundred fifteen per cent of the total cost of the tunnel title to the tunnel and its appurtenances shall be conveyed jointly to the Commonwealth of Pennsylvania and the State of New Jersey and for that purpose the necessary and proper agreements approved by the Attorney General shall be lodged with the Commonwealth of Pennsylvania and the State of New Jersey

Section 9 Before any construction is started under any permit granted under the terms of this act there shall be filed with the Public Service Commission all necessary and proper approvals required under the laws of the State of New Jersey and under the laws of the United States

Section 10 Any permit granted under the terms of this act shall be subject to revocation by the Public Service Commission upon the failure of the holder of any such permit within six months to secure necessary and proper approvals of the State of New Jersey or any necessary agency of the United States Government whose approval is necessary under existing laws or in event that the Public Service Commission be convinced of the inability or unwillingness of the applicant to proceed with the construction of the tunnel

Section 11 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	Miller,	Salus,
Batchelor,	Frazier,	Norton,	Scott,
Bell,	Gelder,	Owlett,	Shapiro,
Bennett,	Graff,	Parkinson,	Snyder,
Boyd,	Harris,	Pethick,	Sones,
Brandt,	Harvey,	Pierson,	Sordoni,
Buckman,	Homsher,	Quigley,	Staudenmeier,
Chapman,	Krause,	Reed,	Trainer,
Clark,	Lanius,	Rice,	Ziesenheim,
Coyne,			

NAYS—7

Baumer,	Howell,	Prince,	Williamson,
Ealy,	Hunsicker,	Thompson,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. CLARK. Mr. President, I move that Senate Bill No. 59, on third reading, entitled:

An Act to amend section four of the act, approved the fifth day of March, one thousand nine hundred and six (P. L. 78), entitled "An act to regulate nomination and election expenses, and to require accounts of nomination and election expenses to be filed, and providing penalties for the violation of this act," as amended.

be recommitted to the Committee on Elections.

Mr. CHAPMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. Harris.

The PRESIDENT Will the Senator from Allegheny, Mr. Harris, permit himself to be interrogated?

Mr. HARRIS. Mr. President, I will.

Mr. SHAPIRO. Mr. President, will the Senator from Allegheny, Mr. Harris, state whether or not Senate Bill No. 59 in its present form prohibits the use of paid watchers at the polls on election day.

Mr. HARRIS. Mr. President, that is correct.

And the question recurring,

Will the Senate agree to the motion?

Mr. HARRIS. Mr. President, I desire to interrogate the Senator from Chester, Mr. Clark.

The PRESIDENT. Will the Senator from Chester, Mr. Clark, permit himself to be interrogated?

Mr. CLARK. Mr. President, with pleasure.

Mr. HARRIS. Mr. President, I should like to ask the Senator from Chester, Mr. Clark, his reason for recommitting the bill.

Mr. CLARK. Mr. President, because I am against this kind of legislation.

And the question recurring,

Will the Senate agree to the question?

It was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 86 (House Bill No. 56), entitled:

An act to amend sections one thousand seven hundred and seventy-six two thousand one hundred and twelve and two thousand one hundred and forty-one of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising and amending and consolidating the law relating to borough" lengthening the time for which assessment bonds for street and sewer improvements may be issued regulating notice where sewer-works are constructed without the limits of a borough.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Howell,	Pierson,	Staudenmeier,
Buckman,	Hunsicker,	Prince,	Trainer,
Chapman,	Harvey,	Quigley,	Thompson,
Clark,	Homsher,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 90, as follows:

An Act relating to advertising by holders of licenses to sell liquors or malt liquors for consumption on the premises

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any licensee authorized to sell liquors or malt liquors for consumption on the premises to maintain or display any sign poster or other device permanent sign exceeding in cost the sum of fifty dollars in any manner advertising any liquor or malt liquor outside of the building in which the licensee is permitted to sell liquor for consumption

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Snyder,
Bell,	Gelder,	Owlett,	Sones.
Bennett,	Graff,	Parkinson,	Sordoni,
Boyd,	Harris,	Pethick,	Staudenmeier,
Brandt,	Harvey,	Pierson,	Thompson,
Buckman,	Homsher,	Prince,	Trainer,
Chapman,	Howell,	Quigley,	Williamson,
Clark,	Hunsicker,	Reed,	Ziesenheim,
Coyne,	Krause,	Rice,	

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 100, entitled:

Supplement to an Act approved the Seventh Day of March One Thousand Nine Hundred and One (Pamphlet Laws 20) entitled "An Act for the government of cities of the second class" creating the position of Solicitor for the Department of City Comptroller.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 115, entitled:

An Act authorizing counties, cities, boroughs, townships, incorporated towns and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds, and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding, and limiting any compensation payable therefor.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 123, entitled:

An Act to amend the title and section one of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1019), entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes; authorizing the county commissioners to sell the same at private sale under the circumstances," by extending the provisions thereof to unseated lands.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 124, entitled:

An Act to further amend sections one, two, three, ten, eighteen, and nineteen, of the act, approved the thirteenth day of January, one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended, pursuant to Amendment Number Five to the Constitution of the Commonwealth, adopted November seventh, one thousand nine hundred thirty-three, eliminating the tax-paying qualification for voters.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 47, as follows:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the proposed amendment to the Constitution of the United States providing as follows

"Section 1 The Congress shall have power to limit regulate and prohibit the labor of persons under eighteen years of age

"Section 2 The power of the several States is unimpaired by this Article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislaion enacted by the Congress" is hereby ratified by the General Assembly of the Commonwealth of Pennsylvania

Be it Further Resolved That a certified copy of the foregoing preamble and resolution be forwarded to the Secretary of State for the United States in accordance with section two hundred and five of the Revised Statutes of the United States and also to the President of the United States Senate and the Speaker of the United States House of Representatives

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 71, as follows:

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and prvoiding procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred seven as last amended by an act approved the twenty-sixth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred forty-two) of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended is hereby amended to read as follows

Section 407 On or after the tenth day after any accident shall have occurred the employer and employe or his dependents may agree upon the compensation payable to the employe or his dependents under this act but any agreement made prior to the tenth day after the accident shall have occurred or permitting a commutation of payments contrary to the provisions of ths act or varying the amount to be paid or the period during which compensation shall be payable as provided in this act shall be wholly null and void It shall be unlawful for any employer to accept a receipt showing the payment of compensation when in fact no such payment has been made

All agreements made in accordance with the provisions of this section shall be in writing and signed by all parties in interest

All agreements for compensation and all supplemental agreements for the modification suspension reinstatement or termination thereof and all receipts executed by any injured employe of whatever age or by any dependent to whom compensation is payable under section three hundred seven and who has attained the age of sixteen years shall be valid and binding unless modified or set aside as hereinafter provided

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Snate Bill No. 73, as follows:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred twenty-three as last amended by an act approved the twenty-sixth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred forty-two) of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended is hereby amended to read as follows

Section 423 Any party in interest may within [ten] twenty days after notice of a referee's award or disallowance of compensation shall have been served upon him take an appeal to the board on the ground (1) That the award or disallowance of compensation is not in conformity with the terms of this act or that the referee committed any other error of law (2) That the findings of fact and award or disallowance of compensation was unwarranted by the evidence or was procured by fraud coercion or other improper conduct of any party in interest The board may upon cause shown extend the time provided in this article for taking such appeal or for the filing of an answer or other pleading

In any such appeal the board may disregard the findings of fact of the referee and may examine the testimony taken before such referee and if it deem proper may hear other evidence and may substitute for the findings of the referee such findings of fact as the evidence taken before the referee and the board as hereinbefore provided may in the judgment of the board require and may make such disallowance for award of compensation or other order as the facts so found by it may require

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 74, as follows:

An Act to amend section three hundred fifteen of the act approved the second day of June one thousand nine hundred anf fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the period within which claims can be made

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred fifteen of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended is hereby amended to read as follows:

Section 315 In cases of personal injury all claims for compensation shall be forever barred unless within [one year] two years after the accident the parties shall have agreed upon the compensation payable under this article or unless within [one year] two years after the accident one of the parties shall have filed a petition as provided in article four hereof In cases of death all claims for compensation shall be forever barred unless within [one year] two years after the death the parties shall have agreed upon the compensation under this article or unless within [one year] two years after the death one of the parties shall have filed a petition as provided in article four hereof Where however payments of compensation have been made in any case said limitations shall not take effect until the expiration of [one year] two years from the time of making the last payment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 75, as follows:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of the liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred nine as last amended by an act approved the twenty-sixth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred forty-two) of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended is hereby amended to read as follows

Section 409 Whenever an agreement or supplemental agreement shall be executed between an employer and an employe or his dependents as provided by this act such agreement [or a duplicate thereof] shall be executed in triplicate Two copies thereof signed by all parties in interest shall be mailed or delivered to the board It shall be the duty of the board to examine the agreement [and] to determine whether it conforms to the provisions of section four hundred and seven [and within thirty days after the copy of the agreement has been mailed or delivered to it to notify the parties thereto of its validity or invalidity under the aforesaid section] to notify the parties thereto of its validity or invalidity under the aforesaid section within thirty days after the copies of the agreement have been mailed or delivered to it and if the agreement be approved to send to the employe together with such notification of its approval a copy of the agreement Provided however That any payment made in accordance with any agreement prior to the reciept of notice of invalidity shall discharge pro tanto the liability under article three of this act of the employer making such payment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 77, as follows:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred twenty-seven as last amended by an act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ninety-eight) of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended is hereby amended to read as follows

Section 427 Any party may appeal from any action of the board on matters of law to the court of common pleas of the county in which the accident occurred or of the county in which the adverse party resides or has a permanent place of business or by agreement of the parties to the court of common pleas of any other county of this Commonwealth Such appeal must be brought within [ten] twenty days after notice of the action of the board has been served upon such party unless any court of common pleas to which an appeal lies shall upon cause shown extend the time herein provided for taking the appeal The party taking the appeal shall at the time of taking the appeal serve upon the adverse party a written notice thereof setting forth the date of the appeal and the court in which the same is filed and shall file either with his notice of appeal or within thirty days thereafter such exceptions to the action of the board as he may desire to take and shall specify the findings of fact if any of the board or of the referee sustained by the board which he alleges to be unsupported by competent evidence

Upon filing of the notice of an appeal the prothonotary of the court of common pleas to which the appeal has been taken shall issue a writ of certiorari directed to the Workmen's Compensation Board commanding it within ten days after service thereof to certify to such court its entire record in the mater in which the appeal has been taken The writ so issued shall be mailed by the prothonontary to the bureau at Harrisburg together with a copy of the exceptions The board shall within ten days after such service certify to such court its entire record in the matter in which the appeal has been taken including the notes of testimony

Any court before whom an appeal is pending from any action of the board may remit the record to the board for more specific findings of fact if the findings of the board or referee are not in its opinion sufficient to enable it to decide the question of law raised by the appeal

If the court of common pleas of any county of this Commonwealth shall affirm an award or order of the board or of a referee sustained by the board fixing the compensation payable under this act the court shall enter judgment for the total amount stated by the award or order to be

payable whether when due and accrued or payable in future installments If such court shall sustain the appellant's exceptions to a finding or findings of fact and reverse the action of the board founded thereon the court shall remit the record to the board for further hearing and determination in which the procedure shall be the same as that hereinafter provided in this article in the case of a petition presented to the board except that the board may order that any part of the testimony taken in the original proceedings may be considered as though taken in such furher hearing

The prothonotary of any court of common pleas to which an appeal has been taken from the board shall send to the board a certificate of the judgment of the court as soon as rendered with a copy of any opinion which may be filed in the case and within five days shall give notice of such judgment and the date thereof by registered mail to each attorney-at-law appearing in the case at the address given by the attorney in the pleadings and if no attorney-at-law has appeared by registered mail to the party or parties not represented by counsel At the end of the period hereinafter allowed for an appeal from the judgment of the court the record of the board shall be remitted to it by the prothonotary unless an appeal shall have been taken If such appeal shall be taken the record shall be remitted to the board by the prothonotary on its return from the appellate court

Any party may appeal to the Superior Court from the judgment of the court of common pleas within thirty days after entry of said judgment irrespective of the amount involved Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Superior Court and the record so certified shall contain all that was before the court of common pleas Any appeal from the action of the board of a court of common pleas and from it to the Superior Court shall take precedence over all other civil actions The judgment of the Superior Court shall be final unless an appeal therefrom is allowed as in the case of other judgments of that tribunal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 87 (House Bill No. 74), entitled:

A supplement to act number three hundred A approved the third day of June one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payments of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to the Executive and Judicial Departments of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 87 (House Bill No. 74) the bill just read be recommitted to the Committee on Appropriations for the purpose of amendment.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

Mr. CLARK. Mr. President, I move that Senate Bill No. 98 on second reading entitled:

An act to amend sections ten and fourteen of the act approved the twelfth day of July one thousand nine hundred thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National Party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expense of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as variously amended by submitting additional copies of the general return sheet for the triplicate party return sheets in the preparation for conduct of and returning canvassing and computing the vote cast at primary elections regulating the form of the numbered lists of voters regulating the duties of election officers in calling and tabulating the votes and regulating return board procedure

be recommitted to the Committee on Elections.

Mr. CHAPMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HARRIS. Mr. President, I desire to interrogate the Senator from Chester, Mr. Clark.

The PRESIDENT. Will the Senator from Chester, Mr. Clark, permit himself to be interrogated?

Mr. CLARK. Mr. President, with pleasure.

Mr. HARRIS. Mr. President, I desire to ask the Senator from Chester, Mr. Clark, his reason for recommitting this bill.

Mr. CLARK. Mr. President, I think it is a very bad bill and ought to be considered further.

Mr. HARRIS. Mr. President, that is not a reason for recommitting; that is a reason for voting against the bill. I again ask the Senator from Chester, Mr. Clark, his reason for recommitting the bill.

Mr. CLARK. Mr. President, I think that is reason enough.

Mr. HARRIS. Mr. President, I again ask the Senator from Chester, Mr. Clark, to give his reason for recommittment.

Mr. CLARK. Mr. President, I said I felt it was a very bad bill, and I am still of the same opinion. I am against it.

Mr. HARRIS: Mr. President, I again ask the Senator from Chester, Mr. Clark, his reason for recommitting it.

Mr. CLARK. Mr. President, in order to kill it.

Mr. HARRIS. Mr. President, appealing to the Senator's sense of fairness, I desire to say that in committee yesterday he voted to report this bill out.

I might explain to him that this is in the interest of the election officers. It merely does this: It reduces the amount of clerical work on the part of election officers. They are now required to make out several return sheets, and this bill merely reduces the number.

If the Senator from Chester, Mr. Clark, is against election bills generally, he should try, at sometime, to study these bills so he may understand what they really are.

The PRESIDENT. Does the Senator from Allegheny understand that the motion is to recommit, which motion is not debatable?

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 110 (House Bill No. 102), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That pursuant to the adoption by the people at the municipal election held in November one thousand nine hundred and thirty-three of an amendment to article nine of the Constitution of Pennsylvania which reads as follows

"Section 16 In addition to the purposes stated in article nine section four of this Constitution the General Assembly may provide by law for the issue of bonds to the amount of ten millions of dollars for the purpose of acquiring toll bridges and may by law provide that upon the acquisition of any such bridge tolls may be charged for the use thereof sufficient to pay the interest and sinking fund charges on such bonds and the cost of the maintenance of such bridges until the bonds issued have been retired and such bridges are freed of tolls"

the Governor the Auditor General and the State Treasurer in accordance with the provisions thereof and on the credit of the Commonwealth of Pennsylvania are hereby authorized and directed from time to time to borrow such sum or sums of money not exceeding in the aggregate the sum of ten million dollars ($10,000,000) as may be deemed necessary for the purpose of acquiring toll bridges wholly within the Commonwealth

Section 2 Bonds Issue Maturity Interest et cetera

(a) As evidence of the indebtedness herein authorized bonds of the Commonwealth of Pennsylvania shall be issued from time to time for such total amounts in such form in such denominations and subject to such terms and conditions of issue redemption and maturity rate of interest not to exceed six per centum per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall direct

(b) All bonds issued under the authority of this act shall bear the facsimile signatures of the Governor Auditor General and State Treasurer and a facsimile of the great seal of the Commonwealth of Pennsylvania and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agent of the Commonwealth

(c) The principal and interest of such bonds shall be payable in lawful money of the United States All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes

(d) Such bonds may be issued with or without interest coupons attached In case interest coupons are attached they shall contain facsimile signatures of the State Treasurer and the Auditor General

(e) The Governor the Auditor General and the State Treasurer shall proceed to have the necessary bonds prepared and printed The bonds as soon as they are prepared and printed shall be forthwith deposited with the duly authorized loan and transfer agent of the Commonwealth there to remain until sold in accordance with the provisions of this act

Section 3 Sale of Bonds Whenever bonds are so issued they shall be offered for sale at not less than par and accrued interest and shall be sold by the Governor the Auditor General and State Treasurer to the highest and best bidder or bidders after due public advertisement on such terms and conditions and upon such open competitive bidding as the Governor Auditor General and State Treasurer shall direct The manner and character of such advertisement and the times of advertising shall be prescribed by the Governor the Auditor General and the State Treasurer

Any portion of any bond issue so offered and not sold or subscribed for may be disposed of by private sale by the Governor the Auditor General and the State Treasurer in such manner and at such prices not less than par and accrued interest as the Governor shall direct No commission shall be allowed or paid for the sale of any bonds issued under the authority of this act

Section 4 Disposition and Use of Proceeds The Proceeds realized from the sale of bonds under the provisions of this act shall be paid into the State Treasury and deposited in a special fund to be known as the Toll Bridge Fund which is hereby created and shall be used for the payment of the cost of acquiring toll bridges and any necessary expenses connected therewith

Section 5 Registration of Bonds The Auditor General shall prepare the necessary registry books to be kept in the office of the duly authorized loan and transfer agent of the Commonwealth for the registration of any bonds at the request of owners thereof All bonds which are issued without interest coupons attached shall be registered in the registry books kept by the duly authorized loan and transfer agent of the Commonwealth

Section 6 Information to General Assembly It shall be the duty of the Governor during the biennial sessions of the General Assembly to give to the General Assembly full information relating to the issuance of bonds under the provisions of this act to enable the General Assembly to provide by appropriation any moneys necessary for the sinking fund of the Commonwealth for the payment of the interest on said bonds and the principal thereof at maturity

Section 7 Sinking Fund Investments Redemption of Bonds All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from the sinking fund For the specific purpose of redeeming said bonds at maturity and paying all interest thereon the General Assembly shall appropriate biennially the moneys necessary to pay the interest on said bonds and the principal thereof at maturity All moneys so appropriated shall be paid into the sinking fund by the State Treasurer All of such moneys not necessary to pay accruing interest shall be invested by the Board of Finance and Revenue in such securities as are provided by law for the investment of the sinking funds of the Commonwealth

The investments and such moneys and the accumulations thereon in the sinking fund shall be devoted to and be used exclusively for the payment of the interest accruing on such bonds and their redemption at maturity Provided however That the Board of Finance and Revenue is authorized at any time to use any of such funds for the purchase and retirement of all or any part of the bonds issued under the authority of this act In the event that all or any part of said bonds shall be purchased by the Board of Finance and Revenue they shall be canceled and returned to the State Treasurer as canceled and paid bonds and thereafter all payments of interest thereon shall cease and the canceled bonds and coupons shall be destroyed within two years after cancellation in the presence of the Governor the Auditor General and the State Treasurer A certificate evidencing the destruction satisfactory to the duly authorized loan and transfer agent of the Commonwealth shall be furnished to it All canceled bonds and coupons shall be so marked as to make the canceled bonds and coupons non-negotiable

Section 8. The Board of Finance and Revenue shall determine the amount of money necessary for the sinking fund for the period between the date of issue of the bonds herein provided for and the end of the current biennium in which they are so issued, and the times and amounts which are to be paid into the sinking fund for such purposes; and the sums so determined shall be transferred to the sinking fund from the Motor License Fund by the State Treasurer, and, for such purposes, so much money as may be necessary is hereby specifically appropriated out of the Motor License Fund.

Section 9 Quorum Whenever in this act any action is to be taken or decision made by the Governor the Auditor General and the State Treasurer and the three officers shall not be able unanimously to agree the action or decision of the Governor and either the Auditor General or State Treasurer shall be binding and final except that it shall be the mandatory duty of the Governor the Auditor General and the State Treasurer to issue bonds to provide funds for the acquisition

of any bridge or bridges when the Secretary of Highways with the approval of the Governor shall decide to do so

Section 10 Appropriation The sum of twenty-five thousand dollars or so much thereof as may be necessary is hereby specifically appropriated for the purpose of providing such bonds for the payment of the cost of advertising the same and for all other costs and expenses in connection with the issue of said sale and registration of said bonds Payments from said appropriation shall be made by requisition of the Auditor General after approval of vouchers by the Governor Auditor General and State Treasurer

Section 11 Effective Date This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 111 (House Bill No. 103), as follows:

An Act to amend section two nine and eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred ninety-five) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" by providing for the purchase of such toll bridges wholly within the Commonwealth out of the Toll Bridge Fund the construction maintenance and repair of such bridges by the Department of Highways and further regulating the collection of tolls and reimbursing the Commonwealth for the cost of acquiring such bridges and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections two nine and eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred ninety-five) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" are hereby amended to read as follows

Section 2 The Secretary of Highways is hereby authorized to acquire on behalf of the Commonwealth toll bridges as defined in this act located wholly within the State of Pennsylvania [Provided That no bridge shall be acquired under the provisions of this act until road bond funds authorized by a Constitutional amendment shall become available to the Department of Highways for the improving and rebuilding of the highways of the Commonwealth]

The acquisition of said toll bridges may be either by purchase or by condemnation proceedings as the Secretary of Highways may deem expedient The cost of acquiring said bridges shall be paid by the Commonwealth from moneys in the [Motor License Fund] Toll Bridge Fund and for such purposes the moneys in such [Motor License Fund] Toll Bridge Fund are hereby specifically appropriated

Section 9 As soon as the Secretary of Highways and said owners shall have agreed upon the price of any such bridge or as soon as the Secretary of Highways shall have determined to acquire any such bridge by condemnation proceedings the Secretary of Highways if funds sufficient for the purchase of the bridge are available in the Toll Bridge Fund shall at once take possession of such bridge in the name of the Commonwealth of Pennsylvania

The purchase price agreed upon for any such bridge or the amount of any award or verdict under condemnation proceeding for the acquisition of any such bridge shall be paid out of moneys in the Toll Bridge Fund by the State Treasurer upon requisition of the Secretary of Highways

Section 11 The Secretary of Highways upon acquiring any such toll bridge is hereby directed to continue the collection of tolls and charges on such bridge or bridges or reconstructed bridges until the Commonwealth has been reimbursed to the full extent of the original cost of acquiring any and all of such bridges with interest thereon at the rate [of four] not exceeding six per centum and the cost of compensation of toll collectors All tolls and charges collected by the Secretary of Highways shall be paid into the Motor License Fund The Department of Highways shall reconstruct maintain and repair such bridges in the manner provided by law relating to State highways and bridges In case of the reconstruction of any such bridge the Secretary of Highways with the approval of the Governor may reconstruct such bridge on the same location or on a location within one mile thereof

Whenever the tolls collected from all of such bridges after deduction of all moneys expended by the Department for the cost of compensation of toll collectors shall have become sufficient to reimburse the Commonwealth in full for the cost of acquiring all of such bridges with interest thereon as aforesaid then all of such bridges shall become and be thereafter free bridges Such shall thereafter remain in the charge and be under the control of the Department of Highways and shall be thereafter maintained and kept in repair and be rebuilt by the Commonwealth in accordance with the laws relating to State highways and bridges and the State shall take over and succeed to all agreements made with any public service company for the use by the public service company of such bridges" The cost of such reconstruction maintenance and repair of said bridges after the same have been freed shell be paid out of moneys appropriated to the Department of Highways for the construction reconstruction and improvement of State highways

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 118, as follows:

An Act to protect the owners of mortgaged property during the present emergency restricting the right to proceed on mortgage bonds and the amounts recoverable thereon during a certain period

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that in all cases where a bond and mortgage has or may hereafter be given for the same debt all proceedings to collect such debt shall be first to foreclose the mortgage and if at the sale of the mortgaged premises should not sell for a sum sufficient to satisfy the debt interest and costs then it shall be lawful to proceed on the bond for the deficiency All suits on such bonds shall be commenced within three months from the date of the sale of the mortgaged premises and judgment shall be rendered and execution issued only for the balance of debt and costs of suit No action shall be instituted against any party answerable on the bond unless such party was joined in the proceedings to foreclose the mortgage The obligor or obligors in any bond may file an answer in the suit on such bond disputing the amount of such deficiency in which event both parties may introduce in evidence at the trial testimony of the fair market value of the mortgaged premises at the time of the sale under the foreclosure proceedings and the court sitting with or without a jury shall determine the amount of said deficiency by deducting from the debt the amount assessed as the fair market value of said premises If all parties to the action shall so agree the court may accept the fair market value of the mortgaged premises the value fixed by three appraisers to be named by agreement of all parties to the action which agreement shall be evidenced by a stipulation to be filed in the action

Section 2 All acts and parts of acts inconsistent herewith are hereby suspended during the period this act shall remain in effect

Section 3 The provisions of this act shall become effective immediately upon its final enactment and shall re-

main in force only until the first day of July one thousand nine hundred and thirty-five

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 119, as follows:

An Act to amend section four and section five as amended of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws seven hundred twenty) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessments shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by placing upon the Commonwealth the cost of constructing maintaining and reconstructing certain structures on such streets

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws seven hundred twenty) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreement with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" is hereby amended to read as follows

Section 4 This act is not intended and shall not be construed

(a) To place upon the Commonwealth any duty to regulate traffic or police the streets herein taken over by the Commonwealth but such duty shall be and remain the obligation of the cities

(b) To place upon the Commonwealth any obligation for the maintenance construction reconstruction or resurfacing of said streets other than the base or surface courses

[(c) To place upon the Commonwealth through the Department of Highways any obligations to maintain construct or reconstruct any structure of any kind or character whatsoever situated upon or forming part of any city street or section thereof described in section two of this act except that the Secretary of Highways may assume the obligation to maintain construct or reconstruct drainage structures with a total spanned length not exceeding ten feet measured along the center line of the street other than storm or sanitary sewers and which were the sole] [obligation to the city prior to the passage of this act Responsibility for the construction reconstruction and maintenance of any other structures shall remain with the city person association or corporation responsible therefor at the date of the approval]

[(d)] (c) To authorize any assessment to be made against the Commonwealth by reason of or to assist in the elimination of any grade crossing on any street described and designated in section two of this act and no such assessment shall hereafter be made under any act of Assembly heretofore enacted

[(e)] (d) To place upon the Commonwealth any obligation under any franchise or franchises heretofore or hereafter granted by the city to any public utility company nor to transfer to the Commonwealth from the city any rights under any such franchise or franchises heretofore granted

[(f)] (e) To place upon the Department of Highways any authority to regulate traffic parking or the general use by the traveling public of the streets or sections therefor taken over by the Commonwealth for maintenance or improvement under the provisions of this act Provided however That the Department of Highways shall be and is hereby authorized to close to traffic all of the streets or sections thereof described in section two of this act during such time as improvements are being made thereon and in such case the city shall establish and maintain a suitable detour in accordance with the provisions of section ten of this act

The Commonwealth through the Department of Highways shall maintain construct and reconstruct all drainage structures and bridges which are the responsibility of the city or county on any street taken over under the provisions of this act except storm or sanitary sewers Responsibility for the construction reconstruction and maintenance of any other structures shall remain with the city county person association or corporation responsible therefor at the date of the approval of this act

Section 2 That section five of said act as amended by the act approved the fourth day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred sixty-eight) is hereby further amended to read as follows

Section 5 After the streets described in section two of this act and the structures thereon except such as are excepted by section four of this act shall have been taken over by the Commonwealth they shall be maintained constructed reconstructed and resurfaced by the Department of Highways at the expense of the Commonwealth and such construction reconstruction and resurfacing shall be of such type, as shall be determined by the Secretary of Highways with the approval of the Governor and repairs and maintenance shall be of such type as shall be determined by the Secretary of Highways The obligation of the Commonwealth in the construction reconstruction resurfacing or maintenance as hereinbefore provided shall be limited to that part of the street or section thereof between curb lines as established at the time of passage of this act but shall not include the portions of such streets which are or may be used and occupied by the structures or surface facilities of any public utility company Provided That it shall nevertheless be lawful for the Department of Highways to enter into the agreements in the discretion of the Secretary of Highways with the cities or with persons associations or corporations for the sharing with the Commonwealth of the cost of construction reconstruction or resurfacing of the streets or sections thereof and structures thereon taken over by the Commonwealth under this act And provided further That where any such street is to be improved and the city agrees to bear a portion of the cost of the improvement the abutting property owners may be assessed a proportionate part of the cost of the improvement and benefits as now provided by the laws applicable to the improvement of city streets

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 130 (House Bill No. 128), entitled:

An Act to amend section one of article one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith as amended empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 131 (House Bill No. 129), entitled:

An Act to amend section three of article twenty-eight of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending the provisions of said act to all bituminous coal mines employing five or more persons and empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 132 (House Bill No. 169), entitled:

An Act authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium; placing the sanatorium upon completion under the jurisdiction and control of the Department of Health, and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 134 (House Bill No. 192), entitled:

An Act making appripriations to the Department of Welfare for pensions for the blind and for the administration of the distribution of such pensions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. LANIUS. Mr. President, I move that Senate Bill No. 134 (House Bill No. 192), the bill just read be recommitted to the Committee on Appropriations.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 136, as follows:

An Act to amend paragraph four of section one of article fifteen of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An act for the government of cities of the second class" by modifying the provision relating to the giving of bonds by contractors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph four of section one of article fifteen of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An act for the government of cities of the second class' is hereby amended to read as follows:

Every contract for public improvements shall be based upon estimate of the whole cost furnished by the proper officer through the department having charge of the improvement and no bid in excess of such estimate shall be accepted Every such contract shall contain a claus that it is subject to the provisions of this act and the liability of the city thereon shall be limited by the amounts which shall have been or may be from time to time appropriated for the same In each and every instance where a contract is let to any person firm company or corporation by any city of the second class or any officer officers or departments of such city for any kind the person firm company or corporation shall give bond to the city to the amount of fifty percentum of the estimated cost with security to be approved by the [city recorder] mayor In each and every instance where a contract is let for a term of years for the regular performance of any recurring or continuous service or the delivery of any recurring or continuous supply of any commodity to be paid for from current revenues the contractor shall give bond to the city in such amount as shall be determined by the city council which amount shall be not less than fifty per centum of the estimaated cost thereof for one year with security approved by the mayor

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. PARKINSON, from the Committee on Executive Nominations reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF McKEAN COUNTY

Mrs. Mame E. Butler, Kane, from July 7, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

Mrs. Maud G. Kebler, Kane, from July 20, 1933, until June 1, 1939, and until her successor is duly appointed.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF TIOGA COUNTY

Mrs. Gertrude S. Strang, Westfield, from August 30, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

Mrs. Pearl L. Coles, Mansfield, from September 5, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF BEAVER COUNTY

Mrs. Florence R. Pettler, Beaver Falls, from August 2, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

Mrs. Gladys Cook Cochran, Aliquippa, from September 13, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBER OF THE STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS

Harry B. Joyce, Erie, from May 6, 1933, for the term of six years.

MEMBER OF THE VALLEY FORGE PARK COMMISSION

James E. Fisher, Lebanon, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF LEBANON COUNTY

Mrs. Adelaide T. Patterson, Myerstown, from August 7, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

Mrs. Josephine K. Henry, Lebanon, from August 8, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

GIFFORD PINCHOT

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, December 12, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Maude S. Kleinhans, 2812 Grant Building, Pittsburgh.

BERKS COUNTY

H. Gilbert Snyder, Reading.

BUCKS COUNTY

Francis H. Snyder, Perkasie.

CUMBERLAND COUNTY

Richard D. Davis, Carlisle.

PHILADELPHIA COUNTY

Charles E. Beissel, 7902 Eastwick Avenue, Philadelphia.
J. W. Rankin, 218 S. 7th Street, Philadelphia.

GIFFORD PINCHOT

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. FRAZIER. Mr. President, I move that the Executive Session do now rise.

Mr. EINSTEIN. Mr. President, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. SALUS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Salus, will state his question of personal privilege.

Mr. SALUS. Mr. President, yesterday, at the joint meeting of the Committees on Judiciary General and Appropriations there appeared one Robert Haight, the paid lobbyist of the Pennsylvania State Chamber of Commerce, and there was a little controversy. During that controversy I charged this man with being a paid employe of former Senator Grundy. Since then I have made an investigation and found out that Senator Grundy has no connection, either directly or indirectly, with that organization with which this paid lobbyist is connected; and, inasmuch as I made the statement to which I have referred, I feel that in making it I did an injustice to Senator Grundy. Therefore, I want to recall that statement, and to express the further hope that the President will give orders that this nefarious paid lobbyist be kept off the floor of this Senate.

REPORT FROM COMMITTEE

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Elections, reported as amended, Senate Bill No. 99, entitled:

An Act to amend section three of the act approved the tenth day of June, one thousand eight hundred and ninety-three (Pamphlet Laws, four hundred nineteen) entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended, by prescribing a cash deposit as a condition precedent to the validity and effectiveness of a nomination paper, prescribing the amount of such deposit and the officer with whom it is to be made in each case, providing that it shall either be returned to the political body making the same, or shall be allocated among and retained by the counties interested, depending upon the number of votes polled by the nominee or the most successful nominee presented by such political body, imposing duties upon the State Treasurer, the Secretary of the Commonwealth, County Treasurers, and County Return Judges and Return Boards, fixing the date when the act shall become effective and repealing inconsistent legislation.

BILL INTRODUCED

Mr. SALUS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 141, entitled:

An act to further amend section seven, as amended, and to amend section eight, of the act, approved the twelfth day of July, one thousand nine hundred thirteen (Pamphlet Laws, seven hundred nineteen) entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation."

Which was committed to the Committee on Elections.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until twelve o'clock noon.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House of Representatives as follows:

House Bill No. 73, (Senate Bill No. 142), entitled:

An Act to regulate the sale and delivery of coal coke petroleum coke briquettes and other solid fuels providing for the appointment of public weighmasters prescribing their powers and duties imposing certain duties on the Department of Internals Affairs and providing penalties

Which was committed to the Committee on Mines and Mining.

HOUSE MESSAGE

RESOLUTION RELATIVE TO INVESTIGATION BY STATE EMERGENCY RELIEF BOARD OF THE AFFAIRS OF THE ALLEGHENY COUNTY RELIEF BOARD

The Clerk of the House of Representatives, being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Appropriations:

In the House of Representatives, December 13, 1933.

Whereas, There have been various allegations of wanton waste in the distribution of clothing, fuel and other necessaries of life by the Allegheny County Relief Board functioning under the direction of the State Emergency Relief Board; therefore be it

Resolved (If the Senate concur), That the General Assembly hereby requests the State Emergency Relief Board to investigate the affairs of the Allegheny County Relief Board, expending State and Federal relief moneys, to ascertain whether or not its affairs are administered economically, and whether or not relief orders, clothing or fuel are being distributed only to those in need as contemplated by law; and to make public the result of its investigations;

Resolved, That a copy of this resolution be transmitted to the State Emergency Relief Board by the Acting Chief Clerk of the House.

BILLS INTRODUCED

Mr. REED. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection, The Chair hears none.

Mr. REED read in his place and presented to the Chair Senate Bill No. 143, entitled:

An Act requiring the Department of Property and Supplies to provide and install appliances to air condition in the Halls of the Senate and House of Representatives, and to regulate temperatures therein, and making an appropriation.

Which was committed to the Committee on Public Grounds and Buildings.

REPORTS FROM COMMITTEES

Mr. KRAUSE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KRAUSE, from the Committee on Appropriations. reported as amended, Senate Bill No. 104 (House Hill No. 77), entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare the trustees who administer mothers' assistance in the several counties and others making counties liable for certain expenses providing penalties and making an appropriation

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations reported as amended, Senate Bill No. 108 (House Bill No. 78), entitled:

An Act making an appropriation out of The State Stores Fund to the Department of Welfare for old age assistance

BILL INTRODUCED

Mr. FRAZIER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FRAZIER read in his place and presented to the Chair Senate Bill No. 144, entitled:

An Act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries, and the challenge and proof of qualifications of electors; prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration, commissions, election officers, municipal officers, department and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners peace officers, county treasurers county controllers, registrars of vital statistics, persons, firms and corporations operating vehicles for moving furniture and household goods, and boards of school directors, and imposing penalties.

Which was committed to the Committee on Elections.

REPORT FROM COMMITTEES

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Elections reported as committed, Senate Bill No. 141, entitled:

An Act to further amend section seven, as amended, and to amend section eight, of the act, approved the twelfth day of July, one thousand nine hundred thirteen (Pamphlet Laws, seven hundred nineteen) entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain party offices, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation."

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until 2:30 this afternoon.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

RESOLUTION RELATIVE TO SALE OF LIQUOR FROM MIDNIGHT, DECEMBER 31, 1933, UNTIL TWO O'CLOCK ANTE MERIDIAN, JANUARY 1, 1934.

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Law and Order.

In the House of Representatives, December 12, 1933.

Whereas New Year's Day a legal holiday falls for the year one thousand nine hundred and thirty-four on Monday and

Whereas New Year's Eve is generally celebrated throughout the State by people awaiting the advent of the New Year and

Whereas The sale of liquors is allowed only from seven o'clock ante meridian of any week day until two o'clock of the following week day and

Whereas it is unlawful to sell liquors on Sunday the law is open to construction that the intervention of Sunday between Saturday and Monday prohibits the sale of liquor on Monday between the hours of twelve o'clock midnight and two o'clock ante meridian although such sales are legal on any other week day therefore be it

Resolved (if the Senate concur) That it is the sense of the General Assembly that persons licensed to sell liquors for consumption on the premises where sold shall be permitted to sell such liquors between the hours of twelve o'clock midnight and two o'clock ante meridian on Monday January first one thousand nine hundred and thirty-four and that no license shall be penalized or his or her license revoked for the sale of liquors on said day between the hours specified in this resolution

Resolved That a copy of this resolution be transmitted to the Pennsylvania Liquor Control Board by the acting Chief Clerk of the House of Representatives

REPORT FROM COMMITTEE

Mr. BENNETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BENNETT, from the Committee on Public Grounds and Buildings reported as committed Senate Bill No. 143, entitled:

An Act requiring the Department of Property and Supplies to provide and install appliances to air condition the Halls of the Senate and House of Representatives, and to regulate temperatures therein, and making an appropriation.

BILL INTRODUCED

Mr. OWLETT. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT read in his place and presented to the Chair Senate Bill No. 145, entitled:

An Act making an appropriation to the Legislative Committee to investigate the cause of the increasing cost of education to school districts and methods whereby such costs can be reduced.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEES

Mr. REED. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED, from the Committee on Municipal Affairs, reported as amended, the following resolution, which was twice read:

STATE EMERGENCY RELIEF BOARD TO CONTRIBUTE AND COOPERATE WITH POLITICAL SUBDIVISIONS IN SECURING HELP FROM FEDERAL CIVIL WORKS ADMINISTRATION

In the House of Representatives, November 27, 1933.

RESOLUTION NO. 6

Whereas Under the general rules and regulations issued by the Federal Civil Works Administration of Pennsylvania (Number one issued November twentieth one thousand nine hundred and thirty-three) it is made clear that local and State Governments are expected to cooperate and contribute to the projects to be carried on under the Federal Civil Works Administration it being specifically stated in such rules and reglations paragraph six as follows

"The greater the contribution the local government makes in supplying materials and supervision the more speedily will this program be put in operation * * *" and

Whereas Many local governments in communities in which the need is greatest are not in a position financially to make any contributions to such projects and

Whereas It is of paramount importance that projects be instituted in such communities with the greatest possible speed and

Whereas The amount of contributions desired by the Federal agency seems to be about ten per centum of the amount to be expended therefore be it

Resolved (if the Senate concur) That the General Assembly of the Commonwealth of Pennsylvania urge and suggest to the State Emergency Relief Board that said board

(a) Ascertain from the proper Federal authorities the amount of money intended to be spent in the Commonwealth of Pennsylvania through the Federal Civil Works Administration

(b) Ascertain from such authorities the corresponding amount which will be expected to be expended by State and local governments

(c) Set aside from the funds for relief purposes in the possession or to come into the possession of the board sufficient moneys to enable expected contributions to be made for local relief projects by the State Emergency Relief Board in worthy cases

(d) Immediately establish and put into effect a system whereby political and municipal subdivisions of this Commonwealth may apply to the State Emergency Relief Board or such agencies as may be established or designated by the board for State assistance to such political and municipal subdivisions in order that they may cooperate with the Federal Civil Works Administration in local civil works projects and be it further

Resolved That since the program for Federal Civil Works is intended to expire of February fifteenth one thousand nine hundred and thirty-four the General Assembly urges upon the Board the necessity for haste and be it further

Resolved That copies of this resolution shall immediately upon adoption be furnished the members of the State Emergency Relief Board

with the request that the Board report back to the General Assembly its action on this Resolution.

Mr. REED. Mr. President, I move that Rule 39, which requires concurrent resolutions to be referred to an appropriate committee, be suspended and that the Senate do now proceed to the consideration of the resolution just read.

Mr. SCOTT. Mr. President, I second the motion.

On the question.

Will the Senate agree to the Resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. SHAPIRO. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO, from the Committee on Banks and Building and Loan Association reported as amended, Senate Bill No. 107 (House Bill No. 45), entitled:

An act making home loan bonds issued by the Federal Home Owners' Loan Corporation legal investments for trust funds and other purposes in certain cases.

Mr. HOWELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on Elections, reported as committed, Senate Bill No. 144, entitled:

An Act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries, and the challenege and proof of qualifications of electors; prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration, commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, persons, firms and corporations operating vehicles for moving furniture and household goods and boards of school directors, and imposing penalties.

MOTION TO READ BILLS THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 99, entitled:

An Act to amend section three of the act approved the tenth day of June, one thousand eight hundred and ninety-three (Pamphlet Laws, four hundred nineteen) entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended, by prescribing a cash deposit as a condition precedent to the validity and effectiveness of a nomination paper, prescribing the amount of such deposit and the officer with whom it is to be made in each case, providing that it shall either be returned to the political body making the same, or shall be allocated among and retained by the counties interested, depending upon the number of votes polled by the nominee or the most successful nominee presented by such political body, imposing duties upon the State Treasurer, the Secretary of the Commonwealth, County Treasurers, and County Return Judges and Return Boards, fixing the date when the act shall become effective and repealing inconsistent legislation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 104, (House Bill No. 77), entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to and the burial of certain aged indigent persons and the administration of the act by the Department of Welfare the trustees who administer mothers' assistance in the several counties and others making counties liable for certain expenses providing penalties and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 107 (House Bill No. 45), entitled:

An Act making home loan bonds issued by the Federal Home Owners' Loan Corporation legal investments for trust funds and other purposes in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 103 (House Bill No. 78), entitled:

An Act amking an appropriation out of The State Stores Fund to the Department of Welfare for old age assistance.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 135 (House Bill No. 209), entitled:

An Act appropriating certain accumulations in the Insurance Tax Fund to cities, townships and boroughs for payment of firemen's relief, pension and retirement funds.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 141, entitled:

An Act to further amend section seven, as amended, and to amend section eight, of the act, approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred nineteen) entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain party offices, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 143, entitled:

An Act requiring the Department of Property and Supplies to provide and install appliances to air condition the Halls of the Senate and House of Representatives, and to regulate temperatures therein, and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 144, entitled:

An Act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries, and the challenge and proof of qualifications of electors; prescribing the powers and duties of citizens, parties, bodies of electors, registration commissioners, registrars, inspectors of registration and other appointees of registration, commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers county treasurers, county controllers, registrars of vital statistics, persons, firms and corporations operating vehicles for moving furniture and household goods and boards of school directors, and imposing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:59 P. M. until 9 o'clock Monday evening, December 18, 1933.

HOUSE OF REPRESENTATIVES

WEDNESDAY, December 13, 1933

The House met at 11.00 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Eternal God, we pray for Thy blessings upon the representatives of the people of our Commonwealth. They are called to difficult tasks in these distracted times, inspire their minds, enlarge their vision, direct all their councils, keep them humble and wise, fearless and unfaltering, always ready to stand for righteousness, justice and truth.

Our Father, we pray also for the people of our state, raise their minds above the mists of suspicion and the fogs of doubt into the pure light of mutual trust and good-will, that justice and mercy may be established within our borders. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. McCreary, the further reading was dispensed with and the Journal approved.

COMMUNICATIONS

The SPEAKER laid before the House the following communications which were read by the Clerk.

URGING ADOPTION OF OLD AGE PENSIONS

Chairman of Executive Board of Blair County Old Age Pension League.

Referred to the Committee on Constitutional Amendments.

PROTESTING ADJOURNMENT UNTIL AFTER PASSAGE OF SOCIAL LEGISLATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

Western Pa. Legislative Council,
Mrs. Harvey Fouse, Chairman.
Mrs. W. D. Brown, Treasurer,
Mrs. Geo. G. Bray, Secretary.
639 Churchview Ave., Pittsburgh, Pa.

Pittsburgh, Pa., Dec. 11, 1933.

Grover C. Talbot, Speaker of House, Harrisburg, Pa.

Dear Sir:

The "Legislative Council composed of twenty-nine affiliated organizations wishes to apprise you of its action at an emergency meeting, Friday, Dec. 8th.

The following resolution placed it on our record as unqualifedly favoring all social measures before the present session of the Legislature.

Since there is now before the House and Senate a large number of bills dealing with social measures, and whereas, there has been a deplorable failure on the part of certain Committee Chairmen, to call committees together for a vote on these measures, we therefore urge that the Legislature entertain no motion to adjourn until all social legislation now before it has been acted upon.

Sincerely Yours,
(Signed) Mrs. Geo. G. Bray, Sec'y.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 43.

An Act making an appropriation to the Department of Military Affairs

LEAVE OF ABSENCE

Mr. RUTH asked and obtained leave of absence for Mr. Marcks for the balance of the week.

REPORTS FROM COMMITTEES

Mr. HARRY E. HIMES, from the Committee on Ways and Means, reported as amended, House Bill No. 118, entitled:

An act imposing a graduated income tax for school purposes on residents of Pennsylvania, including fiduciaries, and on income of non-residents derived from property or business in Pennsylvania; providing for disposition of proceeds of the tax, defining taxable income and requiring filing of returns thereof; providing for the withholding of the tax at source in certain cases and imposing duties on withholding agents; providing methods and proceedings for the determination and collection of the tax, and imposition of liens therefor; providing for administration of the act by Department of Revenue; authorizing that Department to make rules; imposing penalties; and making an appropriation for administration costs.

Mr. McELWEE, from the Committee on Judiciary General, reported as amended, House Bill No. 132, entitled:

An Act concerning deficiency judgments; providing methods for determining the amount thereof and the disposition of costs, and in certain cases, defining the fair market value of the property sold.

Mr. McELWEE, from the Committee on Judiciary General, reported as amended, House Bill No. 135, entitled:

An Act relating to executions; providing for the entry of deficiency judgments; and limiting the amount for which writs of execution may issue in certain cases.

RESOLUTION

INVESTIGATION ALLEGHENY RELIEF BOARD.

Mr. JOSEPH R. LYNCH offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 13, 1933.

Whereas, There have been various allegations of wanton waste in the distribution of clothing, fuel and other necessaries of life by the Allegheny County Relief Board functioning under the direction of the State Emergency Relief Board; therefore be it

Resolved, (if the Senate concur), That the General Assembly hereby requests the State Emergency Relief Board to investigate the affaris of the Allegheny County Relief Board, expending State and Federal relief moneys, to ascertain whether or not its affairs are administered economically, and whether or not relief orders, clothing or fuel are being distributed only to those in need as contemplated by law, and to make public the result of its investigations;

Resolved, That a copy of this resolution be transmitted to the State Emergency Relief Board by the acting Chief Clerk of the House.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION No. 15

Mr. QUINN. Mr. Speaker, I desire to call up at this time Resolution No. 15, Printer's No. 91.

The resolution was read by the Clerk as follows:

In the House of Representatives, December 5, 1933.

Whereas A Resolution requesting an accounting of the salaries and expenditures in various specified counties of this Commonwealth by the State Emergency Relief Board was passed by the General Assembly in the Regular Session of one thousand nine hundred and thirty-three and

Whereas Said information has not been furnished to date and

Whereas There are widespread charges of incompetency extravagancies waste and a deliberate indifferent attitude toward those who apply for assistance on the part of employees in various relief stations and

Whereas The necessity for a university education as a qualification for appointment to a position in relief stations is deliberate favoritism for sons and daughters of wealthy parents and

Whereas Such charges cannot go unanswered by this House but the Members thereof and the people of this Commonwealth are entitled to know the truth or falsity of such charges therefore be it

Resolved That the Speaker of the House of Representatives is hereby authorized to appoint a committee of five Members of this House whose duty it shall be to fully and impartially investigate the charges and ascertain the expenses wages et cetera of the State Emergency Relief Board in the various counties of the Commonwealth and make report thereof to the House as early as possible

Resolved That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books papers records and documents as the committee may deem necessary Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth Each member of said committee shall have the power to adminster oaths and affirmations to witnesses appearing before the committee Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

On the question,

Will the House adopt the resolution?

It was adopted.

INFORMATION REQUESTED FROM SECRETARY OF STATE OF UNITED STATES.

Mr. LANE offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, December 13, 1933.

Whereas, The closing down in whole or in part of hundreds of manufacturing factories in the last five years in United States of America by their American owners, who have gone and built the same kind of factories in foreign countries is responsible in a large measure for the great increase in both the unemployed and the cost of their relief, also the large increase of unpaid taxes and greatly reduced the buying power of the American people, and

Whereas, Many of these American owned factories built in foreign cuntries are and have been shipping back into United States of America the same products made by cheaper labor in these foreign countries that they formerly manufactured in United States of America, and are thus helping to close down what few American factories that are now giving employment to American citizens and who are now paying their taxes to help run the American government in local County, State and National affairs, and

Whereas, The President and Congress has declared war against the depression that is now upon the United States, and

Whereas, Congress has given the President free power to act in any move he believes would help America return to prosperity,

Resolved, That it is the consensus of opinion of the members of the House of Representatives of Pennsylvania that the Congress of the United States should without delay request the Secretary of State to furnish to Congress the following information, which Congress shall make public.

First—A list of the names and the American address along side of their foreign address of all American firms or individuals that have closed down in whole or in part their factories in the United States of America and built the same kind of factories in foreign countries who have and are now shipping some of their foreign made goods back into the United States of America either in finished or unfinished goods and state whether they are imported into the country or without a duty being paid.

Second—State the number of employees laid off by these American firms or individuals that moved to foreign countries

and are now importing some of these goods from their foreign factories into the United States of America.

Third—State the amount of wages paid to their employees in their foreign factories and the amount of wages paid to their employees in their factories in the United States of America.

Fourth—State the cost of production and selling price in America of American manufactured goods and along side in another column state the cost and selling price of the same kind of goods selling in the United States that were manufactured in some foreign country and give the name of the country they were made in.

Fifth—State amount of money invested in each of these American built factories in foreign countries and in another column state the amount of taxes lost to the American people when they closed down in whole or part their factories in the United States of America.

Sixth—Give the names and addresses of agents or firms importing foreign made goods who resort to tricks to beat paying duty on same and name kind of tricks and on what articles that are widely used, and be it further

Resolved, That Congress should further aid both the operation of more American factories toward giving more people employment and at the same time relieve the heavy burden of taxes on the homes and farms in their endeavor to balance the National Budget by taxing the person or firms selling foreign made goods the difference in the cost of foreign made articles laid down in United States and the cost of a like article made in the United States of America, and be it further

Resolved, That we request the President in the interest of giving employment to the army of unempoyed and to cut down the cost to the taxpayers of taking care of the poor and unemployed he at once by executive order forbid the importation into the United States of America of any article whether finished or unfinished that is made in some foreign country by Americans that have closed down their factories that were making the same article either in whole or part in the United States of America, and be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to send copies of this resolution to the presiding officers of both Houses of Congress at Washington, District of Columbia with the request they have it read and referred to the proper committee for their consideration also a copy to each member of the Congress of the United States from this Commonwealth with a request that they work to further these suggestions contained herein also copies to the Secretary of State, Secretary of Labor, Secretary of Commerce, and the President for his information.

RESOLUTION

Mr. YOURISHIN. Mr. Speaker, I desire to offer a resolution at this time.

The SPEAKER. The Chair desires to inform the gentleman from Luzerne, Mr. Yourishin, that his resolution is out of order at this time on account of the time necessary to accomplish the purpose of his resolution. The bill referred to in the resolution has not been in the Committee ten days. The Chair further informs the gentleman that after today a similar resolution will be in order.

RESOLUTION No. 20

Mr. WITKIN. Mr. Speaker, I desire to call up at this time Resolution No. 20, Printer's No. 129.

The resolution was read by the Clerk as follows:

In the House of Representatives, December 12, 1933.

Whereas New Year's Day a legal holiday falls for the year one thousand nine hundred and thirty-four on Monday and

Whereas New Year's Eve is generally celebrated throughout the State by people awaiting the advent of the New Year and

Whereas The sale of liquors is allowed only from seven o'clock ante meridian of any week day until two o'clock of the following week day and

Whereas It is unlawful to sell liquors on Sunday the law is open to the construction that the intervention of Sunday between Saturday and Monday prohibits the sale of liquors on Monday between the hours of twelve o'clock midnight and two o'clock ante meridian although such sales are legal on any other week day therefore be it

Resolved (if the Senate concur) That it is the sense of the General Assembly that persons licensed to sell liquors for consumption on the premises where sold shall be permitted to sell such liquors between the hours of twelve o'clock midnight and two o'clock ante meridian on Monday January first one thousand nine hundred and thirty-four and that no licensee shall be penalized or his or her license revoked for the sale of liquors on said day between the hours specified in this resolution

Resolved That a copy of this resolution be transmitted to the Pennsylvania Liquor Control Board by the acting Chief Clerk of the House of Representatives

On the question,

Will the House adopt the resolution?

Mr. WITKIN. Mr. Speaker and members of the House, there appears to be some misunderstanding as to whether or not this resolution is a resolution that would bring about the sale of liquor on Sunday. That is not so. This resolution merely provides that at 12.01 Monday morning of January 1st 1934, until 2.00 A. M. on Monday morning, January 1st, 1934, hotels and restaurants be permitted to sell liquor. It is my opinion that under the present existing law they can so do, and it is also the opinion of the Legislative Reference Bureau that they can so do; however, the Attorney General in his wisdom has said that they cannot, because Sunday intervenes between Saturday and Monday. The sole purpose of this resolution is to enable the hotels and restaurants to sell you a drink between 12.00 o'clock on Monday morning, January 1st, 1934 and 2.00 A. M. January 1st, 1934, without running the risk of losing their licenses. It does not interfere in any way with the Sabbath. It permits us to take a drink and gives the privilege to the hotels to sell it to us. I don't think it is even the spirit or the intention of the law not to permit them to sell, but this resolution is offered so that the hotel that sells you a drink at 1.00 o'clock in the morning of January 1st, 1934, will not have its license revoked for so doing. I ask you to support the resolution.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the [illegible] concurrence.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 49 (HOUSE BILL No. 237)

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics and boards of school directors and imposing penalties

Referred to the Committee on Elections.

SESSIONS OF HOUSE ON THURSDAY AND FRIDAY

Mr. HOOPES offered a motion which was read by the Clerk as follows:

Moved by Representative Hoopes that this body sit in session on Thursday, December 14th and Friday, December 15th, so that all legislation now on the calendar either may be passed and sent to the Senate or be defeated.

On the question,

Will the House agree to the motion?

Mr. HOOPES. Mr. Speaker and members of the House, this House on Monday evening passed a resolution offered by the Rules Committee fixing next Thursday noon as the day for final adjournment. That has been passed by the Senate, so that it is finally fixed and cannot now be changed without the concurrence of the Senate and so that when noon of Thursday comes we will adjourn. We may turn the clock back as we have done many times before, but still we will not have sufficient days to pass the bills which are now on the calendar on second reading, or first reading, unless they get to the Senate very promptly.

Personally I don't like the idea of staying in Harrisburg all week, but we must remember that our first duty is to our constituents.

There are measures on the calendar and there are measures before committees of the House which may be reported out today, which are of the utmost importance to the people of this Commonwealth. I have in mind my anti-compensation bill for deputy sheriffs which is in the hands of the Committee, and which I have hopes of getting out in the very near future.

If we adjourn for the week today it will be impossible to get such legislation through no matter how rapid the action may be because there won't be but seven legislative days to make it possible. We have on the calendar today several bills which are very important, one for instance is the one which provides for deputy sheriffs to be paid by the counties, and a number of others. If we are to adjourn one week from today it will be impossible for such legislation to get through the House and the Senate.

I wish to call the attention of the members of this House to the bills on first and second reading before this House, that if we adjourn for the week today, that this legislation is just as good as dead now. If you want these bills in which you are interested to go through it is absolutely necessary that we stay here tomorrow and the next day. The people of Pennsylvania want this legislation. The Pennsylvania Federation of Labor and a number of other civic organizations are anxious for this legislation to be passed. I do not think it is in accord with public policy for us to fold up our tents and quietly slink away, or however that quotation is to that effect. But it is up to us to stay here and pass on this most important legislation, either to vote for it or vote against it. If you think the people of your district don't want it, it is your duty to vote against it, but it is your duty to stay here and vote on it. These bills have been introduced in plenty of time to be passed on by the Committee and to be here before us. It is no fault of those who are sponsoring this motion that these bills are not out. I appeal to the members of this House to vote for this motion in order that we may stay in session and give this social legislation a chance.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TURNER. Mr. Speaker, I take it that the motion is not in order, and even if this House should pass such a motion, it would not preclude a motion to adjourn at any time by the House.

The SPEAKER. The Chair is of the opinion that the point of order is not well taken, because this body may at any time by a majority vote direct its procedure; therefore, the motion is in order.

Mr. HERMANSEN. Mr. Speaker and members of the House, I arise to talk in the interest of this motion, because I feel that it means considerable to the labor forces of this House and this Commonwealth. Very much depends on what you have done in the next two days, and there are some bills that are very important from the labor viewpoint, and from the social viewpoint, that can be advanced if we agree to remain in session two more days this week. Therefore, I want to add my request to the one already made to continue this session for two more days. There is one bill in particular, House Bill No. 124, that we would like to have action on, so that it can be either passed or turned down by this House. We feel there is a great sentiment throughout the State in behalf of this legislation, and we feel as representatives of labor that it is our duty to exert every effort to have a vote taken on these measures, and I ask the members of this House to support this motion.

Mr. SOWERS. Mr. Speaker, I desire to interrogate the gentleman from Luzerne, Mr. Hermansen.

The SPEAKER. Will the gentleman from Luzerne, Mr. Hermansen, permit himself to be interrogated?

Mr. HERMANSEN. I will, Mr. Speaker.

Mr. SOWERS. Mr. Hermansen, what do you regard as the five most important bills on the social legislation program?

Mr. HERMANSEN. Mr. Speaker, from the labor standpoint I consider House Bill No. 124, the railroad bill, Mr. Craig's bill, the child labor amendment and the old age pension as the most important and these are the four bills in which I am particularly interested.

Mr. SOWERS. In other words, of the four most important legislative bills, the first is the old age pension, is that right?

Mr. HERMANSEN. Yes sir.

Mr. SOWERS. And that is on third reading today?

Mr. HERMANSEN. Yes.

Mr. SOWERS. We don't have to continue in session to pass on that, do we?

Mr. HERMANSEN. No.

Mr. SOWERS. What do you regard as the next most important bill?

Mr. HERMANSEN. House Bill No. 124.

Mr. SOWERS. That is on second reading today, isn't it?

Mr. HERMANSEN. Yes.

Mr. SOWERS. Just what is that bill?

Mr. HERMANSEN. That is the Mason bill on child labor, and on minimum wage.

Mr. SOWERS. And that can pass today on second reading?

Mr. HERMANSEN. Yes, but it can't get through the Senate before it adjourns.

Mr. SOWERS. It can pass Monday night and be messaged over to the Senate; is that right?

Mr. HERMANSEN. Yes.

Mr. SOWERS. What do you regard as the third most important piece of legislation?

Mr. HERMANSEN. The railroad bill.

Mr. SOWERS. That is really a labor union bill, that is not a social bill.

Mr. HERMANSEN. I regard it as a social bill.

Mr. SOWERS. In other words, you mix together social bills which are for all of the people with labor bills for the union?

Mr. HERMANSEN. I figure that society is interested in alleviating and eliminating and improving labor conditions.

Mr. SOWERS. What do you consider the next most important legislation?

Mr. HERMANSEN. I would say that it is a question between Mr. Sterling's income tax bill——

Mr. SOWERS. That is not out of committee?

Mr. HERMANSEN. That is out of committee.

Mr. SOWERS. You think that the income tax bill is a social bill?

Mr. HERMANSEN. Absolutely.

Mr. SOWERS. What do you regard as the next most important bill?

Mr. HERMANSEN. I have forgotten what we have gone over; I have forgotten what we went over.

Mr. SOWERS. Mr. Speaker, I ask the gentleman what he regards as the next most important bill.

Mr. HERMANSEN. Mr. Speaker, I answer by saying Mr. Craig's child labor bill.

Mr. SOWERS. I want to call your attention to the child labor bill, House Bill No. 153 on page 10 of today's calendar. That bill is on third reading today. Would we have to stay here to pass that?

Mr. HERMANSEN. No.

Mr. SOWERS. It don't seem to me that there is very much for us to stay here for.

Mr. HERMANSEN. In answer to that question, could I ask you a question, Mr. Sowers?

Mr. SOWERS. Yes.

Mr. HERMANSEN. Don't you think it would be wise to stay and advance all of the measures that it is possible to advance.

Mr. SOWERS. What I want to know is what we are to stay for?

Mr. HERMANSEN. To finish what we have begun.

Mr. SOWERS. May I ask what it is that we have not finished?

Mr. HERMANSEN. The bills that have not come through yet.

Mr. SOWERS. Your Craig bill will have time to get through.

Mr. HERMANSEN. The Senate will have four days.

Mr. SOWERS. The Senate will have four days and the responsibility is not with us it is with the Senate. Do you want to stay here for two more days as a debating society?

Mr. HERMANSEN. I do not want to stay if it is not necessary, but it is my impression that we have to stay if we want to get cleaned up.

Mr. SOWERS. What is your experience; give me some concrete reason why it is necessary for us to stay here.

Mr. HERMANSEN. I have given you these reasons.

Mr. SOWERS. It don't seem that your reasons are sound.

Mr. HERMANSEN. The Sterling income tax——

Mr. SOWERS. Do you want to stay here in order to put a tax on the people?

Mr. HERMANSEN. I would stay here another month to put that bill through.

Mr. SOWERS. To put a tax on the people?

Mr. HERMANSEN. To change the form of taxation.

Mr. SOWERS. You have had time enough to do that?

Mr. HERMANSEN. No.

Mr. SOWERS. Mr. Speaker and members of the House, under the guise of social legislation many matters are sought to be included in that program, for instance, the full crew bill. How can you say that that is social legislation? Social legislation means legislation for all of the people, not for a little group. Social legislation means legislation that benefits everybody, and not a little group. I have a very high regard for my friend, who is a leader in social legislation movements and I think I have been pretty active in its behalf in the past, but I don't want, under the guise of social legislation, to have laid in my lap and I don't think that you do, and to have put before us legislation that it is not social legislation.

I can see no reason why this resolution should pass. The Senate will have all of these bills, the responsibility will be with the Senate and not with us. We cannot do any more than to pass these bills If we pass them are we to remain here simply as a debating society? I ask you to vote no on the resolution.

Mr. J. J. KANE, I arise to support this resolution, not particularly for the purpose of asking the membership to stay here, but in the interest of social legislation, and there is lots of this pending in committees, which I understand will be reported out of committees, and which I understand will be beneficial to sections of the State that they can borrow money from the Federal Government for the purpose of putting people back to work.

We can adjourn today and follow the procedure of meeting next week and in sending these bills to the Senate, and then continue here for days afterward. We have the time, plenty of time, and I hope the members of the House will support the motion to stay here and try to get some of the bills out of committee and pass those that are on the calendar, if we expect to pass this social legislation and this legislation that will enable the counties to borrow money from the Government for projects to put people back to work. That is what the Federal Government wants to do, but the State of Pennsylvania is in a position where they cannot do it. We do not have the necessary legislation. If we pass this legislation we can put people back to work.

Mr. SOWERS. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. J. J. Kane.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. J. J. KANE. I will, Mr. Speaker.

Mr. SOWERS. Mr. Speaker, I ask the gentleman, has not this House passed the Liquor Control Act?

Mr. J. J. KANE. That is true.

Mr. SOWERS. Has it not passed the floor tax on liquor?

Mr. J. J. KANE. That is so.

Mr. SOWERS. Has it not passed the permanent tax on liquor?

Mr. J. J. KANE. That is right.

Mr. SOWERS. Has it not passed the proper tax on beer?

Mr. J. J. KANE. That is right.

Mr. SOWERS. Has it not passed the proper beer license tax bill?

Mr. J. J. KANE. That is so.

Mr. SOWERS. Has it not properly taxed the manufacturing permits for alcohol?

Mr. J. J. KANE. That is right.

Mr. SOWERS. Has it not passed the proper bond issue for veteran's bonuses?

Mr. J. J. KANE. Yes.

Mr. SOWERS. Has it not passed the proper bill for the distribution of the bonuses?

Mr. J. J. KANE. Mr. Speaker, I would suggest that the gentleman read them altogether.

Mr. SOWERS. Mr. Speaker, I would prefer to read them all individually. Has it not passed the proper measures for relief of depositors in banks from the four mill tax?

Mr. J. J. KANE. I would suggest that you lump these all together.

Mr. SOWERS. I am afraid it would shock you. I would rather give them to you in small doses.

Mr. J. J. KANE. The reason I suggested this, Mr. Sowers, is because I know you are in a hurry to get home.

Mr. SOWERS. No, I am not in a hurry. I want to go home with the proper backing, not only what we would——

Mr. J. J. KANE. I know you would like to get home and are just trying to pull this in.

Mr. SOWERS. Have we not passed the proper bill with reference to the long and short haul legislation? We passed it, didn't we?

Mr. J. J. KANE. No.

Mr. SOWERS. We passed a proper one?

Mr. J. J. KANE. Well, we passed a bill.

Mr. SOWERS. And you didn't offer any amendments to the bill?

Mr. J. J. KANE. No sir.

Mr. SOWERS. So whatever is improper in the bill is there because you didn't offer amendments?

Mr. J. J. KANE. I am not discussing what we did pass, but what we didn't pass.

Mr. SOWERS. Have we not passed legislation to take care of the Federal moneys for toll bridges?

Mr. J. J. KANE. Yes.

Mr. SOWERS. Have we not passed legislation for the abatement of penalties on tax bills in first class cities?

Mr. J. J. KANE. Yes.

Mr. SOWERS. Has not the House passed the minimum wage bill?

Mr. J. J. KANE. Yes.

Mr. SOWERS. Has not this House passed an old age pension bill?

Mr. J. J. KANE. I would not say we passed an old age pension bill.

Mr. SOWERS. Have we not passed an old age assistance bill?

Mr. J. J. KANE. Yes.

Mr. SOWERS. Have we not passed a bill with reference to the employment of citizens on public works?

Mr. J. J. KANE. Yes.

Mr. SOWERS. Have we not passed the bill providing for unemployment relief, forty million dollars?

Mr. J. J. KANE. Yes.

Mr. SOWERS. Have we not passed a bill for stay of execution against debtors.

Mr. J. J. KANE. Yes.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. PHILIP STERLING. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. PHILIP STERLING. Mr. Speaker, the motion before the House reads in part: "so that all legislation now on the calendar either may be passed and sent to the Senate or be defeated."

The discussion between the two gentlemen does not refer to any legislation which is on the calendar.

The SPEAKER. In answer to the question propounded by the gentleman from Philadelphia, Mr. Sterling, it is the belief of the Chair that the gentleman from Philadelphia, Mr. Sowers, is attempting to establish the fact as stated in the motion and therefore so rules, and the gentleman from Philadelphia will proceed on the basis of the motion before the House.

Mr. SOWERS. Mr. Kane, have we not passed legislation to take care of the Federal Home Loan bonds?

Mr. J. J. KANE. Yes.

Mr. SOWERS. Have we not passed legislation to take care of the Constitutional amendments for toll bridge bonds.

Mr. J. J. KANE. Yes.

Mr. SOWERS. Have we not passed legislation with reference to toll bridge acquisition?

Mr. J. J. KANE. Yes.

Mr. SOWERS. Have we not passed appropriation bills for the issue of the bonus bonds for the veterans?

Mr. J. J. KANE. Yes.

Mr. SOWERS. We, of course, passed legislation appropriating money to support state stores?

Mr. J. J. KANE. Yes.

Mr. SOWERS. We passed appropriation bills to take care of the deficiencies that the Governor called our attention too; is that right?

Mr. J. J. KANE. Yes.

Mr. SOWERS. And we passed legislation in this House to aid boroughs in the recovery program; that is right, is it not?

Mr. J. J. KANE. We have in a sense I would say. There is other legislation that I am interested in that will help them further.

Mr. SOWERS. What for instance?

Mr. J. J. KANE. The bill that will help the counties to borrow money.

Mr. SOWERS. Is that not a matter for the General session?

Mr. J. J. KANE. It is considered within this call.

Mr. SOWERS. Has not the House passed legislation for the blind?

Mr. J. J. KANE. Yes sir.

Mr. SOWERS. Has it not passed appropriations for blind pensions?

Mr. J. J. KANE. Yes.

Mr. SOWERS. Has it not passed a bill for the abatement of tax penalties in second class cities?

Mr. J. J. KANE. No, counties.

Mr. SOWERS. Has it not passed legislation for the cancellation of supply contracts, that is recovery legislation?

Mr. J. J. KANE. Yes sir.

Mr. SOWERS. Has it not passed legislation to aid distressed school districts?

Mr. J. J. KANE. It has in a sense, yes.

Mr. SOWERS. You didn't amend that legislation, did you?

Mr. J. J. KANE. No.

Mr. SOWERS. Can you mention anything of any importance that this House has not passed on?

Mr. J. J. KANE. In answer to the gentleman from Philadelphia, Mr. Sowers, as I understand the motion, the motion is to ask the House to stay here until we are certain that the bills here now will get the proper consideration, all bills on the calendar. In addition to social legislation, I would to say to you, Mr. Sowers, has the House passed any substantial amendments to the Workmen's Compensation Act?

Mr. SOWERS. The amendments were offered,

Mr. J. J. KANE. I understand you are a friend of labor and are interested in that subject.

Mr. SOWERS. Absolutely. You are right.

POINT OF ORDER

Mr. RHODES. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman state his point of order.

Mr. RHODES. Mr. Speaker, this interrogation is not being conducted in conformity with legislative requirements.

The SPEAKER. Will the gentleman state in what manner it is not being conducted properly?

Mr. RHODES. Mr. Speaker, the participants have not been addressing the Chair?

The SPEAKER. Before ruling on the point of order may the chair first ask the gentleman from Monroe a question: Does he mean that in every instance in the interrogations they should be addressed to the Chair?

Mr. RHODES. I do, Mr. Speaker.

The SPEAKER. That is proper. The point of order is well taken, and in the future all interrogations will be addressed to the Chair. The gentleman will proceed.

Mr. J. J. KANE. I apologize to the Chair.

The SPEAKER. That is not necessary, the Chair desires to inform the gentleman from Allegheny, Mr. Kane, because it was not intentional.

Mr. SOWERS. Mr. Speaker, I desire to ask the gentleman from Allegheny, Mr. Kane; did not this House pass legislation with reference to Firemen's Relief yesterday?

Mr. J. J. Kane. They did, Mr. Speaker.

Mr. SOWERS. Mr. Speaker, I desire to ask the gentleman from Allegheny, Mr. Kane, this question; I am not referring to generalities, but I am asking him to put his finger on specific things; can he mention anything which this House did not pass on that is proper for an extraordinary session. Is there any social legislation that has not been acted upon?

Mr. J. J. KANE. Mr. Speaker, in answer to the gentleman from Philadelphia, Mr. Sowers, I want to be specific, and I will ask the gentleman to ask me the question again.

Mr. SOWERS. Mr. Speaker, I am afraid the gentleman cannot answer the question.

Mr. J. J. KANE. Mr. Speaker, at least the gentleman should extend me the courtesy of stating his question again.

Mr. SOWERS. Mr. Speaker, I didn't mean it that way.

The SPEAKER. The Chair suggests that the interrogation is wandering very far afield on the motion. It was the belief of the Chair when the point of order was raised by the gentleman from Philadelphia, Mr. Sterling, that Mr. Sowers were attempting to build up a case which would end in showing that the legislation that was on the calendar could be passed. Therefore the Chair suggests now that you proceed along the lines of the motion before the House.

Mr. SOWERS. Mr. Speaker, I have no further question to ask.

Mr. J. J. KANE. Mr. Speaker, I do not desire to prolong the discussion, but I did, in the interrogation of the gentleman from Philadelphia, Mr. Sowers, get the impression that the gentlemen inquired whether there was a bill that we had not passed and which the Senate was called upon to consider. I refer to the bill on the calendar, on first reading, the deputy sheriffs bill. In the call of the Governor for this special session, one of the most important pieces of legislation asked by the Governor was the abolition of the paid deputy sheriffs throughout the State of Pennsylvania. In addition to that bill there is a bill sponsored by myself for the abolition of the coal and iron police in Pennsylvania. Any person who has gone through an experience and who knows anything about the paid deputy sheriffs by coal companies and by steel companies and who has followed the history of the coal and iron police know that that is an important piece of legislation to discuss and this House is responsible to decide whether we will abolish and correct this evil in Pennsylvania. That is only one piece of legislation that we have not passed or acted upon. Another is, I don't believe that this question of milk control, which is very vital to the people of Pennsylvania, has been passed on by the House. The question of income tax which the people of the city of Pittsburgh and the county of Allegeny are petitioning the members of this House to give consideration to has not been acted upon. The proposition for second class counties to borrow thirty million dollars to support projects to put people back to work has not been considered; and the question of considering legally the issuing of revenue bonds has not been considered.

The gentleman from Philadelphia, Mr. Sowers, has stated that there is not any one single act that we have not considered. I submit this to him, while agreeing with him that we have passed a number of pieces of legislation.

Mr. BERNHARD. Mr. Speaker, Mr. Sowers has referred to labor bills as not being social legislation. We differ with him and we believe that these bills are a part of the social legislation program. We had the experience last week of hearing the Chairman of the Committee on Labor stating that he would call a meeting of the Labor Committee when he saw fit.

The SPEAKER. The Chair must insist that the gentleman discuss the motion before the House.

Mr. BRENHARD. Mr. Speaker, I believe that the full crew bill is on the calendar today and therefore it is before the House.

The SPEAKER. The gentleman will proceed.

Mr. BRENHARD. Mr. Speaker, we went through the experience of having the gentleman who is Chairman of the Committee on Labor state——

POINT OF ORDER

Mr. WILSON. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. WILSON. I understand the gentleman is required to confine his remarks to the motion, and not what we did last week.

The SPEAKER. The point of order is well taken, and the gentleman from Carbon must confine his remarks to the motion before the House.

Mr. BERNHARD. Mr. Speaker, we have on the calendar today the full crew bill, which was here for twenty-one days. Out of deference to those gentlemen who are interested in the passage of this bill, we did not insist on it before, but we are now reaching a final stage. Since my friend from Philadelphia, Mr. Sowers, is voting against that and does not want to hurry up this session and get out of here, I hope that he will go along on all of these bills.

Mr. McCREARY. Mr. Speaker, I don't want to prolong this session. I want to speak in support of this motion. I am one of the new members in the House, and it is unmoral perhaps for me to get up to do any criticising, but I do know, and even anybody with no greater experience knows and can have an opinion, and I object to the method of the actions of committees of this House. That is all the cause of the argument

here. I am not foolish enough to think that the House will side with me, but a body of men elected by the people and sent here for that purpose——

The SPEAKER. Is the gentleman from Erie discussing today's calendar?

Mr. McCREARY. Yes, Mr. Speaker, I think I am.

The SPEAKER. The gentleman will proceed.

Mr. McCREARY. Mr. Speaker, today's calendar is the result of the actions of the committees.

The SPEAKER. Is the gentleman referring to the committee or to the chairman of the committee?

Mr. McCREARY. Mr. Speaker, I just don't know how to proceed under the rules. I did have something I would like to say.

The SPEAKER. The gentleman will proceed.

Mr. McCREARY. Mr. Speaker, I just want to object to the general treatment and the treatment I have received in these committees. I introduced five bills at the beginning of the session and so far I only have one out on the floor of the House, and that is on third reading today, and the other four are still in pickle.

The SPEAKER. Is the gentleman's statement in regard to bills which are still in committee or which are on the calendar?

Mr. McCREARY. That are on the calendar. I am afriad, Mr. Speaker, I do not understand the rules well enough to continue.

Mr. WILSON. Mr. Speaker, I desire to interrogate the gentleman from Erie.

The SPEAKER. Will the gentleman from Erie permit himself to be interrogated?

Mr. McCREARY. I will, Mr. Speaker.

Mr. WILSON. Mr. Speaker, I desire to ask the gentleman from Erie, Mr. McCreary, whether his remarks, as to how he has been treated by the Chairmen of the different committees, whether that includes the Chairman of the Committee on Education?

Mr. McCREARY. I beg your pardon, I didn't say chairmen of committees.

Mr. WILSON. Mr. Speaker, I ask the gentleman as to his treatment by the Chairman of the Committee on Education.

Mr. McCREARY. I am not a member of that Committee on I have no bill in that Committee. There was not a thing personal about any of this.

POINT OF ORDER

Mr. HOWARD. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Fayette, Mr. Howard, will state his point of order.

Mr. HOWARD. Mr. Speaker, this gentleman in his interrogation is not interrogating on the motion or anything that is on the calendar.

The SPEAKER. The gentlemen will confine themselves to the motion before the House.

Mr. WILSON. Mr. McCreary do you have any objection to the treatment you received by the Chairman of the Committee on Education.

Mr. McCREARY. I do not.

The SPEAKER. The point of order raised by the gentleman from Fayette, Mr. Howard, is well taken.

Mr. FITZGERALD. I promise, Mr. Speaker and members of the House, that I will be very brief. What I want to do is to call your attention to the fact that if this motion does not prevail important social legislation will be locked out forever, so far as this session is concerned. I especially want to call your attention to bill number 200 on page 6 of today's calendar, Bill No. 199 on page 8 of today's calendar, and Bill No. 196 on page 8 of today's calendar, relative to Workmen's Compensation Law, and the amendments thereto. They are necessary social legislation in every detail and what we have done with toll bridges, liquor control or anything else has no bearing whatever on it. I would like to call your attention to the coal and iron police bill, No. 34 on page 9 of today's calendar, the deputy sheriff's bill No. 65, on page 1, and the full crew bill, No. 60 on page 8 of today's calendar.

These bills must necessarily have sufficient time to pass and this motion must prevail if that legislation is to be enacted, and for that reason I ask the members of this House to support the motion.

Mr. HUTTON. Mr. Speaker and members of the House, we have listened very patiently and I presume with profit to a long series of interrogations, some of which, with the indulgence of the Chair, have wandered rather far afield. Possibly a few remarks might clarify the situation. In the first place we have in this House adopted a resolution to adjourn on the twenty-first day of December. That resolution has been concurred in by the Senate. Therefore, we will adjourn upon the twenty-first day of December.

The motion as made by the gentleman from Berks, Mr. Hoopes, has reference to bills which are now upon the calendar. In scanning over that legislation, it seems to me that all of the important legislation as referred to in the calendar of today can be acted upon if the necessary celerity in the Senate is taken advantage of in the days which still remain of this legislative session. It is quite apparent that with the resolution to adjourn on the twenty-first of December we must stop at some point. According to the motion which is now before the House, we would stay in assembly tomorrow and Friday and in the meanwhile other bills will be reported from Committee, in all probability, and they themselves will be placed upon the calendar. The sponsors of those bills have just as much right to insist upon a consideration of their bills finally as the sponsors of the bills which are on the calendar at the present moment. Consequently, we have to stop at some point and I can see no merit in our remaining here until Friday. The interrogations as brought out by the gentleman from Philadelphia, Mr. Sowers, were well in point and I would therefore ask the members of the House to vote this motion down.

Mr. EDERER. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Nothnagle, Weidemann, Price, Fleisher, Wike, White, Woodside, Shreiner, Rice, John L. Holmes, Conner, Wilson, Zimmerman, Storb, Forrest, Craig, Stiteler, Baldi, Bennett, Witkin and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Hoopes and Mrs. Wilson.

Mr. WELSH. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—101

Andrews,	Hamilton,	McCreary,	Schrock,
Barnhardt,	Harmuth,	McGinnis,	Schrope,
Bechtel,	Harris,	McGrail,	Schwab,
Beech,	Hart,	McHenry,	Scott,
Bernhard,	Heffner,	McKay,	Sheffer,

Boyd,	Hermansen,	Mohn,	Shellenberger,
Brancato,	Hester,	Munley,	Shettel,
Brown, J. E.,	Himes, H. E.,	Murphy,	Shortz,
Brown, W. L.,	Himes, L. R.,	Negley,	Shugar'3,
Brownfield,	Hoffman,	O'Connor,	Snyder,
Cannon,	Holmes, J. B.,	O'Keefe,	Stank,
Caputo,	Hoopes,	O'Neill,	Sterling, P.,
Carson,	Hough,	O'Rourke,	Sterling, R. B.,
Chervenak,	Howard,	Perry, J. J.,	Stevens,
Cohen,	Kane, J. J.,	Powell,	Stone,
Cramer,	Kinney,	Powers,	Surface,
Dane,	Lane,	Quinn,	Wade,
Downey, G. E.,	Lovett, J. E.,	Raub,	Wagner,
Downey, J. J.,	Lovett, W. S.,	Reed,	Walker, W. A.,
Eroe,	Lynch, J. R.,	Reilly,	Wall,
Fitzgerald,	Male,	Rhodes,	Way,
Flanagan,	Mason,	Roan,	Welsh,
Flinchbaugh,	McBride,	Ruby,	Westrick,
Flynn, J. W.,	McCandless,	Ruth,	Wilson, L. M.,
Furman.	McClure,	Sarig,	Yourishin,
Gallagher, T. J.,			

NAYS—89

Baldi,	Greenstein,	Moore,	Stiteler,
Bennett,	Griffith,	Mumford,	Storb,
Blumberg,	Habbyshaw,	Myers	Stott.
Brennan,	Haines,	Nothnagle,	Tahl,
Carey,	Heffernan,	Patterson,	Terry,
Conner,	Hefferon,	Peelor,	Trout,
Cooke,	Hewitt,	Pennock,	Turner,
Cordier,	Holmes, J. L.,	Perry, D. R.,	Wasserman,
Craig,	Hutton,	Peters,	Weidemann,
Davies,	Jaffe,	Price,	White,
DeFrehn,	Kane, L. P.,	Rectenwald,	Wike,
Dunmire,	King,	Rice,	Williams, G. W.,
Ederer,	Laubach,	Root,	Williams, J. J.,
Emhardt,	Lewis,	Roth,	Wilson, T. B.,
Evans,	Long,	Royle,	Witkin,
Fleisher,	Lord,	Sautter,	Wood,
Flynn, J. M.,	Lose,	Schwartz,	Woodside,
Forrest,	Lynch, M.,	Shreiner,	Wright,
Gallagher, W. J.,	Maloney,	Simon,	Yeakel,
Gartner,	McGregor,	Sowers,	Zimmerman,
Gillette,	McKinney,	Spann,	Talbot,
Gorman,	Meredith,	Steedle,	Speaker.
Green.	Merrell.		

PRESENT

McElwee,

Mr. CANNON. Mr. Speaker, on the affirmative roll, did I understand that Mr. Williams, George, was recorded as voting? Mr. Williams, George, was not in his seat when the roll was called.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I was in my seat and voted.

The SPEAKER. Is the gentleman making charges?

Mr. CANNON. I ask for forgiveness. I understand Mr. Williams, George, was in his seat, it was Mr. Walker who was not in his seat

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. WITKIN. Mr. Speaker, if the gentleman wishes to challenge any vote he must do so in writing.

The SPEAKER. The point of order is well taken.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I was in my chair and I voted no when my name was called, and afterwards I was called out to meet a delegation.

The SPEAKER. If the gentleman is challenging any member the challenge must be sent to the desk in writing.

Mr. CANNON. Mr. Speaker, it is Walker.

The SPEAKER. It matters not, if the gentleman is making charges he must send them to the desk in writing.

The Chair desires to inform the gentleman from Philadelphia, first asking him a question: from what county does the gentleman, Mr. Walker, come, whose vote the gentleman is challenging?

Mr. CANNON. Delaware County, I believe.

The SPEAKER. The Chair informs the gentleman that it is impossible for Mr. Walker to have come from Delaware although we would be proud to welcome him.

Mr. CANNON. For the information of the Speaker and the members of the House, I shall spell the county S-u-l-i-v-a-n.

The SPEAKER. The Chair regrets that the gentleman in his spelling missed one "l."

The Chair desires to inform the gentleman that the gentleman referred to is not recorded as voting, and therefore, the discussion is closed.

So the question was determined in the affirmative and the motion was agreed to.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

RESOLUTIONS

LIQUOR TO BE SOLD IN SMALL QUANTITIES

Mr. BOYD offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 13th, 1933.

Whereas, The Pennsylvania Liquor Control Board is empowered by clause (g) of Section 201 of the "Pennsylvania Liquor Control Act," "to determine the nature, form, and capacity of all packages to be used for containing liquor kept or sold under this act"; and

Whereas, It is desirable that the liquors, particularly those in common use, be made available at the State liquor stores in quantities sufficiently small to be within the means of those unable to purchase in large quantities, and thereby remove this incentive to deal with persons illicitly trafficing in liquors; there be it

Resolved, That it is the sense of the House of representatives that all liquors offered for sale at any State liquor store should be so offered in quantities at least as small as pints.

Resolved, That the General Assembly hereby recommends to the Pennsylvania Liquor Control Board that it provide for the sale of liquors in the State liquor stores in quantities at least as small as pints.

Resolved, That the acting chief clerk of the House of Representatives transmit a copy of this resolution to each of the members of the Pennsylvania Liquor Control Board.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the being correct, the title was publicly read as follows:

SENATE BILL No. 43.

An Act making an appropriation to the Department of Military Affairs.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PAYMENT OF APPROPRIATION TO SCHOOL DISTRICT

Mr. CORDIER offered a resolution and asked unanimous consent for its immediate consideration.

The resolution was twice read by the Clerk as follows:

In the House of Representatives, December 13th, 1933.

Whereas, There are many school districts within the Commonwealth that are far in arrears in the payment of salaries to school teachers; and

Whereas, These school teachers have remained at their posts, carrying on their professions for the benefit of the youth of this Commonwealth, giving of their knowledge and ability for the general welfare, relying only upon their faith in the responsibility of the Commonwealth and their school districts for the final payment of the remuneration due them for their services and necessary for their sustenance; and

Whereas, House Bill No. 74, already passed upon finally by this House, makes an appropriation of $5,000,000 for the purposes of furnishing aid to financially handicapped and distressed school districts in such manner as the Superintendent of Public Instruction shall determine; therefore be it

Resolved, That it is the opinion of this House that payment for such appropriation should first be made by the Superintendent of Public Instruction to such school districts as are in arrears in the payment of salaries to teachers by reason of inability to collect taxes, to the end that they receive the just compensation due for their services, and for their unselfish adherence to duty; and be it further

Resolved, That a copy of this resolution be transmitted by the acting Chief Clerk to the Superintendent of Public Instruction.

The SPEAKER. Will the House give its unanimous consent to the immediate consideration of the resolution? Are there objections?

Mr. WILSON. Mr. Speaker, I have no idea of opposing this resolution, but simply that the Committee on Education may consider it I move that the resolution be sent to the Committee on Education. I promise the House that during the recess we will meet and that we will make report before the day is out. I think it should go to the Committee on Education and I think Mr. Cordier will agree with me that it is an important matter.

The SPEAKER. The Chair desires to inform the gentleman from McKean, Mr. Wilson, that it will be impossible to refer this resolution to any committee until it is printed.

Mr. CORDIER. Mr. Speaker, I withdraw my request for immediate consideration.

The resolution lies over for printing under the rules.

Mr. WILSON. Mr. Speaker, I am thinking there would be no objection to the Committee on Education discussing it?

The SPEAKER. Surely not.

MR. HUTTON IN THE CHAIR.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 174, entitled:

An Act authorizing the county commissioners of the several counties to secure from Federal agencies funds for the erection and acquisition of bridges.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 191, entitled:

An Act to amend section one of the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred thirty-seven) entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two and validating the liens of such taxes" further extending the period for such returns and providing for returns for the year one thousand nine hundred and thirty-three.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 65, entitled:

An Act requiring all deputy sheriffs to be paid by the counties in which they are employed prohibiting all contracts and agreements for repayment or reimbursement to any county or the sheriff thereof by any person copartnership association or corporation of compensation to such deputy sheriffs and fixing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 185, entitled:

An Act relating to income taxes for school purposes in counties of the third fourth fifth sixth seventh and eighth classes of this Commonwealth providing for the assessment of the potential annual income of every piece of real estate and the return of the actual net income of every natural person of the age of twenty-one years and upwards residing in the county and every co-partnership unincorporated association company limited partnership and company doing business within the county providing a method of determining said actual net income providing that rates and levies for school purposes (except for the payment of existing indebtedness) shall be based on the sum of said potential annual income of real estate and said actual net income and providing for the levying thereof giving the right of appeal and repealing all inconsistent laws.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 230 (Senate Bill No. 55), entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction, and providing for the repayment of such moneys from the General Fund.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 228 (Senate Bill No. 42), entitled:

A Joint Resolution creating a Liquor Control Investigation Commission, defining the powers and duties of said Commission; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 66, entitled:

An act for the relief of financially distressed taxpayers providing for the payment in installments of delinquent county city borough incorporated town township school and poor taxes in certain cases and abating additional penalties and interest thereon

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 109, entitled:

An act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred .....) entitled "An act authorized the abatement of penalties on local taxes" as amended by providing for the extension of time during which such abatements may be allowed

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 137, entitled:

An act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four by installments and for a discount for prompt payment of such taxes in cities of the second class and in school districts of the first class

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 232 (Senate Bill No. 41), entitled:

An Act to amend paragraph (a) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand forty-six), entitled "An act appropriating the moneys in the Motor License Fund," by appropriating such fund to the Board of Finance and Revenue for redemption of bonds issued to acquire toll bridges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 226 (Senate Bill No. 31), entitled:,

An Act authorizing the Department of Property and Supplies to act as purchasing agency for certain Federal agencies and making an appropriation of moneys received to reimburse the department for the cost of so acting.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 227 (Senate Bill No. 34), entitled:

An Act authorizing the State Treasurer to act as custodian of moneys and securities contributed to or deposited wit hthe Commonwealth or officers departments boards or commissions of the Commonwealth prescribing the manner in which such moneys or securities shall be held and dismursed or delivered up and making an appropriation to the Treasury Department for the cost of administering such moneys and securities

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 225 (Senate Bill No. 62), entitled:

An Act reducing to five days the period during which municipal subdivisions of the Commonwealth are required to advertise notice of proposed awards of contracts for articles to be used on projects financially by the Federal Civil Works Administration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 151, entitled:

An Act to amend sections two three five six seven eight ten eleven twelve section thirteen as amended sections fourteen nineteen twenty twenty-one twenty-two twenty-four twenty-six thirty-two thirty-three thirty-four thirty-six thirty-seven section forty-three as amended sections forty-seven forty-nine of and to add sections eight and one-tenth twelve and one-tenth twenty-three and one-tenth twenty-three and two-tenths twenty-five and one-tenth forty-nine and one-tenth forty-nine and two-tenths forty-nine and three-tenths to the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven) entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualifications clerks and counsel fixing their qualifications terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registers shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars to said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith" providing a system of permanent personal registration for such cities

changing the number of the members of the registration commission removing the existing registration commissioners and providing for the appointment of the new members thereof and imposing additional duties and restrictions upon the registration commissioners county commissioners registrars and inspectors of registration

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two three five six seven and eight of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven) entitled "An Act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualifications terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registers shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars to said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith" are hereby amended to read as follows

Section 2 The word "city" as used herein refers to any city to which this act applies and "commission" has reference to any registration commission in such a city and the word "commissioner" to any member of such a commission

The word "oath" as used herein includes affirmation and the word "swear" includes affirm "Election" means any general special or municipal election unless otherwise specified

The words "general election" means the election which the Constitution of this Commonwealth requires to be held in even numbered years and the words "municipal election" that which it requires to be held in odd numbered years "November election" refers to both the general and municipal election or either according to the context

The word "party" as used herein refers to any political party or body of electors one of whose candidates either at the last general or at the last municipal election polled at least five per centum of the largest entire vote cast for any elected candidate in any city to which this act applies although such percentage of said vote may not have been attained in any particular election district thereof

"Body of electors" refers to any political body not recognized as a political party but entitled to make nominations of candidates for any public office by nomination papers on whose behalf proper affidavits have been filed with the prothonotary or elsewhere as now is or hereafter may be required by law to obtain the exclusive right to use a party name or appellation for any election or primary

"Spring primary" refers to the primaries that now are or hereafter may be required to be held in even numbered years and "fall primary" to those in all odd numbered years

The words "qualified elector" means any person who shall possess all the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district will obtain such qualifications before the next ensuing election or primary

"Register" means the [book] cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registrars or the commissioners as hereinafter provided

"County" shall refer to any county in which any city to which this act applies is situated or with which such city is coextensive

All references to prothonotaries sheriffs county commissioners courts judges peace officers and other officials where not otherwise specified shall be understood to refer only to those of the proper counties aforesaid or of any judicial district in which any city to which this act applies is situated or with which it is coextensive

All references to mayors city councils city treasurers controllers receivers of taxes police officers and other officials where not otherwise specified shall be understood to refer only to those of any city to which this act applies

The words "public office" is used herein shall include any National State judicial county city ward or election office requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

Section 3 The Governor of the Commonwealth shall within ten days after the passage hereof and in every fourth year thereafter appoint a registration commission for each city to which this act applies [consisting of five] The reginstration commission for each city shall hereafter consist of three members who shall be appointed by the Governor They shall be duly qualified electors thereof not more than [three] two of whom shall belong to the same political party The terms of office of the commissioners first appointed under the provisions of this amendment shall commence on the first day of February one thousand nine hundred and thirty-four and shall expire on the first Monday of January one thousand nine hundred and thirty-eight As soon as the commissioners so appointed for any city under the provisions of this amendment shall qualify the terms of office of all existing registration commissioners in such city and of all their appointees shall be ended and they shall immediately surrender transfer and deliver all public property records funds and accounts then in their charge to the custody and use of the commissioners so appointed hereunder.

All commissioners hereafter appointed shall hold office for a term of four years or until their successors qualify unless sooner removed or otherwise disqualified Any vacancy in any commission shall be filled by the Governor within ten days after the vacancy occurs by appointing a competent person to hold office during the remainder of the term of the commissioner whose place becomes vacant The Governor may at any time without stating any cause remove any commissioner and appoint his successor for the remainder of his term

Each commissioner in any city aforesaid shall receive a compensation at the rate of four thousand dollars per

annum payable monthly by the treasurer of such city upon the presentation of proper warrants signed by the chairman or chief clerk of the commission

Section 5 The commissioners shall keep a record in permanent form of all proceedings and make an annual report to the Governor Their records and all district registers street lists lists of voters affidavits petitions appeals witness lists accounts contracts reports and other docments in their custody except the general registers shall be open to public inspection and may be inspected and copied by any qualified elector when they are not necessarily bing used by the commissioners or employes having duties to perform in reference thereto between the hours from nine o'clock ante meridian to four post meridian daily except Sunday and legal holidays between the first day of December of each year and the first day of September following but during the months of September October and November in each year all such books and papers shall while in the custody of the commissioners be open to the public for the purpose aforesaid both during the aforesaid hours and also during the hours from four post meridian to ten post meridian daily except Sundays and legal holidays under proper regulations for their safe-keeping and subject however to the further provisions of this act

Section 6 The commissioners shall not later than August fifteenth [of each year] in the year of one thousand nine hundred and thirty-four appoint four registrars for each election district as herein provided and designate two of them one of whom shall be of the majority party to have charge of the [two registers] district register and the voting check list as hereinafter provided The registrars must be duly qualified electors of the said district and shall have been residents of the city for a period of two years and of the ward for one year immediately preceding their appointment They must be sober and judicious persons of good moral character able to read intelligently and to write legibly Two of the registrars shall be members of the party polling the highest vote within the election district at the last preceding November election and one at least shall be a member of the party polling the next highest number of votes at said election [The commissioners shall provide at all times a board of registrars not more than two of whom shall be of the same political faith] Of the registrars appointed in August one thousand nine hundred and thirty-four the two designated by the commissioners to have charge of the district register and the voting check list shall hold their office for the period of one year as hereofore but the other two registrars shall hold their office only until the end of the calendar year of one thousand nine hundred and thirty-four On the same date in all subsequent years the commissioners shall appoint two registrars for each district one of whom shall be of the majority party and the other one of the party polling the next to the highest number of votes within the election district at the last preceding November election The said two registrars shall have the same qualifications as above set forth and shall have charge of the district register and the voting check list as hereinafter provided If [therefore] it appears at any time that by reason of a change in political affiliations or because of error in the appointment a board is not [so] properly divided as provided by this act any ten electors of any election district may file a petition with the commissioners setting forth the facts and praying that one or more of the appointments may be revoked and that other appointments may be made Upon presentation of such a petition one of the commissioners shall fix a time not less than five days thereafter and at least three days notice shall be given by mail to [all] the registrar or registrars of such board who are [alleged to be of the same political faith] concerned when a public hearing shall be given all concerned and if the facts are then found to be as represented the commissioners shall give the relief asked for

Whenever expedient they may appoint the assessor of any election district if otherwise qualified as one of the registrars but no other person who holds or is a candidate for public office shall act as registrar

Section 7 Not later than July twentieth of each year any five or more qualified electors of any election district of the same political party may file with the commissioners their petition for the appointment of not more than two qualified persons also members of said party as registrars The petition shall set forth the name address qualifications occupation and political affiliation of each person suggested for appointment as a registrar and give the respective residences of the petitioners and declare that each of them belongs to the same party as that designated as the party of each candidate which petition shall be signed by each petitioner in his own handwriting and sworn to by one of them and by each candidate More than one petition may be filed on behalf of the same party for each election district provided that no elector shall be competent to sign petitions for more than two candidates but if any candidate dies withdraws or becomes disqualified before the last day for filing petitions aforesaid any elector who recommended him may sign a petition for another candidate

All petitions shall be open to public inspection and not earlier than July twenty-sixth of each year the commissioners shall commence public hearings thereof considering them on consecutive week-days in the numerical order of the wards and of the election districts within each ward to which they relate respectively unless reasonable cause be shown for postponing any hearing to a later time or date and reasonable notice of such postponement given to all concerned

The commissioners shall publish one general notice of the place and times or days when they will examine the candidates from the election districts of the various wards at least three days prior to the first hearing in at least two daily newspapers each having a paid circulation of at least fifty thousand copies daily in the city and shall mail to each candidate a special notice of the time and place when he will be examined regarding his qualifications at least three days before the day fixed for same except that the commissioners need not notify any candidate who had previously been appointed a registrar to appear but may reappoint him without such examination

If more candidates are duly nominated as members of any party than it is entitled to have appointed the commissioners shall appoint the candidate or candidates whom they consider most fit and if there are not sufficient fit candidates nominated on behalf of any party the commissioners may appoint other persons without regard to party of whom they have knowledge

Any qualified elector of the city may appear before the commission and show wherein any person nominated for appointment or appointed as a registrar does not possess the requisite qualifications and the commissioners may decline to appoint any candidate or remove any registrar whom they consider unfit No person shall be appointed a registrar unless the appointment is approved by [three] two commissioners

Any person appointed a registrar must perform his duties as prescribed by this act unless excused therefrom by the commissioners for cause shown

Section 8 The registrars of each election districts all meet at the polling-place thereof in [even numbered years] the year one thousand nine hundred and thirty-four on the ninth Thursday the seventh Tuesday and fifth Saturday preceding the general election which shall be known as a fall registration on the fifth Wednesday preceding the spring primary which shall be known as the spring registration and in all other even numbered years on the fifth Saturday preceding the general election which shall also be known as the fall registration and on the fifth Wednesday preceding the spring primary which shall also be known as the spring primary and in odd numbered years beginning with the year one thousand nine hundred and thirty-five on the [tenth Tuesday ninth Tuesday and] ninth Saturday preceding the municipal election which shall also be known as a fall registration They shall remain in open session from seven ante meridian to one post meridian and from four post meridian to ten post meridian of each registration day aforesaid

They shall on said days receive personal applications from persons who claim that they are entitled to be registered They shall have power to administer oaths shall examine said applicants under oath and shall record on the [registers the] registration cards names of those whom they shall determine to be qualified as hereinafter provided

Section 2 That said act is hereby amended by adding thereto section eight and one-tenth to read as follows

Section 8.1 Any person lawfully registered under the provisions of this act during the fall registration of one thousand nine hundred and thirty-four or thereafter in the election district wherein he or she resides shall not be required to again register unless he or she moves out of such election district or fails to vote at two successive elections and for

the purpose of this section the term "elections" shall mean general municipal and primary elections

The names of all persons who move out of the election district in which he or she shall have last registered or who shall have failed to vote at two successive elections shall be taken from the registers and in order to qualify as a voter such persons must again register in the manner provided by this act

The third section was read as follows:

Section 3 That sections ten eleven and twelve of said act are hereby amended to read as follows

Section 10 The names and other information concerning those whom the commissioners shall determine to be entitled to be registered at the office of the commission shall be recorded [on the same registers as were previously used at the polling-places by the registrars for registering other electors residing in the same election district] in duplicate on registration cards in the same manner as if such persons were registered by the registrars of their districts at the polling places and the commissioners shall keep separate lists of the names and addresses of all electors registered by them in each election district [but need not print them in the street lists previously prepared by the registrars]

Section 11 Electors who [did not register at a fall registration] are not registered may not register at the spring registration if any [of the following year] if they will be qualified to vote at the spring primary The commissioners shall also sit on the third Wednesday preceding every special election for the purpose of registering all electors who have not been registered in the election district in which they then reside but who otherwise are or will be fully qualified to vote at such election if they shall continue to reside in said district

Section 12 Two weeks notice of all registration days shall be given by the commissioners by one general notice published in at least two daily newspapers each having a paid circulation of at least fifty thousand copies daily in the city and by posting notices at the polling-places

The registration lists effective at the time this act becomes effective shall become of no validity at the beginning of the period of fall registration [next succeeding that at which the registers were opened

The] in the year of one thousand nine hundred and thirty-four but the old registers shall be preserved by the commissioners for at least two years after [the year in which they are in use] such date and during said period shall be open to public inspection under proper regulations for their safekeeping and no register shall be destroyed without the previous consent in writing of the district attorney of the proper county

On the question,

Will the House agree to the section?

Mr. SCHWARTZ. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 16, line 7, by inserting after the word "sections" the word: "nine"

Amend section 3, page 16, by inserting between lines 8 and 9 the following section:

Section 9. For the further accommodation of the public, the commission shall hold regular sessions for the registration of electors, at its office [in even numbered years on each day, except Sunday, from the fourth Tuesday to and including the second Saturday, preceding the spring primary, and on each day, except Sunday, from the fourth Wednesday to and including the second Saturday, preceding the general election; and in odd numbered years on each day, except Sunday, from the eighth Wednesday preceding the municipal election to and including the fifth day, preceding the fall primary, and, after said primary, from the sixth Monday to and including the second Saturday before the municipal election;] beginning the sixth day after the fall election in one thousand nine hundred and thirty-four, and on each day thereafter, except Sundays, holidays, the day of each election and each primary, the thirty days next preceding each election and each primary and the five days next following each election and each primary and except each registration day, and five days preceding, and five days following, each registration day; on each of which days the commission shall remain in session from nine o'clock ante meridian to twelve o'clock noon and from one to four post meridian to receive personal applications for registration from electors who [on account of illness, absence from the city, business or personal reasons, did not find it convenient to appear at their polling-places on any of the registration days when the registrars were in session, or who, although not then qualified, have since become qualified to be registered, or who were refused registration by the registrars for any reason;] claim the right to be registered; but the commissioners shall examine all applicants for registration before them as fully as the registrars are required to interrogate persons who appear before them at the polling-places, and inquire also whether they were refused registration by the registrars, and, if so, why, and require any person who is challenged by any qualified elector of the city to meet such challenge in the same manner as if he had been duly challenged before the registrars of his election district.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 That said act is hereby amended by adding thereto section twelve and one-tenth to read as follows

Section 12.1 (a) For the purpose of registering the qualified electors of the districts over which they have jurisdiction each commission shall prepare duplicate sets of registration cards serially numbered and containing spaces for entering the information required by this act and the following affidavit

REGISTRATION AFFIDAVIT

Any Wilful False Statement made Herein Constitutes Perjury and is Punishable as Such

State of Pennsylvania }
County of } ss

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or had read to me) the foregoing statements made in connection with any registration and that they are true and correct

Subscribed and sworn to before
me this ..... day of
..... 19.. .

.....
Signature of Voter

.....
Signature of Registrar

(b) Subject to the foregoing provisions of this section the Secretary of the Commonwealth shall prescribe the form of such registration cards

(c) Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filed out and executed in duplicate by each applicant for registration Each commission shall provide suitable binders for filing and indexing the registration cards

(d) The commission shall keep a record of the serial numbers of the registration cards issued by it from time to time to each registrar

(e) Before ten ante meridian on the day following the last day for registration before an election or primary and at such other times as the commission may prescribe each registrar shall return to the office thereof the district register and all registration cards used or unused in his possession and shall account fully in writing for each missing card

(f) Unused registration cards may be re-issued by the said commission but it shall preserve all other papers records and memoranda as a part of its record

On the question.

Will the House agree to the section?

Mr. SCHWARTZ. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 17, line 25, by striking out the words "each commission" and inserting in lieu thereof: "the commissioners"

Amend section 4, page 19, line 2, by striking out the word "Each" and inserting in lieu thereof: "The"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth, sixth and seventh sections were separately read and agreed to as follows:

Section 5 That section thirteen of said act as amended in part by section one of the act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred ninety-two) and in part by section one of the act approved the eleventh day of April one thousand nine hundred and twenty-nine (Pamphlet Laws four hundred eighty-three) is hereby further amended to read as follows

Section 13 Every person claiming the right to [vote] register must appear in person before the registrars in the district in which he lives or before the commissioners on one of the days prescribed by [law] this act and answer the questions put to him by them

[Provided however That] The registration of every person now lawfully registered or who registers before the spring primary in one thousand nine hundred and thirty-four under the provisions of this act shall be valid and sufficient until the beginning of the fall registration period in the year of one thousand nine hundred and thirty-four at which time all registrations shall be cancelled The registration commissioners shall at [each] the fall registration preceding the November election in one thousand nine hundred and thirty-four furnish to the registrars of the several wards and precincts the registers of the proper ward or precinct for the previous year Every person appearing before the registrars at such registration who was registered in said district for the previous year and who still resides at the same residence within said district as in the previous year shall after being sworn [upon the production of a proper tax receipt and the] and making [of] a statement that he was registered in said election district the year immediately preceding that he resides in the same residence as during the year immediately preceding and naming the political party if any to which he belongs be again registered by the registrars without answering the additional questions In all such cases the registrars shall at any time during the day complete the registration of such person from the registers of the preceding year making due allowance for the elapsing of one year The answers must be recorded [on a single line in two registers which shall have the following form]

Surname	Christian Name	Occupation	Present Residence		
			Street and Number	Householder Lodger Lessee or Owner	Room or Floor Occupied
1	2	3	4	5	6

Length of Residence		Place of Residence at Time of Last Registration				Place of Birth	Naturalization Papers Produced Yes or No	No of Affidavit of Naturalization of Father if taken	Tax Receipt Produced Yes or No
In State	In District	State	City	Street and Number	Date of last Registration				
7	8	9	10	11	12	13	14	15	16

No of Affidavit of loss if taken. If under 22 years of age write of "Age"	Personal Description				Designation of Political Party for Primary Vote	Signature at time of Registration or of Voting
	Color	Approximate "Age"	Tall Short or Medium	Approximate Weight		
17	18	19	20	21	22	23

If Challenged No of Challenge Affidavit	VOTED These columns are for use at elections and are not to be filled in by Registrars			
	Fall Primary	November Election	Spring Primary	Special Election
	Party Ballot Non-Partisan Ballot		Party Ballot Non-Partisan Ballot	
24	25	26	27	28

[The size and character of the said register shall be determined by the Secretary of the Commonwealth and the form thereof shall be furnished by the said secretary to the respective commissions

Immediately above the form shall be printed the following instructions "THAT APPLICANT MUST BE SWORN OR AFFIRMED THAT THE INFORMATION GIVEN BY HIM IN REFERENCE TO HIS RIGHT TO BE REGISTERED SHALL BE THE TRUTH ANY WILFUL FALSE STATEMENT CONSTITUTES PERJURY AND IS PUNISHABLE AS SUCH"

Every register shall be indexed alphabetically from A to Z The lines of each page shall be consecutively numbered in both margins beginning with the number one at each alphabetical division of the register The answers of the applicants shall be recorded in their presence in both registers in the following manner

In the first column shall be entered] in his presence by the registrar or commissioner in permanent writing or typewriting in duplicate in the proper spaces on the registration cards as follows (1) the surname of the applicant [in the order of his appearance at the place of registry on the page bearing the index letter of his surname in the second column shall be entered] (2) his Christian name or names [in the third column] (3) his occupation [in the fourth column] (4) the street and number of his residence [in the fifth and sixth columns] (5) whether he is a householder lodger lessee or owner and if he is a lodger or lessee of a portion only of a house the location or number of the room or floor which he occupies [in the seventh and eighth columns shall be entered] (6) the length of his residence in the State and district respectively in answer to the question as to his residence in the State and district respectively it shall be sufficient for him to state such time as shall qualify him to vote within the district [in the ninth tenth eleventh and twelfth columns] (7) the location of the house from which he last registered giving State city street and number respectively [and] (8) the year in which he was so registered [in the thirteenth column] (9) the State or Territory of the United States or the foreign country where he was born [in the fourteenth column] (10) whether being foreign-born he produces his naturalization papers [in the fifteenth column] (11) the number of the affidavit of naturalization of his father if taken [in the sixteenth and seventeenth columns the manner in which he complies with the law relating to the payment of taxes as a qualification of the right to vote whether by the production of his receipt or by making affidavit if the applicant is less than twenty-two years of age the word "age" shall be recorded in said columns in the eighteenth nineteenth twentieth and twenty-first columns] (12) his personal description designating whether white or colored and his approximate age [height and weight] in giving the approximate age a statement that the applicant is twenty-one years of age and upwards shall be sufficient [in the twenty-second column] (13) the designation of the political party of the elector for the purpose of voting at [the next succeeding primary or] primaries if such a statement shall still be required as preliminary to the right to vote at [such primary or] primaries [in the twenty-third column in the register marked "voting check list" he shall be required to sign his name if able to write] (14) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar or commissioner and dated by him (15) if he alleges inability to write a record of the fact shall be made [in the same column] and he shall be permitted to subscribe by making his mark and unless due to some apparent physical infirmity he shall be required to make affidavit of his inability to write [in the twenty-third column in the register marked "ballot check list" he shall (if challenged on election day) be required to sign his name in the twenty-fourth column shall be entered] (16) the number of the challenge affidavit of every person who is required to take said affidavit [in the twenty-fifth twenty-sixth twenty-seventh and twenty-eighth columns the election officers shall record in one register the obtaining of the ballot and in the other the casting of the vote of the registered elector at the fall primary November election spring primary or special election as hereinafter provided or as may hereafter be provided by law]

Each registration card shall also have a sufficient number of spaces thereon for the insertion of (17) the city ward and election district in which the elector resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal (18) the date of each election and primary at which the elector votes and (19) the signature or initials of the election officer who enters the record of voting on the card

The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed according to the city the registration affidavit will be known as the general register when filed according to election districts as the district registers

Whenever the registration cards of any registered person shall become entirely filled so they can no longer be used to mark the necessary information thereon the commission shall have prepared and attach to such person's card in each register a supplemental card Each such supplemental card shall be printed in a color different from the registration cards it shall have the same serial number as the registration card with a letter A B etc printed after such number according to the number of supplemental cards attached to each registration card Each supplemental card shall have printed thereon the ward and division of the elector his name and address and the necessary spaces to permit the entry thereon of the information required under this act They shall be attached to the registration cards by permanent fasteners but in such a manner that the contents of the registration cards may be examined and the necessary entries may be made from time to time on the supplemental cards Whenever supplemental cards are attached to the registration cards of any elector the registration cards shall be stamped with the word "Supplemental" together with the date thereof

Section 6 That sections fourteen nineteen twenty twenty-one and twenty-two of said act are hereby amended to read as follows

Section 14 Every person [who shall have paid within two years a State or county tax either by himself or his duly authorized agent or attorney which was assessed at least two months and paid at least one month before the next ensuing November election and] who shall possess all the [other] qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered at a fall registration but at the spring registration only if he will be qualified to vote at the spring primary but no person shall be registered unless both registrars when only two are sitting and at least three of the registrars when four are sitting or two commissioners determine that he is so qualified except by order of a court of common pleas as hereinafter provided

Section 19 On [the fifth Wednesday preceding the spring primary] each registration day the registrars shall in addition to the registration of electors strike from the list the names of such persons as shall be proven to their satisfaction by the affidavits of at least two qualified electors of the division to have died or removed from the division since the last registration The registrars shall record on blank forms provided for the purpose the name and previous places of registration giving wards and divisions of all persons registered by them on said day who give as such place of previous registration a place in the same city and shall forward the same to the commissioners for their information

And the commissioners shall record the like facts relating to persons registered by them who have moved from one election district of the city into another since their previous registration

Section 20 Upon receiving from any registrars or making any record of the transfer of the registration of any qualified elector who removed from one division to another in the same city [on any registration day preceding the spring primary] as aforesaid the commissioners shall examine the [registers] district register of the election district given as the previous place of registration and if the name of such elector remains registered therein they shall [strike it therefrom] remove his registration cards from such district register and from the city register mark on each card the word "cancelled" and note [therein] thereon the reason for so doing

Section 21 If any person claiming the right to be registered shall object to the action of any registrars in striking his name from the registers he may file his petition with the commissioners not later than two weeks prior to [the spring] any primary general or municipal election setting forth the ground of his complaint under oath and praying for the correction of the registers by the restoration of his name thereto which petition shall be heard and disposed of not later than ten days preceding the [spring] primary general or municipal election after one of the commissioners shall have fixed a time for a public hearing hereof at the office of the commission and the petitioner shall have given each registrar at least forty-eight hours notice of such hearing by leaving a copy of said petition with the time and place for hearing same indorsed thereon at the residence of each registrar and at such hearing if the commissioners are satisfied that such notice has been given and that the petitioner is entitled to be registered they shall amend the register accordingly by registering the petitioner in the usual manner but any registrar or qualified elector of the city may appear and show cause why the same should not be done

Section 22 On any registration day preceding the spring primary any person who desires to change the enrollment of his political designation because of change in his political affiliation at the last [preceding] November election at which he voted or who has hitherto not enrolled as a member of a party although registered may appear before the registrars of the proper division or the commissioners whichever may have the registers and change the enrollment of his political designation or cause his political designation of party to be entered on the registers

Section 7 That said act is hereby amended by adding thereto sections twenty-three and one-tenth and twenty-three and two-tenths to read as follows

Section 23.1 The duplicate registration cards or affidavits shall be placed in exact alphabetical order for the entire city by the commissioners and indexed and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded These affidavits shall constitute the general register of such city and shall not be removed from the office of the commission except upon order of the court of common pleas of the county wherein such city is located

Section 23.2 The original registration affidavits shall be filed by election districts and within each election district in order of streets and houses and indexed and the cards or affidavits so filed for each election district shall constitute the district register for such district The district registers shall be kept at the office of the commission except as herein provided and shall be open at all times subject to reasonable safeguards rules and regulations to public inspection

The cards in the district registers shall be contained in a filing device so constructed that every entry on each card may be visible and that entries may be made thereon but that no card can be removed from the filing device without the use of a key or other device which shall at all times remain in the possession of the commission

The eighth section was read as follows:

Section 8 That section twenty-four of said act is hereby amended to read as follows

Section 24 The commissioners shall have power to investigate on their own motion any irregularities in registration to summon witneses to examine them under oath to require the production of any relevant books and papers and to correct the registers by striking off names which they may find to be improperly registered provided none be struck off except at the public sessions of the commission for registration purposes herein provided for To assist them in securing correct and impartial information regarding any matter within the jurisdiction of the commission the commissioners may from time to time appoint [as many] two inspectors of registration [as may be necessary for the city] for any ward who must be qualified electors of the [city] ward and sober and judicious persons of good moral character able to read intelligently and to write legibly They shall be chosen in such manner as shall be agreed upon by the commissioners [without regard to their party affiliations and] but the two appointed for any ward shall not be of the same political party They shall have the power to administer oaths and the other powers herein granted them but shall not exercise the same until they shall have taken an oath of office such as the commisioners may prescribe and receive a certificate of appointment stating their names and addresses and the length of time for which they shall have been appointed respectively

On the question,

Will the House agree to the section?

Mr. SCHWARTZ. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 8, page 30, line 14, by striking out the light-faced brackets before and after the words "as many"

Amend section 8, page 30, line 14, by striking out the word "two"

Amend section 8, page 30, line 14, by striking out the light-faced bracket before the word "as"

Amend section 8, page 30, line 15, by striking out the light-faced bracket after the word "city"

Amend section 8, page 30, line 15, by striking out the words "for any ward"

Amend section 8, page 30, line 16, by striking out the light-faced brackets before and after the word "city"

Amend section 8, page 30, line 16, by striking out the word "ward"

Amend section 8, page 30, line 19, by striking out the light-faced bracket before the word "without"

Amend section 8, page 30, line 20, by striking out the light-faced bracket after the word "and"

Amend section 8, page 30, lines 20, 21 and 22, by striking out the words "but the two ap-" in line 20, the whole of line 21, and words "party They" in line 22.

Amend section 8, page 30, line 28, by inserting at the end thereof, after the word "respectively," the following paragraph:

If at any time five or more electors of any election district shall petition the commissioners for the appointment of one inspector to secure correct and impartial information regarding the registration of electors in such district, the commissioners shall at once appoint an inspector for such district who shall perform the duties of his office in such district as provided in this act.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The ninth section was read and agreed to as follows:

Section 9 That said act is hereby amended by adding thereto section twenty-five and one-tenth to read as follows

Section 25.1 (a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote

(b) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by the following section of this act and the commission shall at the expiraiton of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector

The tenth section was read as follows:

Section 10 That sections twenty-six thirty-two thirty-three thirty-four thirty-six and thirty-seven of said act are hereby amended to read as follows

Section 26 Any inspector of registration on his own motion or on complaint of any person known to him may and when directed by any commissioner shall

a Investigate all questions relating to the regulation of electors and for that purpose shall have power to enter and inspect any house dwelling building inn lodging house or hotel within any city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warant for so doing except his certificate of appointment aforesaid

b Inspect any copy and register of lodgers in lodging houses inns or hotels relating to or affecting the right of any person to vote or to be registered in like manner

c Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

d Call on any police or peace officer of such city or of the county to assist the inspector of registration in the maintenance of peace at any polling-place or in making any arrest as aforesaid

e Leave a notice at the address from which any person is registered when such person shall not be found to reside at the address from which he is registered or who for any other reason shall appear to be not qualified to vote in the election district from which he is registered Such notice shall require such elector to appear personally at the office of the commission on or before a date and hour which the notice shall appoint and which shall be not later than the fifth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector The inspector shall give written report of such cases to the commission which shall cause a confirmation of each such notice to be sent by mail promptly to such person at the address from which he is registered

At the expiration of the time specified in the notice the commission shall cancel the registration of each such person who has not personally appeared and proved his qualifications as an elector

Section 32 The two registrars designated to keep the two registers shall obtain at the office of the commissioners before the first registration day in the fall of [each] the year one thousand nine hundred and thirty-four and before the fifth Wednesday preceding the spring primary in the year one thousand nine hundred and thirty-four the blank books forms and other supplies prepared for their use and before the said fall registration the registration cards and district register and shall have the same at the polling-place on each day when they are or should be in session On such registration days and during the time from one such day to another while the registers affidavits and other records remain in the custody of the said registrars they shall be charged with the safe-keeping of the same and the other two registrars shall be charged with the safe-keeping of the lists of names and addresses of persons being registered from which the street lists are subsequently to be prepared as hereinafter provided Before all subsequent registration days the two registrars provided by this act shall obtain the registration cards the district register containing the names of all persons lawfully registered in the district and such other forms and supplies prepared for their use and shall have the same at the polling place on the day when they should be in session On such days and until lawfully delivered to the commissioners such registrars shall be charged with the safe-keeping of the same

Section 33 At the end of each day when the registrars are in session they shall compare the two [registers] registration cards of each person registered that day and cause any errors in either of them to be corrected if they are explained by the entries in the other so as to make them agree respecting all facts properly recorded If this is impossible the registrars shall report any serious omission or difference to the commissioners by mail who shall cause the same to be properly investigated [in order to prevent further entries in the registers without the direction of the commissioners all of the registrars shall at the end of each day aforesaid sign their initials in the line immediately under the last name registered by them under each letter in each book together with the date]

Section 34 At the end of [the fifth Wednesday preceding the spring primary and at the end of the last day in the fall of each year of such registration period when the registrars are in session they] each registration day the registrars shall sign a certificate [the form of which shall be printed on the last page of the register] setting forth the number of persons registered on each day and the number of names which have been stricken out if any and the total number of names remaining registered

[At the same time] At the spring registration in the year of one thousand nine hundred and thirty-four the two registrars who have not charge of the registers shall prepare two "street lists" of the names and addresses of all persons registered in the order in which their residences appear upon the streets of the election district On of said street lists shall be hung outside of the polling-place and shall remain in that position until the next November election [or spring primary]

Section 36 Thirty days prior to each election or primary the commission shall compare and correct the general and district registers

Three months after each general and municipal election the commission shall prepare for each election district a preliminary street list of the names and addresses of all registered electors as of that date resident in the district arranged in the order in which their residences appear upon the streets of the district

The commissioners shall cause at least fifty and not more than one hundred exact copies of the street list of each election district to be printed in pamphlet form as soon as possible and not later than the first day of March they shall distribute the same as they deem proper among the inspectors of registration and the city and county officials concerned with the conduct of any election or primary and among the parties bodies of electors and candidates interested therein giving at least ten copies of each street list to the central or city committee of each political party or body of electors upon the written application of the chairman thereof and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when their other records are open to public inspection as herein provided

Not later than the fifteenth day prior to each general and municipal election and prior to each spring primary subsequent to the one in one thousand nine hundred and thirty-four and not later than the seventh day prior to each fall primary the commission shall prepare for each election district a correct street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets or roads and house numbers if any The commission shall cause to be made a like number of exact copies of each list which may be made by correcting and supplementing exact copies of the preliminary street lists Two complete sets of such lists shall be kept on file at the office of the commission convenient for public inspection during all the hours when the other records of the board are open to public inspection as herein provided and one copy thereof shall be hung outside of the polling place and shall remain in that position until the next election or primary

Section 37 If any qualified elector [including any watcher registrar or inspector of registration] of any election division of any city shall object to any action of any registrars in registering any person or in refusing to strike off the name of any person registered in the election district of the petitioner such elector may file his petition with the commission praying for the correction of the registers upon such grounds as he may set forth in such petition under oath One of the commissioners shall fix a time and place for hearing such petition not later than five days before any fall primary or ten days preceding any election or spring primary and the petitioners shall cause forty-eight hours notice of the proceeding to be given to the person whose registration is in question by leaving a copy of the petition with the time and place fixed for hearing the same indorsed thereon with an adult person at his place of residence as given by

him to the registrars and recorded in the registers and upon proof of service of such notice or proof that there is no one residing at the address given [and after] the commissioners shall proceed with a public hearing of the petition Any person whose name appears on a register shall be deemed prima facie to be legally registered at the place given as his residence on the registration card and in such cases the failure of such person to appear at the hearing shall not be considered sufficient reason for removing his name from the register The burden of proving that such person is not a resident of the election district in which he is registered or that for any other reason his name appears illegally thereon shall be upon the petitioner and such proof shall be made by evidence which would be legal and competent before a court of record produced at such hearing but the commissioners if satisfied after the production of such evidence that the said person is not legally entitled to be registered shall strike his name from the registers and otherwise amend the records of the election district where he was registered accordingly

On the question,

Will the House agree to the section?

Mr. SCHWARTZ. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 10, page 31, line 27, by striking out the words "thirty-seven" and inserting in lieu thereof: "forty"

Amend Section 10, page 38, lines 5 to 29, both inclusive, by striking out the whole of said lines.

Amend Section 10, page 38, lines 1 to 12, both inclusive, by striking out the whole of said lines, and inserting in lieu thereof:

"Section 40. Any person whose claim for registration has been denied by the commissioners, or whose name, although previously registered, has been struck off by the commissioners upon a petition filed for that purpose as aforesaid, or any qualified elector of any city whose rights are impaired by any general order made by the commissioners, not including registration of particular names by the commissioners on personal application made to them as aforesaid or refusals to strike off names upon any petition of any kind aforesaid, may file an appeal with the proper court of common pleas, not later than the fourth day preceding any fall primary or the eighth day preceding any election or spring primary, setting forth why he feels that an injustice has been done, and praying for such order as will give him relief, [provided that such appellant shall pay the prothonotary a fee of three dollars for filing such appeal;] and thereupon any judge of the said court may fix a time and place for hearing the matter in dispute, of which notice shall be served, with a copy of said appeal, by the appellant, upon the counsel for the commissioners, and upon any elector or his attorney who opposed the contention of the appellant before the commissioners, at least forty-eight hours before such matter may be reviewed by the court, and proof of notice or the waiver thereof must be filed therein. Any judge of said court may enlarge the time of notice or postpone such hearing, as may be reasonable with due regard for the time remaining before the succeeding election or primary; and at the time so fixed the court, or any judge thereof assigned for the purpose, shall hear all the witnesses and other evidence that may be offered de novo, unless the issue can be decided in some other manner by agreemnt of all concerned. After such public hearing, the said court may reverse, affirm, or alter the decision of the commissioners, and modify any order made by them accordingly, and, if necessary, issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary, although his name may not have been entered in or restored to the register of such district. The said court may compel [the appellant or] any opposing party, other than the commissioners or the county to pay all the witness fees and other legal costs of such appeal, which may be taxed by the prothonotary in the usual manner."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eleventh section was read and agred to as follows:

Section 11 That section forty-three of said act as amended by section one of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred ninety-four) is hereby further amended to read as follows

Section 43 The commissioners shall have power to appoint a chief clerk (who shall have power to administer oaths) and to fix his compensation at a sum not exceeding thirty-five hundred dollars per annum two assistant clerks at salaries not over eighteen hundred dollars per annum each a stenographer (who may act as a clerk) who shall receive not more than fifteen hundred dollars per annum one or two custodians of the records to guard the same while they are open to the public inspection each of who shall receive not more than twelve hundred dollars per annum a messenger who shall receive not more than one thousand dollars per annum as many clerks as they may deem necessary from time to time at a compensation not exceeding four dollars per diem for the time actually employed such inspectors of registration [as they may deem necessary] from time to time as is hereinbefore provided for at a compensation not exceeding five dollars per diem for the time actually employed except on days when the registrars are in session at the polling places when said inspectors shall be paid at the same rate of compensation as the registrars [and registrars as] aforesaid who shall be paid for their services at the rate of ten dollars for each day that they are in session at the polling places (payable after they deliver the district registers registration cards et cetera to the commission as herein provided) and at the same rate as other witnesses when they are summoned to appear before the commission or the court of common pleas

The twelfth section was read as follows:

Section 12 That sections forty-seven and forty-nine of said act are hereby amended to read as follows

Section 47 Not later than noon of the second day preceding each election or primary the commissioners shall deliver to the commissioners of the proper county the [two registers] district register prepared for each election district in order that the same may be delivered to the election officers with other election materials for use on election day in the manner in which the county commissioners now are or hereafter may be required to deliver the same

Section 49 Any person whose name is on the register shall be entitled to vote at any general or municipal election unless it be shown to the satisfaction of the election officers that he has become disqualified since registration Any person who is registered and also enrolled as a member of a political party may vote the ballot of said part at the primary or primaries succeeding such registration [without being subject to any challenge regarding his party membership Provided That] but no elector registered and enrolled as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party at any primary election and that any qualified elector registered although not enrolled as aforesaid shall be permitted to vote a non-partisan ballot according to any law providing for same at any primary election [and provided further] Provided That the presence of any person's name on the register shall not be conclusive evidence of his qualifications as to length of residence at the time of any primary or special election which may intervene between the day of his registration and the next general or municipal election but if challenged regarding such qualifications he shall produce such further proof as the law requires before being permitted to vote No one except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by the authority of this Commonwealth shall be entitled to vote at any election or primary [without being registered] unless he has been personally

registered and his registration card appears in the district register of such election district except by order of the court of common pleas as herein provided regarding appealed cases and any person although registered may be challenged at any election or primary as to his identity and continued residence [and if] in the election district or as to his party enrollment at a primary If challenged as to identity or residence he shall [sign his name in the register marked "ballot check list" in the place provided for that purpose if able to do so] produce at least one qualified elector of the election district as a witness who shall make affidavit of his identity or continued residence in the election district and produce such other evidence as is or may be required by law to satisfy the election officers of his identity and residence Any person who is registered and also enrolled as a member of a political party may be challenged at any primary as to his party enrollment and in such case he shall not be allowed to vote unless he makes oath that at the last preceding November election at which he voted he voted for a majority of the candidates of that party [The two registers shall be used at election and primaries by the election officers in the place of the ballot check list and the voting check list One of said registers shall be marked "ballot check list" and the other "voting check list" After the polls are closed the names of all electors in each register checked as having voted shall be immediately counted and the results compared and announced and the cause of any difference ascertain if possible before the ballot box is opened The two registers shall be immediately sealed in an envelope and shall be returned to the custody of the registration commissioners by the majority inspector before four post meridian on the second day following each election or primary] and in such case the group of presidential electors shall be counted as two candidates

At each primary and election the district register shall be referred to as the ballot check list and used as such by the inspector in charge of the ballots who shall write or stamp the date of the primary or election and sign his name or initials in the proper space on the registration affidavit of each elector as he is found qualified to vote

At each primary or election one of the election officers shall make a list of persons voting by writing down the name and address of each elector as he is found qualified to vote and as he deposits his ballot or comes out of the voting compartment containing the voting machine as the case may be the election officer shall mark a "V" in front of such name The list of names so taken and marked shall be known and thereafter used as the "voting check list"

After the polls are closed the names of all electors in the district register used as a ballot check list marked as having voted shall be immediately counted and the names marked on the voting check list of those having voted shall be counted and the respective results compared and the cause of any differences ascertained if possible before the ballot box is opened or canvas made

The district register and the voting check list shall be immediately sealed in separate envelopes and disposed of as follows

The district register shall be returned to the custody of the registration commission by the majority inspector before four post meridian on the second day following each primary or election

The list of persons having voted known as the "voting check list" shall after the votes are counted or canvassed be given to the judge of elections to be delivered to the proper office together with the returns

On the question,

Will the House agree to the section?

Mr. SCHWARTZ. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 12, page 40, line 7, by striking out the word "but."

Amend Sec. 12, page 40, line 7, by striking out with light-faced brackets the word "no" and inserting in lieu thereof: "No."

Amend Section 12, page 40, lines 10 and 11, by striking out with light-faced brackets the words "and that" and inserting in lieu thereof: "but."

Amend Section 12, page 41, lines 8, 9 and 10, by striking out the part-word "pro" in line 8, the whole of line 9, and the words "as a witness who shall" in line 10.

Amend Section 12, page 41, line 10, by inserting after the word "make" the following: "and subscribe to an."

Amend Section 12, page 41, line 17, by striking out the word "oath" and inserting in lieu thereof: "and subscribe to an affidavit."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The thirteenth, fourteenth and fifteenth sections were separately read and agreed to as follows:

Section 13 That said act is hereby amended by adding thereto sections forty-nine and one-tenth forty-nine and two-tenth and forty-nine and three-tenths to read as follows

Section 49.1 Immediately following the November election in the year of one thousand nine hundred and thirty-four and each election or primary thereafter the commission shall cause each district register to be examined and shall enter the date of the election or primary in the proper space on the registration affidavits in the general register of each elector whom the district register indicates has voted

In the case of any elector whom the election officers shall have recorded as removed deceased or challenged and prevented from voting the commission shall ascertain the facts and shall correct the general and district registers in accordance therewith

Section 49.2 Immediately after the fall primary held in the year one thousand nine hundred and thirty-five and as soon as possible after each general municipal and primary elections thereafter the commission shall cause all of the district registers to be examined and in the case of each registered elector who is recorded as having not voted at any two successive elections (which term for the purpose of this section includes primary elections) the commission shall send to such elector by mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has failed to vote for two successive elections and that his registration is cancelled The commission shall thereupon cancel the registration of such elector but the cancellation of the registration of any such elector shall not affect his right to subsequently re-register by personal application to the proper commission or a member thereof or a registrar in the manner provided by this act

Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration affidavits of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such affidavit shall be kept for five years after which the commission may destroy it

Section 14 This act shall become effective immediately upon final enactment

Section 15 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

The title was read as follows:

An Act to amend sections two three five six seven eight ten eleven twelve section thirteen as amended sections fourteen nineteen twenty twenty-one twenty-two twenty-four twenty-six thirty-two thirty-three thirty-four thirty-six thirty-seven section forty-three as amended sections forty-seven forty-nine of and to add sections eight and one-tenth twelve and one-tenth twenty-three and one-tenth twenty-three and two-tenths twenty five and one-tenth forty-nine and one-tenth forty-nine and two-tenths forty-nine and three-tenths to the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven) entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further

condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualifications clerks and counsel fixing their qualifications terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registers shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars to said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith" providing a system of permanent personal registration for such cities changing the number of the members of the registration commission removing the existing registration commissioners and providing for the appointment of the new members thereof and imposing additional duties and restrictions upon the registration commissioners county commissions registrars and inspectors of registration

On the question,

Will the House agree to the title?

Mr. SCHWARTZ. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 1, by inserting after the word "eight" the word: "nine."

Amend title, page 1, line 5, by striking out the words "thirty-seven" and inserting in lieu thereof: "forty."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 95, as follows:

An Act to provide for the investigation and study of wages of men women and minors employed in trade and industry in the Commonwealth of Pennsylvania and for the determination and establishment of minimum fair wage standards for such workers and for the purpose of preventing unfair and oppressive exploitation of such workers providing procedure to enforce the payment of such minimum wages and prescribing penalties

Whereas the employment of men women and minors in trade and industry at wages unreasonably low and not fairly commensurate with the value of the service rendered is a matter of public concern therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That as used in this act

(a) "Secretary" shall mean the Secretary of Labor and Industry

(b) "Director" shall mean the director or any deputy director of the minimum wage division which shall be set up as a separate division in the Department of Labor and Industry by the Secretary with a director in charge and with such other assistants and employes as the Secretary may deem desirable The director shall be appointed by the Governor

(c) "Wage Board" shall mean a board created as provided in section five of the act

(d) "Occupation" shall mean an industry trade or business or branch thereof or class of work therein in which men women or minors are gainfully employed but shall not include domestic service in the home of the employer or labor on a farm

(e) "An oppressive and unreasonable wage" shall mean a wage which is both less than the fair and reasonable value of the services rendered and less than sufficient to meet the minimum cost of living necessary for health

(f) "A fair wage" shall mean fairly and reasonably commensurate with the value of the service or class of service rendered In establishing a minimum fair wage for any service or class of service under this act the Secretary and the wage board without being bound by any technical rules of evidence or procedure (1) may take into account all relevant circumstances affecting the value of the service or class of service rendered and (2) may be guided by like considerations as would guide a court in a suit for the reasonable value of services rendered where services are rendered at the request of an employer without contract as to the amount of the wage to be paid and (3) may consider the wages paid in the Commonwealth for work of like or comparable character by employers who voluntarily maintain minimum fair wage standards

(g) "A directory order" shall mean an order the nonobservance of which may be followed by a mandatory order and publication

(h) "A mandatory order" shall mean an order the noncompliance of which shall be subject to publication and republican as prescribed in this act

Section 2 It is hereby declared to be against public policy for any employer to employ any men women or minor in an occupation in this Commonwealth at an oppressive and unreasonable wage as defined in this act and any contract agreement or understanding for or in relation to such employment shall be null and void

Section 3 The director or any authorized representative of the director shall have full power and authority

(a) To investigate and ascertain the wages of men women and minors employed in any occupation in the Commonwealth

(b) To enter the place of business or employment of any employer of men women and minors in any occupation for the purpose of examining and inspecting any and all books

registers payrolls and other records of any employer that in any way appertain to or has a bearing upon the question of wages of any such men women or minors and for the purpose of ascertaining whether the orders of the Secretary have been and are being complied with and

(c) To require from such employer full and correct statements in writing when the director or any authorized representative of the director deems necessary of the wages paid to all men women and minors in his employment

Section 4 The director shall have the power and it shall be the duty of the director on the petition of fifty or more residents of one municipality or township to cause an investigation to be made by the director or any authorized representative of the director of the wages being paid to men women or minors in any occupation to ascertain whether any substantial number in an occupation are receiving oppressive and unreasonable wages as defined in section one If on the basis of information in the possession of the director with or without a special investigation the Secretary and the director are of the opinion that any substantial number of men women or minors in any occupation or occupations are receiving oppressive and unreasonable wages as defined in section one they shall appoint a wage board to report upon the establishment of minimum fair wage rates for such men women or minors in such occupation or occupations

Section 5 (a) A wage board shall be composed of not more than three representatives of the employers in any occupation or occupations an equal number of representatives of the employes in such occupation or occupations and of not more than three disinterested persons representing the public one of whom shall be designated as chairman The Secretary and the director shall appoint the members of such wage board the representatives of the employers and employes to be selected so far as practicable from nominations submitted by employers and employes in such occupation or occupations Two-thirds of the members of such wage board shall constitue a quorum and the recommendations or report of such wage board shall require a vote of not less thtn a majority of all its members Members of a wage board shall serve without pay but may be reimbursed for all necessary traveling expenses The Secretary and the director shall make and establish from time to time rules and regulations governing the selection of a wage board and its mode of procedure not inconsistent with this act

(b) A wage board shall have power to administer oaths and to require by subpoena the attendance and testimony of witnesses the production of all books records and other evidence relative to any matters under investigation Such subpoenas shall be signed and issued by a member of the wage board and shall be served and have the same effect as if issued out of a court of record A wage board shall have power to cause depositions of witnesses residing within or without the Commonwealth to be taken in the manner prescribed for in like depositions in civil actions in the court of common pleas

(c) The director shall present to a wage board promptly upon its organization all the evidence and information in his possession relating to the wages of men women and minor workers in the occupation or occupations for which the wage board was appointed and all other information which the director deems relevant to the establishment of a minimum fair wage for such men women and minors and shall cause to be brought before the committee any witnesses whom the director deems material A wage board may summon other witnesses or call upon the director to furnish additional information to aid it in its deliberations

All witnesses subpoenaed by the wage board shall be paid the fees and mileage fixed by law in civil cases In case of failure on the part of any person to comply with any subpoena of the wage board or upon the refusal of any witness to testify to any matter regarding which he may unlawfully be interrogated before any wage board it shall be the duty of the court of common pleas of the county in which the dispute arises on the application of a member of the wage board to compel obedience in the same manner that such obedience would be compelled by competent proceedings or otherwise in a proceeding pending before said court

(d) Within sixty days of its organization a wage board shall submit a report including its recommendations as to minimum fair wage standards for the men women or minors in the occupation or occupations the wage standards of which the wage board was appointed to investigate if its report is not submitted within such time the Secretary and director may constitute a new wage board

(e) A wage board may recommend minimum fair wage rates varying with localities if in the judgment of the wage board conditions make such local differentiation proper and do not effect an unreasonable discrimination against any locality

(f) A wage board may recommend a suitable scale of rates for learners and apprentices in any occupation or occupations which scale of learners' and apprentices' rates may be less than the regular minimum fair wage rates recommended for experienced men women or minor workers in such occupation or occupations

Section 6 A report from a wage board shall be filed with the director who shall within ten days publish the same together with such proposed administrative regulations as the Secretary and director may deem appropriate to implement the report of the wage board and to safeguard the minimum fair wage standards to be established and notice shall be given of a public hearing to be held by the director not sooner than fifteen nor more than thirty days after such publication at which all persons in favor of or opposed to the recommendations contained in such report or in such proposed regulations may be heard

Section 7 Within ten days after such hearing the Secretary and the director shall approve or modify the report of the wage board as deemed proper and the Secretary shall then make a directory order which shall define minimum fair wage rates in the occupation or occupations as recommended in the report of the wage board and which shall include such proposed administrative regulations as the Secretary and director may deem appropriate to implement the report of the wage board and to safeguard the minimum fair wage standards established Such administrative regulations may include among other things regulations defining and governing learners and apprentices their rates number proportion or length of service piece rates or their relations to time rates overtime or part-time rates bonuses or special pay for special or extra work deductions for board lodging apparel or other items or services supplied by the employer and other special conditions or circumstances In view of the diversities and complexities of different occupations and the dangers of evasion and nullification the Secretary may provide in such regulations without departing from the basic minimum rates recommended such modifications or reductions of or addition to such rates in or for such special cases or classes of cases as those herein enumerated as the Secretary may find appropriate to safeguard the basic minimum rates established

Section 8 For any occupation for which minimum fair wage rates have been established the Secretary or th director may cause to be issued to a man woman or minor including a learner or apprentice whose earning capacity is impaired by age or physical or mental deficiency or in injury a special license authorizing employment at such wages less than such minimum fair wage rates and for such period of time as shall be fixed by the Secretary or the director and stated in the license

Section 9 If the director or any authorized representative of the director has reason to believe that an employer is not observing the provisions of any order made by him under section seven of this act the director may on fifteen days' notice summon such employer to appear before the director to show cause why the name of such employer should not be published as having failed to observe the provisions of such order After such hearing and the finding by the director of nonobservance he shall cause a mandatory order to issue and upon non-compliance therewith the Secretary may cause to be published in a newspaper or newspapers circulating within the Commonwealth or in such other manner as the Secretary may deem appropriate the name of any such employer or employers as having failed in the respects stated to observe the provisions of the directory order of the Secretary Neither the Secretary nor any authorized representative of the Secretary nor any newspaper publisher proprietor editor nor employe thereof shall be liable to an action for damages for publishing the name of any employer as provided for in this act unless guilty of some wilful misrepresentation Republication of information may be made from time to time as the Secretary

may deem appropriate so long as said mandatory order is not complied with

Section 10 At any time after a minimum fair wage order has been in effect for one year or more the Secretary may on his own motion after conferring with the director and shall on petition of fifty or more residents of the municipality or township reconsider the minimum fair wage rates set therein and reconvene the same wage board or appoint a new wage board to recommend whether or not the rate or rates contained in such order should be modified The report of such wage board shall be dealt with in the manner prescribed in this act Provided That if the order under reconsideration has theretofore been made mandatory in whole or in part by the Secretary then the Secretary in making any new order or confirming any old order shall have power to declare to what extent such order shall be directory and to what extent mandatory

Section 11 Any employer and his agent or the officer or agent of any corporation who discharges or in any other manner discriminates against any employe because such employe has served or is about to serve on a wage board or has testified or is about to testify before any wage board or in any other investigation or proceeding under or related to this act or because such employer believed that said employe may serve on any wage board or may testify before any wage board or in any investigation or proceeding under this act shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than fifty nor more than two hundred dollars

Section 12 This act shall take effect immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 200, as follows:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred nine as last amended by an act approved the twenty-sixth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred forty-two) of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended is hereby amended to read as follows

Section 409 Whenever an agreement or supplemental agreement shall be executed between an employer and an employe or his dependents as provided by this act such agreement [or a duplicate thereof] shall be executed in triplicate Two copies thereof signed by all parties in interest shall be mailed or delivered to the board It shall be the duty of the board to examine the agreement [and] to determine whether it conforms to the provisions of section four hundred and seven [and within thirty days after the copy of the agreement has been mailed or delivered to it to notify the parties thereto of its validity or invalidity under the aforesaid section] to notify the parties thereto of its validity or invalidity under the aforesaid section within thirty days after the copies of the agreement have been mailed or deliverd to it and if the agreement be approved to send to the employe together with such notification of its approval a copy of the agreement Provided however That any payment made in accordance with any agreement prior to the receipt of notice of invalidity shall discharge pro tanto the liability under article three of this act of the employer making such payment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 98, as follows:

An Act to regulate commerce and prevent unfair competition defining fair prices prescribing remedies to uphold the same and providing penalties

Section 1 Be it enacted by the Senate and House of Rrepresentatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person copartnership or corporation to sell barter or trade or to offer for sale barter or trade any commodity or service involving the use of labor or capital at a price that cannot be maintained without destroying competition and prevent the average person copartnership or corporation from earning a fair profit based on a fair wage and a fair price for materials

Section 2 It shall be unlawful for any person copartnership or corporation to sell barter or trade or offer for sale barter or trade any commodity or service at a price that is discriminatory and cannot be maintained to all the purchasers in the same purchasing class

This section shall not be construed to prevent a producer from selling in retail quantities even though they be delivered to the same purchaser Wholesale price shall apply to goods delivered in wholesome quantities Producers price shall apply to goods purchased by a wholesaler at the point of production Any additional service rendered the purchaser at additional cost shall be added to the producers price so that the standard price shall be maintained All sales of goods or service must be free from any form of bribery or coercion special service or privilege loaning money to a purchaser or endorsing a customer's note any form of rebating shall constitute a violation of this act subject to the penalties as hereinafter set forth

Section 4 What constitutes a fair price and a fair wage shall be determined by the court of common pleas of the county wherein the controversy arises The said court shall be and is hereby empowered to issue subpoenas summoning any person copartnership or corporation or the members or officers of any copartnership or corporation to appear before the court and give evidence involving the price regulating factors of the commodity which they sell and shall be and is hereby empowered to issue subpoenas for the production of any records papers or documents of any person copartnership or corporation which the court may consider necessary for the consideration of the case so that it may arrive at a fair and equitable decision both from the standpoint of the seller and the buying public

Section 5 It shall be lawful for any person copartnership or corporation engaged in any business not hereinafter excepted who shall allege that any competing person copartnership or corporation is violating the provisions of sections one and two of this act to proceed by a bill in equity in the court of common pleas wherein the alleged violation occurred and the court shall after hearing the evidence of the people engaged in the same business as herein set forth in section four determine what the fair and equitable price of the commodity or commodities in question shall be

Section 6 The records of the proceedings and the findings of the court in such cases shall be recorded in the office of the prothonotary of the county wherein the case is heard

The bill in equity filed by the complainant shall set forth in clear concise terms the alleged violation or violations

The defendant shall be served with a copy of the bill by the sheriff of the county in the same manner as is now provided for the service of a bill in equity

The defendant shall file an answer to the bill in fifteen days not including the day of service

The court shall designate a day to hear the case with due regard for the rights of all parties in interest

The burden of proof in such cases shall rest on the complainant

The finding of the court shall be binding on all persons engaged in the same business within the jurisdiction of the court until such time that it shall be proven to the satisfaction of the court that conditions in the industry have changed justifying a change in price

The court shall be and is hereby empowered to appoint a special master in such cases who shall be learned in the law to take testimony and make return to the court of his findings and his recommendations The masters shall act with the same force and authority as the court itself A master so appointed shall be compensated at the rate of twenty-five dollars per day and each fraction thereof and shall be compensated for any legitimate expense incurred by him The compensation shall be taxed as a part of the costs in the case and shall be paid by the party defendant if he is violating the act and by the complainant if he shall fail to maintain his case

Section 7 The court of common pleas of any county in this Commonwealth sitting in equity may on its own motion institute an investigation into the unfair practices of any business within its jurisdiction and appoint a master as herein set forth to make an investigation and report to the court

Section 8 An appeal from the findings of the common pleas court may be taken to the Superior Court of Pennsylvania whose decision shall be absolute except where a constitutional question is involved or an award of damages made in which cases an appeal may be taken from the Superior to the Supreme Court as now provided by law in such cases

Section 9 Any person copartnership or corporation who or which shall allege that they have been damaged by the violation of the provisions of this act and shall bring suit for the recovery of damages in the common pleas court may recover treble damages such damages collectible in the same manner as is now provided for the collection of daages in actions of trespass

Section 10 This act shall not affect the sale of any goods pursuant to and in accordance with the order of any court having jurisdiction in this Commonwealth or affect any industry subject to regulation by the Public Service Commission or to the sale of goods that are obsolete or antiquated or to goods that are second hand or to goods sold in the legitimate closing out of a business or to the sale of stocks bonds or mortgages or to securities or real estate

Section 11 This act shall not be construed to invalidate any contract entered into before its passage unless such contract shall be determined to be in restraint of trade

Section 12 The provisions of this act are severable and if any provision is held unconstitutional the decision so holding shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not bee included therein

Section 13 Any person copartnership or corporation who shall fail to maintain the price found to be the fair and equitable price by the court shall be adjudged in contempt of court and upon conviction thereof shall be sentenced to pay a fine of five hundred dollars ($500.00) for the first offense and for each succeeding offense he shall be sentenced to pay a fine of not less than one thousand dollars ($1,000.00) or more than five thousand dollars ($5,000.00) and shall be sentenced to serve not less than one year nor more than two years in the county jail or either or both

Section 14 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 171, as follows:

An Act to amend section one of article six of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An act for the government of cities of the second class" as amended by providing for the assessment of a less rate of tax upon buildings than upon land graded over a period of years until the rate upon buildings shall become one-fifth of the rate upon land

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article six of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An act for the government of cities of the second class" which was last amended by the act approved the twenty-fourth day of April one thousand nine hundred and thirty-one (Pamphlet Laws sixty-eight) is hereby further amended to read as follows

ARTICLE VI

Department of Assessors

Section 1 This department shall consist of no less than five (5) members and an additional member for each seventy-five thousand inhabitants over two hundred thousand as shown by the last preceding United States decennial census all of whom shall have been residents of the city or of adjacent territory annexed to the city for at least ten years and shall not be of the same political party The annual salaries of such members shall be fixed by the council Provided That such salaries shall not be less than fifteen hundred ($1,500) dollars per annum for the first two hundred thousand inhabitants of said cities with an additional five hundred ($500) dollars per annum for each additional seventy-five thousand inhabitants according to the last preceding United States decennial census and said members shall from time to time make all valuations for purposes of municipal taxation

They shall classify all real estate in the city in such manner and upon such testimony as may be adduced before them so as to distinguish between the buildings on land and the land exclusive of the buildings and [to] shall certify to the councils of said city the aggregate valuation of [city property subject to taxation] the buildings on land and of the land exclusive of the buildings subject to taxation by said city It shall be the duty of said councils in determining the rate for [each year hereafter] the years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six to assess rate of tax required for said years and for the years one thousand nine hundred and thirty-seven and one thousand nine hundred and thirty-eight to assess a tax upon the buildings equal to three-tenths of the highest rate required for said years and for the year one thousand nine hundred and thirty-nine and for each year thereafter to assess a tax upon the buildings equal to [five-tenths] two-tenths of the highest rate of tax required to be assessed for each such year respectively so that upon the said classes of real estate of said city there shall in any year be two rates of taxation

They shall triennially make a valuation for all [purpose] purposes of municipal taxation and shall have the power to administer oaths They shall have the power to make a new assessment in any ward or wards they deem necessary in any subsequent year other than triennial years in the manner prescribed by law for the triennial assessment Any property owners shall have the right to be heard by the full board sitting as a board of revision on appeal from any valuation The assessment as aforesaid shall remain the lawful assessment for purposes of city taxation until the next assessment Nothing herein contained shall be construed to repeal the act of July nine one thousand eight hundred and ninety-seven providing for the classification of real estate and other property for purposes of taxation and for the election of assessors and prescribing the duties thereof in cities of the second class except so far as the same may be inconsistent herewith

The councils shall by ordinance made all further needful rules and regulations for the government of this department

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 199, as follows:

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred seven as last amended by an act approved the twenty-sixth day of June one thousand nine hundred and ninteen (Pamphlet Laws six hundred forty-two) of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended is hereby amended to read as follows

Section 407 On or after the tenth day after any accident shall have occurred the employer and employe or his dependents may agree upon the compensation payable to the employee or his dependents under this act but any agreement made prior to the tenth day after the accident shall have occurred or permitting a commutation of payments contrary to the provisions of this act or varying the amount to be paid or the period during which compensation shall be payable as provided in this act shall be wholly null and void It shall be unlawful for any employer to accept a receipt showing the payment of compensation when in fact no such payment has been made

All agreements made in accordance with the provisions of this section shall be in writing and signed by all parties in interest

All agreements for compensation and all supplemental agreements for the modification suspension reinstatement or termination thereof and all receipts executed by any injured employe of whatever age or by any dependent to whom compensation is payable under section three hundred seven and who has attained the age of sixteen years shall be valid and binding unless modified or set aside as hereinafter provided

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 196, as follows:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred twenty-three as last amended by an act approved the twenty-sixth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred forty-two of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended is hereby amended to read as follows

Section 423 Any party in interest may within [ten] twenty days after notice of a referee's award or disallowance of compensation shall have been served upon him, take an appeal to the board on the ground (1) That the award or disallowance of compensation is not in conformity with the terms of this act or that the referee committed any other error of law (2) That the findings of face and award or disallowance of compensation was unwarranted by the evidence or was procured by fraud The coercion or other improper conduct of any party in interest The board may upon cause shown extend the time provided in this article for taking such appeal or for the filing of an answer or other pleading

In any such appeal the board may disregard the findings of fact of the referee and may examine the testimony taken before such referee and if it deem proper may hear other evidence and may substitute for the findings of the referee such findings of fact as the evidence taken before the referee and the board as hereinbefore provided may in the judgment of the board require and may make such disallowance for award of compensation or other order as the facts so found by it may require

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 86, as follows:

An Act to prohibit discrimination and intimidation on account of race or color in employment under contracts for public buildings or public works and fixing penalties therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every contract for or on behalf of the State of Pennsylvania or any of the political subdivisions thereof for the construction alteration or repair of any public building or public work in the Commonwealth shall contain provisions by which the contractor agrees

(a) That in the hiring of employes for the performance of work under this contract or any subcontract hereunder no contractor subcontractor nor any person acting on behalf of such contractor or subcontractor shall by reason of race or color discriminate against any citizen of the Commonwealth of Pennsylvania who is qualified and available to perform the work to which the employment relates

(b) That no contractor or subcontractor nor any person on his behalf shall in any manner discriminate against or intimidate any employe hired for the performance of work under this contract on account of race or color

(c) That there may be deducted from the amount payable to the contractor by the Commonwealth of Pennsylvania or by any political subdivision thereof under any such contract a penalty of five dollars for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provisions of the contract and

(d) That such contract may be cancelled or terminated by the Commonwealth or by any political subdivision thereof and all money due or to become due thereunder may be forfeited for a second or any subsequent violation of the terms or conditions of such stipulations of the contract

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

This rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 60, as follows:

An Act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotives trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains and other self propelled engines or machines to provide the qualification of certain employes and to provide a penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when used in this act and for the purposes of this act (a) the word "carrier" means a common carrier by railroads or partly by railroad and partly by water and any receiver or any other individual or body judicial or otherwise when in possession of the business of carriers covered by this act excluding street suburban and interurban electric railways unless operated as a part of a general railroad system of transportation

(b) The word "locomotive" means any self propelled unit operated by any form of energy or power whether produced thereon or furnished from any outside source and adapted for use in moving cars upon rails or for the transportation of passengers or freight or property except locomotive cranes pile drivers brown hoists and other self propelled engines or machines not used for the transportation of passengers or freight or property for hire

(c) The term "light engine" means any locomotive operated without cars and not transporting passengers freight or property

(d) The term "passenger train" means any self propelled unit while transporting passengers or any locomotive with one or more cars constructed for the purpose of transporting passengers baggage mail express or combination of either or any

(e) The term "freight train" means any train composed of one or more locomotives with one or more cars or other vehicles constructed for the purpose of transporting freight or other property not specifically referred to in the above definition of a passenger train

(f) The word "engineer" means a person who operates a locomotive and performs related work

(g) The word "fireman" means a person who fires a locomotive and assists an engineer in the performance of his duties as such or performs either of said duties

(h) The word "conductor" means a person having charge of the operation of a train en route at stations and between stations and who performs related work

(i) The word "Brakeman" means a person who assists a conductor in the operation and protection of a train and who performs related work

(j) The word "baggageman" means a person whose duties include receiving caring for and handling baggage mail and express on trains and who performs related work

(k) The term "yard conductor" or "foreman" means a person whose duties are to supervise and assist in the work of switching and yard work train service including supervision of the breaking up and making up of trains and to perform related work

(l) The term "yard brakeman" or "helper" means a person whose duties are to couple uncouple and ride cars in connection with the breaking up and making up of trains to handle switches and to perform related work in connection with yard switching service

(m) The term "main track" means any continuous track over which through trains operate through and between stations

(n) The term "competent employe" means

(1) One who is able to read and understand the time tables of the carrier by whom he is employed and read ordinary hand writing in the English language and who is able to speak hear and understand the English language and to see distinguish and understand the signals required by the book of rules of the carrier governing the operation of the locomotives and trains of such carrier when defective sight can be remedied by the use of glasses or other means such defective sight shall not thereby render an employe incompetent under this act

(2) As applied to an engineer one who in addition to being possessed of the qualifications prescribed in paragraph (1) hereof shall have passed the regular examination prescribed by the carrier concerning rules and regulations governing the position of an engineer

(3) As applied to a conductor one who in addition to being possessed of the qualifications prescribed in paragraph (1) hereof shall have passed the regular examination prescribed by the carrier concerning rules and regulations governing conductors

(4) As applied to a fireman a brakeman or a yard brakeman or helper one who in addition to being possessed of the qualifications prescribed in paragraph (1) hereof shall have passed the regular examination prescribed by the carrier concerning rules and regulations governing firemen brakemen or yard brakemen or helpers

(5) As applied to a yard conductor or fireman one who in addition to being possessed of the qualifications prescribed in paragraph (1) hereof shall have passed a regular examination prescribed by the carrier concerning rules and regulations governing yard conductors or firemen

(6) As applied to a baggageman one who in addition to being possessed of the qualifications prescribed in paragraph (1) hereof has before being so employed as a baggageman passed the regular examination prescribed by the carrier concerning rules and regulations governing the position of a baggageman

Section 2 It shall be unlawful for any carrier to operate or permit to be operated any passenger train in this Commonwealth consisting of less than five cars unless said train shall be manned by a full crew of competent employes which crew shall consist of not less than one engineer one fireman one conductor and one brakeman when any passenger train consists of five cars or more any one or more of which carries passengers or consisting of ten or more cars none of which is carrying passengers such passenger train shall be manned by one additional brakeman when baggage is received cared for handled and transported on any such train at least one baggageman shall be added to the members of the crew above described in this section

Section 3 It shall be unlawful for any carrier to operate or permit to be operated in the State of Pennsylvania any freight train consisting of less than fifty cars without a full crew of competent employes which crew shall consist of not less than one engineer one fireman one conductor and two brakemen

Section 4 It shall be unlawful for any carrier to operate or permit to be operated any freight train consisting of fifty cars or more without a full crew of competent employes which crew shall consist of not less than one engineer one fireman one conductor and three brakemen

Section 5 It shall be unlawful for any carrier to operate or permit to be operated any local freight train doing any switching or unloading of any freight of any nature whatever without a full crew of competent employes which crew shall consist of not less than one engineer one fireman one conductor and three brakemen

Section 6 All other trains not specifically referred to hereinbefore shall be manned by a crew of not less than one engineer one fireman one conductor and two brakemen

Section 7 It shall be unlawful for any carrier to use operate or permit any locomotive to be used or operated in any railroad yard or on any railroad track to handle or switch cars or to transfer cars from one railroad to another or from one railroad yard to another railroad yard unless each and every such locomotive while handling or switching cars shall be manned by a full crew of competent employes which crew shall consist of not less than one engineer one fireman one yard conductor or foreman and two yard brakemen or helpers when any such locomotive is so used or operated over or upon a highway or street within the corporate limits of a municipality such locomotive shall be manned by one additional yard brakeman or helper No such employe shall be detailed to more than one locomotive at the same time or be assigned to any other service unless his place be filled by another competent employe or the locomotive laid up while short handled except that in case of the sudden disability of a member of such crew through sickness accident or death the carrier shall have three hours to replace such member during which time such locomotive may be operated short handed

Section 8 It shall be unlawful for any carrier to operate or permit to be operated on its main track any single locomotive unless said locomotive is manned by a full crew of competent employes which crew shall consist of not less than one engineer one fireman one conductor or brakeman Provided however that where two or more locomotives are operated under their own power on any main track and coupled together there shall be provided a crew of one engineer and one fireman for each locomotive and in addition thereto one conductor or brakeman

Section 9 It shall be unlawful for any carrier to operate as a locomotive or permit to be operated as a locomotive on its main track any self propelled crane pile driver brown hoist or other self propelled engine or machine not used for the transportation of passengers or freight or property for hire which has sufficient power to draw or propel itself and one or more standard railroad cars unless such engine or machine shall be manned by a full crew of competent employes consisting of not less than one engineer one conductor and one brakeman

Section 10 In the case of the disability of a member of a full crew between terminals the carrier shall have the right to operate the locomotive or train shorthanded until such locomotive or train arrives at the next terminal or other intermediate place on the line where men of the same class as the person disabled are available when such carrier shall fill the vacancy on such crew This act shall not apply to relief or wrecking trains where sufficient men are not available

Section 11 Any railroad company its officers or agents officers of the court receiver or any person or persons operating a railroad violating any of the provisions of this act shall be guilty of a misdemeanor and liable to a penalty of one hundred dollars ($100) for each and every such violation to be recovered with costs as debts are now by law recoverable by a suit in the name of the Commonwealth for the use of the county in which such violation takes place Provided however that nothing in this act shall apply or relate to trains owned or operated by manufacturers made up of hot metal ladles ingots slag or table trucks

Section 12 It shall be the duty of the Public Service Commission of the Commonwealth of Pennsylvania to execute and enforce the provisions of this act and for such purposes shall have all the powers granted to it under the laws of this Commonwealth

Section 13 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act it is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 14 All acts or parts of acts inconsistent herewith are hereby repealed

Section 15 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 34, as follows:

An Act to repeal the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-six) entitled "An act authorizing the appointment by the Governor of industrial police upon application of certain corporations companies associations and individuals prescribing the powers of such police authorizing the Governor to investigate their work and require periodical reports from them imposing duties upon the Secretary of the Commonwealth and recorders of deeds and imposing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-six) entitled "An act authorizing the appointment by the Governor of industrial police upon application of certain corporations companies associations and individuals prescribing the powers of such police authorizing the Governor to investigate their work and require periodical reports from them imposing duties upon the Secretary of the Commonwealth and recorders of deeds and imposing penalties" is hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 3.30 o'clock this afternoon. Are there objections? The Chair hears none, and (at 12.52 o'clock P. M.) declared a recess until 3.30 o'clock P. M.

AFTER RECESS

The House reconvened at 3.30 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

REPORTS FROM COMMITTEES

Mr. PHILIP STERLING, from the Committee on Judiciary General, reported as amended, House Bill No. 43, entitled:

An Act to protect the lives and secure the safety and health of the people by making it unlawful to evict persons from dwellings under certain conditions, or to levy upon and sell household goods of such persons.

Mr. BAKER, from the Committee on Education, reported as committed, House Bill No. 181, entitled:

An Act to amend section five hundred and twenty-four, as amended, and section five hundred and twenty-five, of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local or any parts thereof, that are or may be inconsistent therewith;" by providing that in school districts of the first class, taxes for school purposes shall be assessed and collected in the same manner, at the same proportional rates upon the several classes of property, and with the same exemptions as the municipal taxes for the municipality comprising the respective school districts.

Mr. SPANN, from the Committee on Judiciary General, reported as committed, House Bill No. 233, (Senate Bill No. 53), entitled:

An Act providing for the creation of public "Authorities" in counties of the second class authorizing such "Authorities" to enter into agreements with the Government of the United States particularly as they relate to the National Industrial Recovery Act and any amendment and supplements thereto the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with orders defining and providing for the organization and dissolution of such "Authorities" conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions upon which such "Authorities" may exercies their powers endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds authorizing such "Authorities" to make and receive appropriations repealing certain acts and parts of acts inconsistent herewith and for other purposes.

Mr. EROE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 170, entitled:

An Act to authorize any county, city, borough, township or other municipal sub-division of the Commonwealth of Pennsylvania to purchase, construct, maintain and operate bridges, tunnels, streets, highways, traffic distribution centers, traffic circles, airports, hangers, park-ways, recreation grounds and facilities, electric power stations and facilities, water works system, water supply systems, reserviours, sewer systems, sanitary disposal plants and facilities, gas plants and facilities, pipe lines and facilities, public parks, swimming pools, lakes, dams, gas mains, water mains, transportation systems, and parts of any of said projects and improvements thereof and additions thereto; and to purchase, lease, maintain and operate other mechanical facilities, equipments and appliances appropriate, proper, necessary, or convenient in connection with the construction, operation and use of such projects; and to authorize any County, City, Borough, Township or other municipal sub-division of the Commonwealth of Pennsylvania now or hereafter owning and operating any such projects to improve, enlarge, extend or repair the same, and for any such purpose or purposes to authorize any such County, City, Borough, Township or other municipal sub-division of the Commonwealth of Pennsylvania to issue revenue bonds, payable solely from the revenues derived from the operation of any such projects; to regulate the issuance, sale, retirement and refunding of such bonds and of other matters in connection therewith; and to authorize any County, City, Borough, Township or other municipal sub-division of the Commonwealth of Pennsylvania to collect fees, tolls, rates, rentals and charges in connection with any or all of said structures, projects additions or improvements and any or all parts thereof; to regulate the use of the revenues of such projects when such bonds are issued or outstanding; to provide for the operation of any such projects in case of deficiency in such revenues; and for other purposes.

BILLS ON FIRST READING

Mr. BAKER asked and obtained unanimous consent for House Bill No. 181, to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 181, entitled:

An Act to amend section five hundred and twenty-four, as amended, and section five hundred and twenty-five, of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local or any parts thereof, that are or may be inconsistent therewith;" by providing that in school districts of the first class, taxes for school purposes shall be assessed and collected in the same manner, at the same proportional rates upon the several classes of property, and with the same exemptions as the municipal taxes for the municipality comprising the respective school districts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. SPANN asked and obtained unanimous consent for House Bill No. 233 (Senate Bill No. 53) to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 233 (Senate Bill No. 53), entitled:

An Act providing for the creation of public 'Authorities" in counties of the second class; authorizing such "Authorities" to enter into agreements with the Government of the United States, particularly as they relate to the National Industrial Recovery Act and any amendments and supplements thereto, the Commonwealth of Pennsylvania and political sub-divisions and municipalities thereof and with others; defining and providing for the organization and dissolution of such "Authorities"; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions upon which such "Authorities" may exercise their powers; endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds; authorizing such "Authorities" to make and receive appropriations; repealing certain acts and parts of acts inconsistent herewith; and for other purposes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. EROE asked and obtained unanimous consent for House Bill No. 170, to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 170, entitled:

An Act to authorize any county, city, borough, township or other municipal sub-division of the Commonwealth of Pennsylvania to purchase, construct, maintain and operate bridges, tunnels, streets, highways, traffic distribution centers, traffic circles, airports, hangars, park-ways, recreation grounds and facilities, electric power stations and facilities, water works systems, water supply systems, reservoirs, sewer systems, sanitary disposal plants and facilities, gas plants and facilities, pipe lines and facilities, public parks, swimming pools, lakes, dams, gas mains, water mains, transportation systems, and parts of any of said projects and improvements thereof and additions thereto; and to purchase, lease, maintain and operate other mechanical facilities equipments and appliances appropriate, proper, necessary, or convenient in connection with the construction, operation and use of such projects; and to authorize any County, City, Borough, Township or other municipal sub-division of the Commonwealth of Pennsylvania now or hereafter owning and operating any such project to improve, enlarge, extend or repair the same, and for any such purpose or purposes to authorize any such County, City, Borough, Township or other municipal sub-division of the Commonwealth of Pennsylvania to issue revenue bonds, payable solely from the revenues derived from the operation of any such projects; to regulate the issuance, sale, retirement and refunding of such bonds and of other matters in connection therewith; and to authorize any County, City, Borough Township or other municipal sub-division of the Commonwealth of Pennsylvania to collect fees, tolls, rates, rentals and charges in connection with any or all of said structures, projects additions or improvements and any or all parts thereof; to regulate the use of the revenues of such projects when such bonds are issued or outstanding; to provide for the operation of any such project in case of deficiency in such revenues; and for other purposes.

And said bill having been read at length the first time,

Ordered, To be land aside for second reading.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Cambria, Mr. Andrews, will state his question of parliamentary inquiry.

Mr. ANDREWS. Mr. Speaker, I desire to ask whether it has been the practice of this House to enforce Rule 71.

The SPEAKER. For the information of the members the Chair will read part of Rule 71 in reply to the gentleman's inquiry:

"Each member shall be present within the Hall of the House during its sittings, unless excused by the House or necessarily prevented."

The Chair desires to inform the gentleman from Cambria that it has not been the custom to demand the attendance of the members at sessions. In the instance that there might

not be a quorum present, however, it would then be the duty of the Chair to close the doors and recess from time to time until a quorum was procured. However, this body governs that which it desires and by a majority vote on any occasion can rigidly enforce anything it desires by majority vote.

Does that answer the gentleman's inquiry?

ATTENDANCE OF MEMBERS REQUIRED

Mr. ANDREWS. Mr. Speaker, then I offer the motion which has been sent to the desk.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

Moved, That no Member of this House who has not been granted a leave of absence shall absent himself from the sessions of this House during the remainder of this week, except by leave of the House on account of illness or death in his or her family, and that Rule 71 of this House be rigidly enforced.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair is unable to decide.

The yeas and nays were required by Mr. Andrews and Mr. Long and were as follows:

YEAS—143

Andrews,	Gorman,	McCreary,	Sarig,
Baker,	Griffith,	McElwee,	Schrock,
Baldi,	Habbyshaw,	McGinnis,	Schwab,
Barnhardt,	Haines,	McGrail,	Scott,
Bechtel,	Hamilton,	McKay,	Shellenberger,
Bennett,	Harmuth,	McKinney,	Shortz,
Bernhard,	Harris,	Melchiorre,	Shreiner,
Blumberg,	Hart,	Meredith,	Shugarts,
Boyd,	Hartman,	Merrell,	Sowers,
Brancato,	Heffernan,	Moore,	Stank,
Brown, J. E.,	Hefferon,	Mumford,	Sterling, P.,
Brownfield,	Hermansen,	Munley,	Sterling, R. B.,
Cannon,	Hester,	Murphy,	Stevens,
Caputo,	Hewitt,	Myers,	Stiteler,
Carey,	Himes, H. E.,	Negley,	Tahl,
Carson,	Himes, L. R.,	Nothnagle,	Trout,
Chervenak,	Hoffman,	O'Connor,	Wade,
Cohen,	Holmes, J. L.,	O'Keefe,	Wagner,
Conner,	Hoopes,	O'Neill,	Walker, G. E.,
Cordier,	Howard,	Patterson,	Walker, W. A.,
Craig,	Hutton,	Peelor,	Wall,
Cramer,	Jaffe,	Perry, D. R.,	Wasserman,
Dane,	Jones,	Perry, J. J.,	Way,
Davies,	Kane, J. J.	Peters,	Weidemann,
DeFrehn,	Kinney,	Powell,	Welsh,
Downey, G. E.	Labar,	Powers,	Westrick,
Dunmire,	Lane,	Price,	Williams, G. W.,
Ederer,	Laubach,	Quinn,	Williams, J. J.,
Emhardt,	Long,	Rectenwald,	Wilson, L. M.,
Eroe,	Lord,	Reed,	Witkin,
Fitzgerald,	Lose,	Reilly,	Woodside,
Flinchbaugh,	Lovett, J. E.	Rhodes,	Wright,
Flynn, J. M.	Lynch, M.,	Rice,	Yeakel,
Flynn, J. W.	Male,	Roan,	Yourishin,
Furman,	Malina,	Ruby,	Talbot,
Gallagher, T. J.	Mason,	Ruth,	Speaker.
Gartner,	McBride,		

NAYS—17

Brennan,	Heffner,	Raub,	Stone,
Denning,	King,	Root,	White,
Duffy,	McGregor,	Sautter,	Wike,
Gallagher, W. J.	O'Rourke,	Simon,	Wilson, T. B.,
Green,			

PRESENT 2

Greenstein, Sheffel,

So the question was determined in the affirmative and the motion was agreed to.

The SPEAKER. The members will govern themselves accordingly.

LEAVE OF ABSENCE

Mr. WILSON. Mr Speaker, I have been asked by a member of this House to ask for leave of absence. I shall send to the desk the letter that Mr. Surface has written to me giving his reasons for asking for leave of absence.

The SPEAKER. The communication will be ready by the Clerk.

The communication was read by the Clerk as follows:

My dear Mr. Wilson:

I am too sick to meet with our Educational Committee and to remain for the afternoon session, therefore, I ask to be excused. If at all able I should be here tomorrow.

(My physician is Dr. John Fager of Harrisburg, who will certify to the statement as to my condition.)

Very respectfully,

H. A. SURFACE.

Mr. WILSON. Mr Speaker, I ask for leave of absence for the gentleman from Snyder, Mr. Surface.

The SPEAKER. The Chair desires further to inform the body that this letter was written this morning, as I understand.

Leave of absence was granted.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Cambria, Mr. Andrews, will state his question of parliamentary inquiry.

Mr. ANDREWS. Mr. Speaker, the roll call shows, I think, one hundred and sixty-two members present. I would like to inquire how many leaves of absence are on record as having been granted by this House.

The SPEAKER. So that the Chair may answer the question of parliamentary inquiry officially, will the gentleman tarry with his inquiry until we ascertain the facts?

LEAVE OF ABSENCE

Mr. EDERER. Mr. Speaker, I ask for leave of absence for my colleague, the gentleman from Montgomery, Mr. Storb, on account of illness. He was sick this afternoon. I do not know whether he has yet left for home, but I know that such were his intentions. If he has left, I would like to ask for leave of absence for him on account of illness.

Leave of absence was granted.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 193, as follows:

An Act providing for and regulating subject to certain restrictions limitations and liabilities pensions for certain blind persons and the administration of this act by the Department of Welfare providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be administered by the Department of Welfare of this Commonwealth

There is hereby created in the Department of Welfare a Board consisting of three persons to be appointed by the Governor two of whom shall be without sight for the purpose of the administration of this act No person shall be eligible for appointment to this Board who at the time of appointment is an executive or member of the Board of any institution or agency for the Blind

The Department of Welfare shall have the power and its duties shall be to set up rules and regulations for the

administration of this act with the approval of the Welfare Commission

Section 2 Such supervisors and assistants as shall be necessary to exercise general supervision over the administration of this act shall be appointed by the Secretary of Welfare subject as in other cases to the approval by the Governor of the number and compensation of such supervisors and assistants.

Section 3 Pensions may be granted under this act only to an applicant who

(a) Has attained the age of twenty-one years or upwards

(b) Resides in the Commonwealth and has so resided continuously for at least ten years immediately preceding the date of application Provided That absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the Sate if a domicile be not acquired outside the State

(c) Is not at the date of making application an inmate of any prison jail workhouse insane asylum or other public reform or correctional institution

(d) Is not at the date of making application suffering from mental or physical infirmity which in itself would make him or her a charge upon any other institution or agency of this State and which has so incapacitated him or her prior to the loss of sight that such person was a public charge prior thereto

(e) Has not sufficient means of his own to enable him to maintain himself and is incapable of or lacking the opportunity of self-support

(f) Has vision so defective or impaired that he is unable to earn a livelihood except through special training and in occupations which can succesfully be carried on by blind persons

Section 4 All applications for pensions under this act shall be made to the Department of Welfare in such form as the Department may prescribe No application shall be approved until the Department of Welfare is satisfied after proper investigation that the applicant is entitled thereto under the provisions of this act and particularly not until an ophthalmologist certified by the American Board for Ophthalmic examinations shall have certified in writing as to the diagnosis prognosis and visual acuity of the applicant

Section 5 The Department of Welfare may require any recipient of pension hereunder to submit to further examination of his eyes by a competent ophthalmologist at such reasonable times as the Department shall deem necessary

Section 6 The maximum payment to any one person allowed by the Department under the provisions of this act shall be thirty dollars per month

Section 7 If any person receiving pension under this act shall refuse or neglect to comply with any reasonable request of the Department of Welfare for information concerning the continued existence of need and the other qualifications for such pension or who shall on request neglect or refuse to authorize any other person firm or corporation to furnish such information about the pension recipient or his affairs or who shall refuse to submit to any examination required by this act the Department of Welfare may suspend all payments to such recipient until he shall have complied with the requirements of the Department

Section 8 If the condition or circumstances of any person receiving a pension under this act should change in such way that the person does not have all the qualifications required to obtain a pension hereunder pension payments to such person shall at once cease

Section 9 The Department may appoint a trustee to take charge of the expenditures of the pension granted any applicant when in its opinion such trustee is necessary In such case the payment shall be made direct to such trustee upon requisition of the Department Such trustee shall serve without pay and shall be subject to the rules and regulations which the Department shall prescribe

Section 10 All payments under the provisions of this act shall be made monthly direct to the recipient thereof by warrant after requisition as provided by law in other cases

Section 11 No person receiving pension under this act shall at the same time receive any other relief from the Commonwealth or from any political subdivision thereof except for medical and surgical assistance

Section 12 The initial appropriation made by the General Assembly for Pensions for the Blind shall be allocated among the several counties of the State according to population Any amount so allocated and unused in any fiscal year in any county shall be added to the amount of the appropriation subject to allocation for the following fiscal year under the current or any future appropriation For the second and subsequent fiscal years allocations of amounts available for such pensions shall be made among the several counties according to the number of persons receiving pensions and who are eligible for pensions up to the end of the tenth month of the previous fiscal year

Section 13 Any person securing any pension contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 14 This act shall not relieve any county city or poor district from responsibility for the maintenance either in an institution or otherwise of any person who cannot qualify for pension under this act or who cannot be provided for under the current appropriation for carrying out the provisions of this act

Section 15 This act shall become effective immediately upon its approval by the Governor but the first payments hereunder shall be made for the month of June one thousand nine hundred and thirty-four

Section 16 It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 17 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Green,	McElwee,	Scott,
Baker,	Greenstein,	McGinnis,	Sheffer,
Baldi,	Griffith,	McGrail,	Shellenberger,
Barnhardt,	Habbyshaw,	McGregor,	Shenkel,
Bechtel,	Haines,	McHenry,	Shettel,
Beech,	Hamilton,	McKay,	Shortz,
Bennett,	Harmuth,	McKinney,	Shreiner,
Bernhard,	Harris,	Melchiorre,	Shugarts,
Blumberg,	Hartman,	Meredith,	Simon,
Boyd,	Heffernan,	Merrell,	Snyder,
Brancato,	Hefferon,	Moore,	Sowers,
Brennan,	Heffner,	Mumford,	Spann,
Brown, J. E.,	Hermansen,	Munley,	Stank,
Brown, W. L.,	Hester,	Mohn,	Steedle,
Brownfield,	Hewitt,	Murphy,	Sterling, P.,
Cannon,	Himes, H. E.,	Myers,	Sterling, R. B.,
Caputo,	Himes, L. R.,	Negley,	Stevens,
Carey,	Hoffman,	Nothnagle,	Stiteler,
Carson,	Holmes, J. B.,	O'Connor,	Stone,
Chervenak	Holmes, J. L.,	O'Keefe,	Stott,
Cohen,	Hoopes,	O'Neill,	Tahl,
Conner,	Horst,	O'Rourke,	Terry,
Cooke,	Hough,	Patterson,	Trout,
Cordier,	Howard,	Peelor,	Turner,
Craig,	Hutton,	Pennock,	Wade,
Cramer,	Jaffe,	Perry, D. R.,	Wagner,
Dane,	Kane, J. J.,	Perry, J. J.,	Walker, G. E.,
Davies,	Kane, L. P.,	Peters,	Walker, W. A.,
DeFrehn,	King,	Powell,	Wall,
Denning,	Kinney,	Powers,	Wasserman,
Downey, G. E.,	Labar,	Price,	Way,
Downey, J.,	Lane,	Quinn,	Weidemann,
Duffy,	Laubach,	Raub,	Welsh,
Dunmire,	Lenahan,	Rectenwald,	Westrick,
Ederer,	Lewis,	Reed,	White,
Emhardt,	Long,	Reilly,	Wike,
Evans,	Lord,	Rhodes,	Williams, G. W.,
Fitzgerald,	Lose,	Rice,	Williams, J. J.,
Flanagan,	Lovett, J. E.,	Roan,	Wilson, L. M.,

Fleisher,	Lovett, W. S.,	Royle,	Wilson, T. B.,
Flinchbaugh,	Lynch, J. R.,	Ruby,	Witkin,
Flynn, J. M.,	Lynch, M.,	Ruth,	Wood,
Flynn, J. W.,	Male,	Sarig,	Woodside,
Forrest,	Malina,	Sautter,	Wright,
Furman,	Mason,	Schrock,	Yeakel,
Gallagher, T. J.,	McBride,	Schrope,	Yourishin,
Gallagher, W. J.,	McCandless,	Schwab,	Zimmerman,
Gillette,	McClure,	Schwartz,	Talbot,
Gorman,	McCreary,	Scorza,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for coincurrence.

RECONSIDERATION OF VOTE

Mr. TAHL. Mr. Speaker, I move that the vote by which House Bill No. 28, Printer's No. 83, entitled

An Act relating to limited dividend reconstruction corporations defining and providing for the formation of such corporations for the purpose of reconstructing slum areas extending to such corporations certain existing laws relating generally to business corporations providing for the supervision and regulation of the activities of such corporations by the State Board of Housing in the Department of Property and Supplies providing for the protection of such corporations and the parties dealing with them prescribing defining and limiting the powers and duties of such corporations conferring upon such corporations and limiting their use of the power of eminent domain exempting such corporations from the payment of the capital stock tax conferring certain powers upon municipalities making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations saving bank and savings institutions

was defeated on final passage Tuesday, December 12, 1933, be reconsidered.

Mr. BLUMBERG. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Tahl, vote on the final passage of the bill?

Mr. TAHL. Mr. Speaker, I voted in the negative.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Blumberg, vote on the final passage of the bill?

Mr. BLUMBERG. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. J. J. KANE. Mr. Speaker, this bill was defeated yesterday by a vote of 93 to 91. Since that time those who opposed the bill have agreed to certain amendments, amendments that will particularly clarify the question of eminent domain, and the motion now before you is a motion to reconsider this bill for the purpose of inserting the amendments.

Mr. WILSON. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Kane.

The SPEAKER. Will the gentleman from Allegheny, Mr. Kane, permit himself to be interrogated?

Mr. J. J. KANE. I will, Mr. Speaker.

Mr. WILSON. Mr. Speaker, I would like to know what amendments are being offered. The gentleman from Allegheny spoke to me yesterday, and said that he was preparing certain amendments and would do me the honor of seeing that they were submitted to me, but I have not yet seen the amendments. I think I am entitled to see the amendments.

Mr. J. J. KANE. Mr. Speaker, I did talk with the gentleman from McKean, Mr. Wilson, regarding these amendments, and talked to others also. I believe that it was thoroughly understood by all the others, with the exception possibly of Mr. Wilson, that these amendments would be agreeable. If the gentleman desires, I will now show them to him, or present them to the desk, but I thought they would be satisfactory to everybody that had objections yesterday.

Mr. WILSON. Mr. Speaker, I do not want to be at all obstreperous but I would like to know if the gentleman from Allegheny would be kind enough to say, in a word, what the amendments do.

Mr. J. J. KANE. I did not hear the gentleman, Mr. Speaker.

The SPEAKER. The gentleman from McKean, Mr. Wilson, requests the gentleman from Allegheny, Mr. Kane, to inform the House with respect to the purpose of the amendments.

Mr. J. J. KANE. The purpose of the amendment is to meet the objections relative to the investment of savings funds, insurance companies and savings banks. The purpose is to amend that in order to meet the objections.

Mr. WILSON. Mr. Speaker, may I ask if it does away with the provisions that makes these securities a proper investment for insurance companies and savings banks.

Mr. J. J. KANE. That is right, Mr. Speaker; to strike that section out.

Mr. WILSON. What about eminent domain, Mr. Speaker?

Mr. J. J. KANE. Shall I read the amendment, Mr. Speaker?

The SPEAKER. The gentleman may proceed for the information of the House.

Mr. J. J. KANE. Mr. Speaker, the section relative to eminent domain has been amended, inserting, "the consent of the Court of Common Pleas of the county in which the area is located, which may be granted on petition if the Court deems such acquisition to be in the public interest and necessary for public uses. The Court shall not authorize any such acquisition by eminent domain until the Reconstruction Corporation has first acquired.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question recurring.

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. J. J. KANE. Mr. Speaker, I move that the vote by which this bill passed on third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. J. J. KANE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 14, page 13, line 6, by striking out the words "First lien bonds of."

Amend section 14, page 13, by striking out lines 7 to 16, both inclusive.

Amend section 14, page 13, line 17, by striking out the words "legally invest funds within their control."

Amend section 15, page 14, lines 22, 23 and 24, by striking out the words: "specific authorization of such action by the board following the acquirement" and insert in lieu thereof "the consent of the court of common pleas of the county in which the area is located which may be granted on petition if the court deems such acquisition to be in the public interest and necessary for public uses. The court shall not authorize any such acquisition by eminent domain until the reconstruction corporation has first acquired."

Amend section 15, page 14, line 25, by striking out the words "by such reconstruction corporation of."

Amend section 15, page 14, line 28, by striking out the words "specify" and insert in lieu thereof "find as a fact."

Amend section 15, page 14, line 28, by striking out the words "the acquisition" and inserting in lieu thereof "such percentage."

Amend section 15, page 14, line 28, by inserting after the word "property" the following: "has been acquired."

Amend section 15, page 14, line 28, by inserting after the word "and" the following: "that."

Amend section 15, page 15, line 1, by inserting after the word "power" the following: "from the court."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 85, as follows:

An Act to amend section one hundred and seventy-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by decreasing and limiting the compensation of the members of the board of viewers in counties of the fourth fifth sixth seventh and eighth class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and seventy-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by section one of the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred one) is hereby further amended to read as follows

Section 171 Number of Members Qualifications Compensation There is hereby established in each county a board of viewers The board of viewers in counties of the second class shall consist of not less than six nor more than nine members one-third of whom may be learned in the law and members of the bar of the county In each county of the third fourth fifth sixth seventh and eighth classes said board shall consist of not less than three nor more than nine members one-third of whom may be surveyors or members of the bar of the county The judges of the court of common pleas shall in each case determine within the aforesaid limits the total number of members of which the board shall be composed fixing and determining such number as shall be deemed necessary for the proper performance of the duties imposed upon the board The court may also from time to time change the total number of members within the above limits

In counties of the second class each member of the board of viewers shall receive an annual salary of six thousand five hundred dollars ($6,500)

In counties of the third [and four classes] class each member of the board of viewers shall receive the sum of twelve dollars ($12.00) per day for each day actually and necessarily spent by him in the performance of the duties of his office and ten (10) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office Provided however That the amount so received by any member of the board of viewers in counties of the third class shall not exceed exclusive of traveling expenses the sum of two thousand dollars ($2000) for any calendar year

In counties of the fourth fifth sixth seventh and eighth class each member of the board shall receive the sum of six dollars ($6.00) per day for each day actually and necessarily spent by him in the performance of the duties of his office and five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office

[In counties of the fifth and sixth classes each member of the board of county viewers shall receive the sum of ten dollars ($10.00) per day for each day actually and necessarily spent by him in the performance of the duties of his office and the sum of five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office

In counties of the seventh and eighth classes each member of the board of viewers shall receive the sum of seven dollars and fifty cents ($7.50) per day for each day actually and necessarily spent by him in the performance of the duties of his office and five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office]

All per diem compensation shall be for a full day's work regardless of the number of properties viewed or the number of proceedings heard on such day Where a number of properties are involved in connection with the same public improvement and they can all be viewed in one day compensation for one day only shall be allowed by such view

The compensation of said viewers shall be paid monthly by the respective counties under such conditions as to the verification of the time of employment as may be prescribed by rules and regulations which shall be made by the courts of the respective counties

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—132

Andrews,	Fleisher,	McCreary,	Schwartz,
Baker,	Flinchbaugh,	McGinnis,	Scorza,
Barnhardt,	Flynn, J. M.,	McGrail,	Scott,
Bechtel,	Furman,	McHenry,	Sheffer,
Beech,	Gartner,	Melchiorre,	Shellenberger,
Bennett,	Harmuth,	Mumford,	Shenkel,
Bernhard,	Hartman,	Munley,	Shettel,
Blumberg,	Hermansen,	Myers,	Shugarts,
Boyd,	Hester,	Negley,	Simon,
Brancato,	Himes, L. R.,	Nothnagle,	Sowers,
Brennan,	Hoffman,	O'Connor,	Spann,
Brown, J. E.,	Holmes, J. B.,	O'Keefe,	Stank,
Brown, W. L.,	Hoopes,	O'Neill,	Steedle,
Brownfield,	Hough,	O'Rourke,	Sterling, P.,
Cannon,	Howard,	Peelor,	Sterling, R. B.,
Caputo,	Kane, J. J.,	Perry, D. R.,	Stiteler,
Chervenak,	Kane, L. P.,	Powell,	Stone,
Cohen,	King,	Powers,	Terry,
Conner,	Kinney,	Quinn,	Wade,
Cooke,	Labar,	Rectenwald,	Wagner,
Cordier,	Lane,	Reed,	Walker, G. E.,
Cramer,	Lenahan,	Reilly,	Walker, W. A.,
Davies,	Lewis,	Rhodes,	Wall,
DeFrehn,	Long,	Roan,	Wasserman,
Denning,	Lord,	Root,	Way,
Downey, G. E.,	Lose,	Roth,	Welsh,
Downey, J. J.,	Lovett, J. E.,	Ruby,	Westrick,
Duffy,	Lynch, M.,	Ruth,	Wike,
Dunmire,	Male,	Sarig,	Williams, G. W.,
Ederer,	Malina,	Sautter,	Williams, J. J.,
Emhardt,	Mason,	Schrock,	Wilson, L. M.,
Fitzgerald,	McBride,	Schrope,	Wright,
Flanagan,	McClure,	Schwab,	

NAYS—15

Craig,	Raub,	Turner,	Wood,
Evans,	Rice,	Weidemann,	Woodside,
Habbyshaw,	Shreiner,	Wilson, T. B.,	Talbot,
Peters,	Trout,	Witkin,	Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to third reading and consideration of House Bill No. 27, entitled:

An Act relating to limited dividend housing companies defining and providing for the formation of such corporations for the purpose of eliminating unsanitary and dangerous housing conditions and constructing and operating safe and sanitary dwellings and apartments to let at reasonable rentals extending to such corporations certain existing laws relating generally to corporations of the second class providing for the supervision and regulation of the activities of such corporations by the State Board of Housing in the Department of Property and Supplies providing for the protection of such corporations and the parties dealing with the prescribing defining and limiting the powers and duties of such corporations conferring upon certain of such corporations and limiting their use to the power of eminent domain exempting such corporations from the payment of the capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations, savings banks and savings institutions and authorizing certain existing companies to accept the provisons of this act.

On the question,

Will the House agree to the bill on third reading?

Mr. J. J. KANE. Mr. Speaker, I desire to have unanimous consent to offer amendments at this time. I might say that this bill is a companion bill of House Bill No. 28, and the amendments are in line with the amendments offered to House Bill No. 28.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 3, page 5, line 20, by striking out after the word "of" and before the syllable "cer-" the word "[shares]" and inserting in lieu thereof the word: "share"

Amend section 4, page 6, line 18, by striking out at the beginning of the line before the word "together" the word "[Governor]" and inserting in lieu thereof the following: "Department of State"

Amend section 4, page 6, line 18, by striking out after the article "the" and before the word "of" the word: "[certificate]" and inserting in lieu thereof the word: "articles"

Amend section 8, page 11, line 16, by striking out at the end of the line after the word "may" the following: "[with the]"

Amend section 8, page 11, line 17 by striking out at the beginning of the line before the word "amend" the following: "[approval of the board]"

Amend section 8, page 11, line 20, by inserting after the word "may" and before the word "amend" the following: "with the approval of the board"

Amend section 13, page 13, line 18, by striking out after the word "[Stock]" and before the word "and" the word: "shares" and inserting in lieu thereof the word: "Shares"

Amend section 16, page 14, line 27, by striking out the words "First lien bonds of"

Amend section 16, page 14, lines 28, and 29, by striking out both of said lines

Amend section 16, page 15, lines 1 to 8, by striking out all of said lines, both inclusive

Amend section 16, page 15, line 9, by striking out the words "funds within their control"

Amend section 17, page 16, lines 22 and 23, by striking out the words "specific authorization of such action by the board following the acquisition" and insert in lieu thereof "the consent of the court of common pleas of the county in which the area is located which may be granted on petition if the court deems such acquisition to be in the public interest and necessary for public uses. The court shall not authorize any such acquisition by eminent domain until the class A company has first acquired"

Amend section 17, page 16, line 27, by striking out the word "specify" and insert in lieu thereof "find as a fact"

Amend section 17, page 16, lines 27 and 28, by striking out the words "the acquisition" and insert in lieu thereof "such percentage"

Amend section 17, page 16, line 28, by inserting after the word "property" the following: "has been acquired"

Amend section 17, page 16, line 28, by inserting after the word "and" the following: "that"

Amend section 17, page 17, line 1, by inserting after the word "power" the following: "from the court"

Mr. WILSON. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Kane.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. J. J. KANE. I will, Mr. Speaker.

Mr. WILSON. Mr. Speaker, I want to ask the gentleman from Allegheny whether or not the effect of these amendments is the same as the other amendments that were offered to the other bill. Do these amendments fix the question of eminent domain in the same shape as in the other bills?

Mr. J. J. KANE. Yes, Mr. Speaker.

Mr. WILSON. Mr. Speaker, are we now relieved of the danger of these alleged, so-called securities being a proper investment by trust companies and insurance companies?

Mr. J. J. KANE. That is the purpose of the amendment, Mr. Speaker.

Mr. WILSON. Is that the effect of them, may I ask, Mr. Speaker?

Mr. J. J. KANE. Yes.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 144, entitled:

A Joint Resolution proposing an amendment to section seven article nine of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section seven of article nine of the Constitution of the Commonwealth of Pennsylvania is hereby amended to read as follows

Section 7 The General Assembly shall not authorize any county city borough township or incorporated district to become a stockholder in any company association or corporation or to obtain or appropriate money for or to loan its credit to any corporation association institution or individual Provided That the General Assembly may authorize any county city borough township or incorporated district to appropriate money for assistance to mothers having dependent children and to aged persons without adequate means of support

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mrs. WILSON. Mr. Speaker and members of the house, this bill, House Bill 144, which you have before you at the present time, is a Constitutional Amendment to legalize old age assistance.

I feel that I would be remiss in my duty to the people of my county and the people of the State of Pennsylvania if I did not at this time raise my voice in advocacy of a measure of this kind, which I know will mean so much to these old men and women within our borders. No man or woman has been more insistent, more anxious than I during my term of office in this Legislature to secure for the old men and women of this State some means of support during the declining years. To this end I have introduced the measures of this character, providing for assistance for men and women too old to work. Today you have before you bills such as House Bill No. 144 and House Bill No. 145, which enacted into law, will gladden the hearts of hundreds of old people whose lives will be lengthened and brightened by this just and kindly act.

The Old Age Pension movement in the United States compared to that of European countries is in its infancy, but in the past twelve years, twenty-five states have passed pension laws in some form or other.

These laws have not been uniform, but the same general character prevails, all of them making some provision for old men and women without means of support.

The need for old age assistance was never greater than at the present time, because of the inability of aged people to find employment and thereby support themselves. Most of these old men and women have worked all their lives, from the time they were little boys and girls. They have toiled in mines and mills and sweat shops to make the world a better place in which to live. Now they find themselves at life's sunset, on the industrial scrap heap without means. Visions of the poor house live with them day by day and make their last years a hideous night mare. To them we owe at least some measure of society, peace and contentment.

We cannot evade our social responsibility; these aged dependents must continue to be provided for, either in poor houses as charitable wards, or in a more decent manner, by financial assistance.

Last week this House passed a measure to provide assistance to aged indigent workers of this State. This bill is perhaps an entering wedge by which to secure better legislation later on, but it by no means meets the necessary requirements of today.

If we are to have an adequate workable pension system for our aged, we must amend our constitution as this bill provides.

I earnestly hope this body will join the many other states in giving proper consideration of our aged fellow beings in distress.

Mr. SOWERS. Mr. Speaker, I desire to interrogate the lady from Berks.

The SPEAKER. Will the lady from Berks, Mrs. Wilson, permit herself to be interrogated.

Mrs. WILSON. I will try to answer, Mr. Speaker.

Mr. SOWERS. Mr. Speaker, is this bill the same bill from which the Committee on Pensions and Gratuities was discharged?

Mrs. WILSON. No, Mr. Speaker.

Mr. SOWERS. A different bill, Mr. Speaker?

Mrs. WILSON. This was a bill, Mr. Speaker, that was in the Committee on Constitutional Amendments.

Mr. SOWERS. Then, My Speaker, this is not the bill that the Democrats have gotten up?

Mrs. WILSON. No, Mr. Speaker, this is the one that the Socialists have gotten up.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154

Andrews,	Greenstein,	McGregor,	Schwab,
Baker,	Griffith,	McHenry,	Schwartz,
Baldi,	Habbyshaw,	McKinney,	Scott,
Barnhardt,	Hamilton,	Melchiorre,	Shreiner,
Bechtel,	Hartman,	Mohn,	Shugarts,
Beech,	Heffernan,	Moore,	Simon,
Bennett,	Hefferon,	Mumford,	Sowers,
Bernhard,	Hermansen,	Munley,	Spann,
Blumberg,	Hester,	Murphy,	Stank,
Boyd,	Hewitt,	Myers,	Steedle,
Brancato,	Himes, H. E.,	Negley,	Sterling, P.,
Brennan,	Himes, L. R.,	Nothnagle,	Sterling, R. B.,
Brown, J. E.,	Hoffman,	O'Connor,	Stevens,
Brown, W. L.,	Holmes, J. B.,	O'Keefe,	Stiteler,
Brownfield,	Holmes, J. L.,	O'Neill,	Stone,
Cannon,	Hoopes,	O'Rourke,	Stott,
Caputo,	Horst,	Peelor,	Tahl,
Carey,	Howard,	Pennock,	Trout,
Carson,	Jaffe,	Perry, J. J.,	Wade,
Chervenak,	Kane, J. J.,	Powell,	Wagner,
Cohen,	Kane, L. P.,	Powers,	Walker, G. E.,
Cooke,	Kinney,	Price,	Walker, W. A.,
Cordier	Lane,	Quinn,	Wall,
Davies,	Laubach,	Raub,	Wasserman,
DeFrehn,	Lewis,	Rectenwald,	Way,
Denning,	Long,	Reed,	Weidemann,
Downey, G. E.,	Lose,	Reilly,	Welsh,
Dunmire,	Lovett, J. E.,	Rhodes,	Westrick,
Emhardt,	Lovett, W. S.,	Rice,	White,
Eroe,	Lynch, J. R.,	Roan,	Williams, G. W.,
Fitzgerald,	Lynch, M.,	Roth,	Williams, J. J.,
Flinchbaugh,	Malina,	Royle,	Wilson, L. M.,
Flynn, J. W.,	Maloney,	Ruby,	Witkin,
Furman,	Mason,	Ruth,	Wood,
Gallagher, T. J.,	McCandless,	Sarig,	Woodside,
Gallagher, W. J.	McClure,	Sautter,	Wright,
Gartner,	McCreary,	Schrock,	Yeakel,
Gorman,	McGinnis,	Schrope,	Yourishin,
Green,	McGrail,		

NAYS—14

Craig,	Forrest,	Peters,	Zimmerman,
Ederer,	Hutton,	Terry,	Talbot,
Evans,	King,	Turner,	Speaker.
Flynn, J. M.,	Meredith,	Wilson, T. R.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 153, entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174

Andrews,	Habbyshaw,	McElwee,	Scott,
Baker,	Haines,	McGinnis,	Sheffer,
Baldi,	Hamilton,	McGrail,	Shellenberger,

Bechtel,	Harris,	McGregor,	Shettel,
Beech,	Hart,	McKinney,	Shortz,
Bennett,	Hartman,	Melchiorre,	Shreiner,
Bernhard,	Heffernan,	Meredith,	Shugarts,
Boyd,	Hefferon,	Merrell,	Simon,
Brancato,	Heffner,	Mohn,	Snyder,
Brennan,	Hermansen,	Mumford,	Sowers,
Brown, W. L.,	Hester,	Munley,	Spann,
Brownfield,	Hewitt,	Murphy,	Stank,
Caputo,	Himes, H. E.,	Myers,	Steedle,
Carey,	Himes, L. R.,	Negley,	Sterling, P.,
Carson,	Hoffman,	Nothnagle,	Sterling, R. B.,
Chervenak,	Holmes, J. L.,	O'Keefe,	Stevens,
Cohen,	Hoopes,	O'Neill,	Stiteler,
Conner,	Horst,	O'Rourke,	Stone,
Cooke,	Hough,	Patterson,	Stott,
Cordier,	Howard,	Pennock,	Tahl,
Craig,	Hutton,	Peelor,	Terry,
Cramer,	Jaffe,	Perry, D. R.,	Trout,
Dane,	Jones,	Perry, J. J.,	Turner,
DeFrehn,	Kane, J. J.,	Peters,	Wade,
Denning,	Kane, L. P.,	Powell,	Wagner,
Downey, G. E.,	King,	Powers,	Walker, G. E.,
Downey, J. J.,	Kinney,	Price,	Walker, W. A.,
Duffy,	Lane,	Quinn,	Wall,
Ederer,	Laubach,	Raub,	Wasserman,
Emhardt,	Lenahan,	Rectenwald,	Way,
Eroe,	Lewis,	Reed,	Weidemann,
Evans,	Long,	Reilly,	Welsh,
Fitzgerald,	Lord,	Rhodes,	Westrick,
Fleisher,	Lose,	Rice,	White,
Flinchbaugh,	Lovett, J. E.,	Roan,	Wike,
Flynn, J. M.,	Lovett, W. S.,	Roth,	Williams, G. W.,
Forrest,	Lynch, J. R.,	Royle,	Williams, J. J.,
Furman,	Lynch, M.,	Ruby,	Wilson, L. M.,
Gallagher, T. J.,	Malina,	Ruth,	Witkin,
Gallagher, W. J.,	Maloney,	Sarig,	Wood,
Gartner,	Mason,	Sautter,	Woodside,
Gillette,	McBride,	Schrock,	Wright,
Gorman,	McCandless,	Schwab,	Yeakel,
Greenstein,	McClure,	Schwartz,	Yourishin,
Griffith	McCreary,	Scorza,	Zimmerman,

NAYS—6

Green,	Moore,	Wilson, T. B.,	Talbot,
Male,	O'Connor,		Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING

Mr. MASON. Mr. Speaker, I desire to call up at this time House Bill No. 124, Printer's No. 128, on page 7 of today's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 124, entitled

An Act to amend the act approved the thirteenth day of May one thousand nine hundred fifteen (Pamphlet Laws two hundred eighty-six) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by prohibiting employment of minors between fourteen and sixteen years of age except in certain types of work which will not interfere with school attendance further limiting the occupations in which minors between fourteen and eighteen years of age may be employed or permitted to work and the hours of labor further regulating employment certificates and requiring minors under eighteen to procure such certificates imposing on school districts to issue such certificates and repealing certain sections and acts

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections two four five eight eleven twelve twenty-one and twenty-two of the act approved the thirteenth day of May one thousand nine hundred fifteen (Pamphlet Laws two hundred eighty-six) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" and section fourteen of the said act as last amended by the act approved the twenty-first day of March, one thousand nine hundred twenty-nine (Pamphlet Laws forty-five) are hereby amended to read as follows

Section 2 No minor under [fourteen] sixteen years of age shall be employed or permitted to work in about or in connection with any establishment or in any occupation except that a minor between the ages of fourteen and sixteen years may be employed as herinafter provided in such work as will not interfere with school attendance

Section 4 No minor under [sixteen] eighteen years of age shall be employed or permitted to work in about or in connection with any establishment or in any occupation for more than six consecutive days in any one week or more than [fifty-one] forty-four hours in any one week or more than [nine] eight hours in any one day [or]

No minor under sixteen years of age shall be employed or permitted to work in about or in connection with any establishment or in any occupation before [six] seven o'clock in the morning or after [eight] seven o'clock in the morning of any day In computing the maximum number of hours per day or per week permitted under this act the hours spent in school by said minors shall be considered as part of the working day or working week

No minor under eighteen years of age shall be employed or permitted to work for more than five hours continuously in about or in connection with any establishment without an interval of at least thirty minutes for a lunch period and no

period of less than thirty minutes shall be deemed to interrupt a continuous period of work

Section 5 No minor under sixteen years of age shall be employed or permitted to work in [operating or assisting in operating any of the following machines which for the purposes of this act are considered dangerous Paper-lace machines job or cylinder printing-presses operated by power other than foot-power stamping machines used in sheet metal and tinware or in paper or leather manufacturing or in washer and nut factories metal or paper cutting machines corrugating-rolls such as are used in making corrugated paper or in roofing or washboard factories dough-brakes or cracker machinery of any description wire or iron straightening or drawing machinery rolling-mill machinery power punches or shears washing or grinding or mixing machinery calendar-rolls in paper and rubber manufacturing or other heavy rolls driven by power laundering machinery upon or in connection with any dangerous electrical machinery or appliances Nor shall any minor under sixteen years of age be employed or permitted to work in any capacity in adjusting or assisting in adjusting any belt to any machinery or in proximity to any hazardous or unguarded belts machinery or gearing while the same is in motion nor] about or in connection with any manufacturing or mechanical occupation or process nor on scaffolding nor in heavy work in the building trades nor in stripping or assorting [or manufacturing] tobacco nor in any tunnel [nor in a public bowling-alley nor in a pool or billiard-room nor in the manufacture of paints colors or white-lead nor in any capacity in preparing compositions in which dangerous leads or acids are used nor in the manufacture or use of dangerous or poisonous dyes] nor upon any railroad steam electric or otherwise nor upon any boat engaged in the transportation of passengers or merchandise nor in operating motor vehicles of any description nor in anthracite or bituminous coal-mines or in any other mine [nor about blast-furnaces nor in or about any distillery brewery or any establishment where alcoholic liquors are manufactured or bottled]

No minor under eighteen years of age shall be employed or permitted to do work in the operation or management of hoisting machines in oiling or cleaning machinery in motion in the operation or use of any polishing or buffing-wheel at switch-tending at gate-tending at track-repairing as a brakeman fireman engineer or motorman or conductor upon a railroad or railway as a pilot fireman or engineer upon any boat or vessel in the manufacture of paints colors or white lead in any capacity in preparing compositions in which dangerous leads or acids are used in the manufacture or use of dangerous or poisonous dyes in any dangerous occupation in or about any mine in or about establishments wherein gunpowder intro-glycerine dynamite or other high or dangerous explosive is manufactured or compounded [as a chauffeur of an automobile or an aeroplane]

No minor under eighteen years of age shall be employed or permitted to work in about or in connection with any establishment where alcoholic liquors are distilled rectified compounded brewed manufactured bottled sold or dispensed except that minors between the ages of sixteen and eighteen may engage in clerical work in the offices of such establishments

No minor shall be employed or permitted to serve or handle alcoholic liquor in any establishment where alcoholic liquors are sold or dispensed nor be employed or permitted to work in violation of the laws relating to the operation of motor vehicles by minors

In addition to the foregoing it shall be unlawful for any minor under eighteen years of age to be employed or permitted to work in any [other] occupation dangerous to the life or limb or injurious to the health or morals of the said minor as such occupations shall from time to time after public hearing thereon be determined and declared by the Industrial Board of the Department of Labor and Industry Provided That if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is for any reason invalid such holding shall not be taken in any case to affect or impair the remaining provisions of this section

Section 8 Before any minor under [sixteen] eighteen years of age shall be employed permitted or suffered to work in about or in connection with any establishment or in any occupation the person employing such minor shall procure and keep on file and accessible to any attendance officer deputy factory inspector or other authorized inspector or officer charged with the enforcement of this act an employment certificate as hereinafter provided issued for said minor

Section 11 Employment certificates shall be of two classes general employment certificates and vacation employment certificates General employment certificates shall entitle [the] a minor [fourteen] sixteen to [sixteen] eighteen years of age to work during the entire year Vacation employment certificates shall entitle [the] a minor fourteen to [sixteen] eighteen years of age to work as herein provided on any day except at times on such days as such minor is required to attend school under the provisions of the laws now in force or hereafter enacted

Section 12 The official authorized to issue a general or a vacation employment certificate shall not issue such certificate until he has received examined approved and filed the following papers namely

a A statement signed by the prospective employer or by some one duly authorized on his behalf stating that he expects to give such minor present employment and setting forth the character of the same and the number of hours per day and per week which said minor will be employed

b [A school record as hereinafter provided

c] A certificate of physical fitness as hereinafter provided

[d] c Proof of age as hereinafter provided

Section 21 It shall be the duty of every person who shall employ any minor under the age of [sixteen] eighteen years to post and keep posted in a conspicuous place in every establishment wherein said minor is employed permitted or suffered to work a printed abstract of the sections of this act relating to the hours of labor and a list or lists of all minors employed under the age of [sixteen] eighteen years and a schedule of the hours of labor of such minors The schedule of hours of labor herein required shall contain the name of the minor employed or permitted to work the maximum number of hours such minor shall be required or permitted to work on each day of the week with the total for the week the hours for commencing and stopping work and the hours when the time allowed for meals shall begin and end for each day of the week Such minor may begin work after the time for beginning and stop before the time for ending work stated in such schedule but he shall not otherwise be employed or permitted to work in or in connection with any establishment except as stated in such schedule Such copies of the abstracts of this act and blanks for compliance with the provisions shall be prepared by the Department of Labor and Industry and be furnished by it on application of such employer Every person employing minors under [sixteen] eighteen years of age shall furnish the employment certificates and lists provided for in this act for inspection to attendance officers factory inspectors or other authorized inspectors or officers charged with the enforcement of this act

Section 22 Whenever any minor shall be employed or permitted to work in any establishment or at any occupation who in the judgment of any officer charged with the enforcement of this act is under the legal age for such work or is working at a time forbidden by law for such minor or whenever any minor shall be employed or permitted to work in or in connection with any establishment who in the judgment of any officer charged with the enforcement of this act is under [sixteen] eighteen years of age and for whom the person employing or permitting such minor to work shall not have on file an employment certificate such officer may demand from the person employing or permitting such minor to work that he shall either furnish to such officer within ten days evidence of age as defined in section fifteen of this act that such minor is in fact of legal age for the work in which he is engaged or over or [sixteen] eighteen years of age or over as the case shall be or shall cease to employ or permit such minor to work as aforesaid Provided That such person by thus ceasing to employ or permit such minor to work shall not be relieved from any of the fines or penalties provided in this act for the employment or work of a minor contrary to law In case such person shall fail to furnish to said officer within ten days after the making of such demand the required evidence of age and shall thereafter employ such minor or permit him to work as aforesaid proof of the making of such demand and of failure to produce the evidence required shall be prima facie evidence of the illegal employment of such minor in any prosecution brought therefor

Section 14 The certificate of physical fitness required by this act shall be signed in a district of the first second or third class by a physician employed by the board of school directors of the school district in which said minor resides [and] and in a district of the fourth class by a physician appointed by the State Department of Health and shall state that the said minor has been thoroughly examined by the said physician at the time of the application for an employment certificate and is physically qualified for the employment specified in the statement of the prospective employer In any case where the said physician shall deem it advisable he may issue a certificate of physical fitness for a limited time at the expiration of which time the holder shall again appear and submit to a new examination before being permitted to continue at work Provided however That in a school [districts] district of the first second or third [and fourth classes] class the physical examination of a minor provided for by this act shall be made by a physician employed by the board of school directors of the school district in which such minor resides [or employed by the Commonwealth as the case may be] and in a district of the fourth class by a physician appointed by the State Department of Health that the certificate of physical fitness provided for by this act shall be signed by said physician and that no fee or other compensation for such service shall be required to be paid by such minor cr by his parent or guardian

On the question,

Will the House agree to the section?

Mr. MASON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 4, line 25, by inserting at the end of the line after the "week" the following:

Provided that male minors over the age of fourteen may be employed in the distribution sale exposing or offering for sale of any newspaper magazine periodical or other publication for not more than fifty-one hours in any one week or more than eight hours in any one day and after six o'clock in the morning and before eight o'clock in the evening.

Amend section 1, page 7, line 8, by striking out the bracket before the word "or."

Amend section 1, page 8, line 16, by inserting at the end of the line after the word "enacted" the following:

Provided however that male minors over sixteen years of age employed in the distribution sale exposing or offering for sale of any newspaper magazine periodical or other publication shall not be required to procure any employment certificate under this act.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second, third and fourth sections were separately read and agreed to as follows:

Section 2 That sections three thirteen sixteen and nineteen of the said act be and the same are hereby repealed

Section 3 That the act approved the twenty-seventh day of April one thousand nine hundred seventy-seven (Pamphlet Laws four hundred forty-two) entitled "An act to amend section three of an act approved the thirteenth day of May one thousand nine hundred fifteen (Pamphlet Laws two hundred eighty-six) entitled 'An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expense of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the Enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" be and the same is hereby repealed

Section 4 This act shall go into effect on the first day of July one thousand nine hundred thirty-four

The title was read as follows:

An Act to amend the act approved the thirteenth day of May, one thousand nine hundred fifteen (Pamphlet Laws, two hundred eighty-six), entitled "An act to provide for the health, safety, and welfare of minors; by forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment, by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance, authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by prohibiting employment of minors between fourteen and sixteen years of age, except in certain types of work which will not interfere with school attendance; further limiting the occupations in which minors between fourteen and eighteen years of age may be employed or permitted to work and the hours of labor; further regulating employment certificates and requiring minors under eighteen to procure such certificates, imposing on school districts to issue such certtificates and repealing certain sections and acts.

On the question,

Will the House agree to the title?

Mr. MASON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend page 2, line 23 of the title by inserting after the word "districts" and before the word "to" the words "the duty"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE

Mr. STEEDLE. Mr. Speaker, I desire to call up at this time House Bill No. 62, Printer's No. 53, on page 13 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Steedle.

The House resumed the consideration on final passage of House Bill No. 62, entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An Act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," by making additional appropriations to certain administrative departments.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—143

Baker,	Griffith,	McGinnis,	Scott,
Baldi,	Habbyshaw,	McGrail,	Shellenberger,
Bechtel,	Haines,	McHenry,	Shenkel,
Beech,	Hamilton,	Melchiorre,	Shettel,
Bennett,	Harmuth,	Mohn,	Shortz,
Bernhard,	Harris,	Moore,	Shreiner,
Blumberg,	Hart,	Munley,	Simon,
Brown, W. L.,	Hartman,	Murphy,	Snyder,
Brownfield,	Heffernan,	Negley,	Sowers,
Cannon,	Hester,	Nothnagle,	Spann,
Caputo,	Himes, H. E.,	O'Keefe,	Steedle,
Carson,	Himes, L. R.,	O'Neill,	Sterling, P.,
Chervenak,	Hoffman,	O'Rourke,	Stiteler,
Conner,	Holmes, J. B.,	Peelor,	Tahl,
Cooke,	Hoopes,	Pennock,	Terry,
Cramer,	Hough,	Perry, J. J.,	Trout,
Dane,	Jaffe,	Powell,	Turner,
Davies,	Jones,	Powers,	Wagner,
DeFrehn,	Kane, John J.,	Quinn,	Walker, G. E.,
Downey, G. E.,	King,	Rectenwald,	Walker, W. A.,
Downey, J.,	Kinney,	Reed,	Wasserman,
Eroe,	Labar,	Reilly,	Way,
Evans,	Lenahan	Rhodes,	Williams, G. W.,
Fitzgerald,	Long,	Rice,	Williams, J. J.,
Flanagan,	Lord,	Roan,	Wilson, T. B.,
Flinchbaugh,	Lose,	Roth,	Witkin,
Flynn, J. M.,	Lovett, W. S.,	Ruth,	Wood,
Forrest,	Lynch, J. R.,	Sarig,	Woodside,
Gallagher, T. J.,	Malina,	Sautter,	Wright,
Gallagher, W. J.,	Maloney,	Schrock,	Yeakel,
Gartner,	McBride,	Schrope,	Zimmerman,
Gillette,	McClure,	Schwartz,	Talbot,
Green,	McCreary,	Scorza,	Speaker.
Greenstein,	McElwee,		

NAYS—23

Andrews,	Dunmire,	Male,	Stevens,
Boyd,	Ederer,	O'Connor,	Stone,
Brancato,	Heffner,	Raub,	Welsh,
Brennan,	Howard,	Ruby,	Westrick,
Brown, John E.,	Lovett, J. E.,	Schwab,	Wilson, L. M.,
Cohen,	Lane,	Shugarts,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. MALINA. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia, Mr. Malina, will state his question of parliamentary inquiry.

Mr. MALINA. Mr. Speaker, on November 22nd, I rose to a question of personal privilege and in presenting bill No. 94, I made some remarks, which remarks are not recorded in the Journal.

The SPEAKER. The remarks of the gentleman from Philadelphia at that time on a question of personal privilege were ordered to be put in the Journal. If the gentleman will give the Speaker time he will find out why his remarks were not recorded in the Journal, if they are not.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 117, as follows:

An Act to regulate the payment of wages or compensation for labor or service in private employments establishing regular pay days providing that notices as to pay days must be kept posted by the employer and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever an employer imposing duties and conferring powers upon the Secretary of the Department of Labor and Industry discharges an employe or in any other manner terminates his employment the wages or compensation for labor or services earned and unpaid at the time of such discharge or termination of employment shall become due and payable immediately Whenever an employe not having a written contract for a definite period quits or resigns his employment the wages or compensation shall become due and payable an dshall be paid not later than seventy-two hours thereafter unless such employe shall have given seventy-two hours previous notice of his intention to quit in which latter case such employe shall be entitled to his wages or compensation and the employer shall pay the same at the time of quitting

Section 2 All wages or compensation other than those mentioned in section one of this act earned by any person in any employment shall become due and payable and shall be paid semi-monthly or twice during each calendar month on days to be designated in advance by the employer as the regular pay day Provided however That services rendered between the first and fifteenth days inclusive of any calendar month shall be paid for between the sixteenth and the twenty-sixth day of the month during which services were rendered and for all services rendered between the sixteenth and the last day inclusive of any calendar month said services shall be paid for between the first and tenth day of the following month

Provided however That in case of employment when the employes in the said employments are boarded and lodged by the employer the wages or compensation due any employe remaining in such employment shall become due and payable and shall be paid monthly or once in each calendar month on a day designated in advance by the employer as the regular pay day but no two successive such pay days shall be more than thirty-one days apart and the payment or settlement shall include all amounts due for labor or service up to the regular pay day

Section 3 The wages or compensation subject to the provisions of this act shall include all amounts for labor or service performed by employes of every description however fixed or ascertained Provided That the labor or service to be paid for is performed personally by the person demanding payment Nothing contained in this act shall in any way limit or prohibit the payment of wages or compensation at more frequent intervals or in greater amounts or in full when or before due but no provision of this act can in any way be contravened or set aside by a private agreement whether written oral or implied and any such agreement is hereby declared null and void

Section 4 All wages payable from any employer to any employe shall be paid in current money of the United States or in valid and negotiable checks for the full amount of wages due without any deductions whatsoever except such deductions as may be made pursuant to any agreement between the employer and any labor union of which the employe is a member for the check-off of dues by such employer out of wages

Section 5 Every employer shall post and keep posted conspicuously at the place of work if practicable or otherwise where it can be seen as employes come or go to their places of work or at the office or nearest agency for payment kept by the employer a notice specifying the regular pay days and the time and place of payment in accordance with the provisions of section two of this act also any changes in those regards occurring from time to time Every employe who is discharged shall be paid at the place of discharge and every employe who quits or resigns shall be paid at the office or agency of the employer where such employe has been performing the labor or service for the employer

Section 6 In the happening of any strike or lock-out the unpaid wages or compensation earned by employes shall become due and payable on the employer's next regular pay day and the payment or settlement shall include all amounts due such employes without abatement or reduction and the employer shall return to each such employe any deposit or money or other guaranty required by him from such employe for the faithful performance of the duties of the employment

Section 7 Any person copartnership association or corporation or agent manager superintendent or officer thereof who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars or undergo imprisonment not exceeding six months or both at the discretion of the court

Section 8 It shall be the duty of the Secretary of Labor and Industry to inquire diligently for violations of this act to direct officers and employes of the Department of Labor and Industry to institute prosecutions for such violations in such cases as the Secretary may deem proper and to enforce generally the provisions of this act

Section 9 At the request of any employe the Secretary of Labor and Industry may take an assignment of any unpaid wage claim in trust for the assigning employe and may bring any legal action necessary to collect such claim and the employer shall be required to pay the costs and such reasonable attorney fees as may be allowed by the court

Section 10 If any section sentence clause or part of this act is for any reason held to be unconstitutional such decision shall not affect the remaining portions of this act The Legislature hereby declares that it would have passed this act and each section sentence clause or part thereof irrespective of the fact that one or more sections sentences clauses or parts be declared unconstitutional

Section 11 Nothing in this act shall apply to the payment of wages or compensation of employes directly employed by any county city borough or town or other municipal corporation Nor shall anything herein apply to employes directly employed by the State any department bureau office board commission or institution thereof All other employments shall for the purposes of this act be deemed private employments and subject to the provisions hereof

Section 12 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DeFREHN. Mr. Speaker, I desire to interrogate the gentleman from Berks, Mr. Hoopes.

The SPEAKER. Will the gentleman from Berks, Mr. Hoopes, permit himself to be interrogated?

Mr. HOOPES. I will, Mr. Speaker.

Mr. DeFREHN. Mr. Speaker, may I ask the gentleman from Berks, whether he has ever had occasion to worry about the question of where the money was to come from to meet the pay roll of his employes?

Mr. HOOPES. If the last word is in the singular, I have had that trouble and worry. I have had a stenographer for many years, and I frequently have been worried very much as to where the pay roll was to come from.

Mr. DeFREHN. Then, Mr. Speaker and members of the House, I presume the gentleman from Berks, Mr. Hoopes, is prepared to vote with me on the question. I want to tell you ladies and gentlemen of this House that I have been worried, and I have no doubt that thousands of the operators of industries in this State also have, especially those who have earnestly and faithfully shared with their employes the earnings of their business.

During the past four years at considerable sacrifice and loss to ourselves, we continued to operate to the best of our ability, for the purpose of enabling our employees to earn a living for themselves and their families.

You will recall that on March 4, last, the banks of the country closed their doors for an indefinite period, tying up the money of the nation.

If a law, such as this here proposed, had been in effect, we would have been compelled to close our plant to remain closed until we were sure that the money was on hand to meet the payroll, lest we might be arrested, fined or thrust into jail.

Our employees desired to work, believing they would receive their pay sometime, if not on hand on payday, rather than to be idle.

This bill is evidently for the purpose of helping the laboring man as many other bills are that are introduced in this House from time to time. With this purpose, I am in full sympathy, but I fear sometimes that the Representatives of the people forget that where there are employees there must be employers. And I believe it is our duty to consider the interests of both.

I want to warn you that the ever increasing tax burden, regulation and interference in business, is becoming so heavy that industry is almost at the breaking point. Many or our industries have closed their doors permanently. Many others may do likewise and if you force them to close, force them into bankruptcy or drive them out of the State—you are killing the goose, which, although it has gone off the gold standard may be needed some day.

Let us be careful and kill all bills that if enacted into law would endanger our crippled industries, for we need them.

I consider the bill before us as one of these. therefore, I urge the members of this House to vote this bill down.

Mr. ANDREWS. Mr. Speaker, this measure sponsored by the gentleman from Berks, who now seems to be the accredited leader of the majority faction in this House, is an extremely crudely drawn measure. This is a measure which would penalize the honest employer who has had an honorable record for years and who for some reason beyond his control was temporarily unable to meet his pay roll in full. This measure is dedicated apparently to the socialist conception that all workmen are inherently noble and that all employers are inherently rascals. The members of this House know that the recent woes visited upon the workmen have certainly been reflected upon the employers in this state. All over the Commonwealth there are employers who have contributed of their private means, who have depleted their own resources in order to keep their organizations together and in order to pay a partial wage, and this bill says that men who make sacrifices of that kind are rascals and should be put in jail.

Of all the measures that the leaders of the majority faction have presented to the Legislature in my memory or knowledge, this is the most crudely drawn and the most widely socialistic in its concept.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, I believe that this bill should be defeated for one very striking reason; that is, it extends the service of the Commonwealth far beyond reasonable limitations.

If the members of the House will turn to page 5 of this measure and read section 9, they will there find a new idea in the administration of public affairs so far as concerns this Commonwealth, because under that section the Commonwealth may become the assignee of a claim of an employe for wages and may prosecute a suit against the employer and impose upon that employer costs in addition to reasonable attorney fees. As a lawyer, I know of no other instance in our general practice of the law, except in foreclosure of mortgages, where attorneys fees become taxable costs. There is one other instance that I know of, and that is in garnishee proceedings, but aside from that, it seems to me that the bill should be defeated, because it extends far beyond reasonable limitations the services of the Commonwealth.

Mr. T. J. GALLAGHER. Mr. Speaker and members of the House, I think that there is a necessity for a law of this kind. If you will turn to the majority report of the committee appointed to investigate the wages of children in industries in the state, you will find in that report, on page 10, that there was testimony presented to the committee covering cases where girls and boys have been unable to collect large accumulations of unpaid wages, sometimes because of the employers insolvency and sometimes because of the actual absconding of the employer. The girls who were the victims of such situations were helpless, having neither the funds, the knowledge nor the aggressiveness necessary to assert their rights before legal tribunals.

"There was testimony presented to the Committee covering cases where girl employes had been unable to collect large accumulations of unpaid wages, sometimes because of employers' insolvency, sometimes because of actual absconding of employers. The girls who were the victims of such situations were usually helpless, having neither the funds, the knowledge, nor the aggressiveness necessary to assert their rights beforelegal tribunals. A law providing penalties in such cases, and enabling the Department of Labor and Industry to assist employes in the collection of unpaid wage claims exists in several states, notably in California, where it has proved highly efficient. It is said that under the California law that state has collected over a million dollars of unpaid wages a year, most of the claims being settled without resort to court action, and no fees of any kind being charged to the wage-earners. The proposed act for Pennsylvania is similar to the California statute.

Now, that is quoting from the report of the joint committee created by this House, and I see a necessity for a law of that kind, because before that committee there were numerous cases where employers failed to pay the wages of their employes. I hope the members of this House will support this legislation.

Mr. HEFFNER. Mr. Speaker and members of the House, I surely agree with my friend from Philadelphia, Mr. Sterling, that this bill should be defeated, and not for the reason alone stated by that gentleman.

We happen to have in our locality an industry employing some three hundred men and the checks are made up at Cleveland, Ohio. You will note on the first page of this act, it says, "shall become due and payable immediately upon the discharge of an employe." That is impossible in our community, and it would be impossible to comply with this bill for the reason that we do not have access to the checks payable

On the next page, page 2, at line 22, "Provided, however, that in cases of employment when the employes in said employments are boarded and lodged by the employer." That means that in the lumber camps of Central Pennsylvania, where we maintain and board our employes, that they do not need to be paid but once a month. Why should some folks have the advantage of this act and only pay once a month when others pay twice a month and deduct such board as is provided for in the agreement with the employes?

There is another portion of this bill that prohibits the deducting of anything that you might provide for your employes from their pay envelopes at the end of the month. That is on page 3, Section 4: "All wages payable from any employer to any employee shall be paid in current money of the United States or in valid and negotiable checks for the full amount of wages due without any deductions whatsoever, except such deductions as may be made pursuant to any agreement between the employer and any labor union of which the employe is a member for the checkup of dues by such employer out of wages."

Mr. Speaker and members of the House, this is surely a bad piece of legislation and I hope the members of this House will vote it down.

MOTION TO RECOMMIT

Mr. SOWERS. Mr. Speaker and members of the House, there is no question but that there is some need in Pennsylvania for a law to enable attorneys to collect wages.

There are many, many cases today where employers escape without paying, and I have no doubt but what that has actuated my friend, Mr. Hoopes, in drafting this bill, but this bill as drawn is absolutely too broad and will defeat the purposes that the sponsor has in mind.

With these thoughts in mind, and for the purpose of accomplishing some good, Mr. Speaker, I move you that the bill be recommitted to the Committee on Labor for the purpose of amendment.

The SPEAKER. The Chair desires to inform the gentleman from Philadelphia, Mr. Sowers, that on his motion that it would probably be necessary to reconsider the vote by which the bill passed third reading in order to put it in proper form for amendment if the motion is agreed to.

MOTION TO RECONSIDER VOTE

Mr. SOWERS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

On the question,

Will the House agree to the motion?

Mr. HOOPES. Mr. Speaker and members of the House, I have heard several speeches against this bill and only one in its favor.

I understand that on a motion to recommit I may discuss the merits of the bill.

Laws such as this are in force, not in Socialistic Commonwealths or Nations, but in States of the United States, such as California, Massachusetts, New York, and with certain modifications in a number of other States.

It is not an extremely radical piece of legislation. It is a law which is absolutely necessary in order to protect the workers of this Commonwealth. As a matter of fact, sev-

eral sections of this act are the law at the present time, and have been since 1913. Those are the sections which at least two speakers against the bill have singled out as being particularly vicious. Now, while they have been on the books for twenty years, they do not seem to have done very much damage; as a matter of fact they do not seem to have done very much good either.

I do not have a very extensive law practice, but in the last two months I have had two cases that I want to describe briefly to the House.

In one case a small employer was employing from fifty to sixty girls in a canning factory, paying wages running from three to seven dollars a week, which he held back. Those small wages, mind you—until he owed those girls sums ranging from twenty to over two hundred dollars apiece, but they are supposed to take half of that each week for a period running nearly over a year in some instances.

Now, it is all very well to say that those girls can get a lawyer and bring a suit before an alderman, get a judgment and issue an execution, and thereby collect their money. Any one of us who have had any experience knows that that is not a practicable remedy. This is not a bill as my friend from Philadelphia has suggested, to enable lawyers to collect wages. This is a bill to enable workers to collect their own wages. I think I speak for most attorneys when I say they do not want to handle small wage claims. They are not desirable business. They entail far more work than the compensation that you can possibly receive justifies. It is necessary to provide a procedure that will make it practically possible for these workers to collect their wages, and that is the reason for these sections attacked by my friend from Philadelphia, sections 8 and 9, providing for action by the Secretary of Labor and Industry. This identical provision is in effect in California and has been for several years, and is working to the benefit of the workers of that state. It is necessary for some such sections to be provided, in order that the employers may be forced to pay wages. To merely say that some employers are poor, they are insolvent, they are broke, they are unable to pay is entirely to overlook the fate of employes who are unfortunate enough to have jobs with such employers. Some who have opposed the bills seem to think that an employer is doing a worker a very great favor in giving him a job, even though he does not pay him any wages. Personally I do not agree with those sentiments, and I think it is time for members of this House to consider the workers as well as the employers. Their interests are not being protected. We have plenty of statutes on the books to protect the employers. This bill gives the workers the means of getting something like justice in a practical way, in a way that will result in their collecting their wages. We have a statute on the books today which makes it a criminal offense not to pay obligations but that doesn't help the workers in most instances, and even if it did it would be a grossly expensive way of getting them from the employers viewpoint who have to bring an individual prosecution for each individual worker. In the particular case I have reference to there were fifty or sixty girls involved to whom there was owed, in some instances, as much as $200, running not over a period of a few months but over a year. If each one of those brought prosecutions and the case was held for court and the one case was decided and the next brought up for fifty or seventy-five dollars, it would certainly be a very expensive proceeding for the employer. The machinery we have incorporated in this bill provides for an effective means of collection by the Secretary of Labor and Industry, authorizes the assignment to the Secretary of claims for wages for the purpose of collection.

This is an effective measure. In California it has been shown that the great percentage of employers pay as soon as they get a letter from the public official, but they are not worried by suits for damages from their own employes. As a matter of fact if one of the employes were to bring suit, what would happen would be that she would probably be fired. An axe would be held over her head all the time. In order to prevent them from bringing any kind of action they say "if you bring suit, we will fire you and you will never be paid." This act provides machinery where all the workers can join together and assign their claims to the Secretary, and it would not be so easy for the employer to evade payment as it would be if one or two of the bolder ones would have the courage to bring action in their own names.

Another instance which I have had come into my office in the past few months was the case of a manager of a show who came into Reading with some fifteen or twenty girls. The show was there about four weeks and then he refused to pay them any wages. He didn't own anything in Pennsylvania whatever and there wasn't any effective remedy to compel him to pay those wages. Had the Secretary of Labor and Industry the power which that bill gives to that official, he could have taken steps upon the issuance of the warrant and that manager could have obtained sufficient money from New York or wherever his office happened to be to pay those employes. As it was he didn't pay them and they were sunk.

Now, that sort of thing must be stopped. This is one of those measures which is necessary. It is not a socialistic bill. It has been introduced at the request of the Pennsylvania Federation of Labor. They have found numerous instances where such action was necessary.

Mr. DENNING. Mr. Speaker, is the gentleman addressing the House a member of the American Federation of Labor?

The SPEAKER. The Chair believes and so rules that the question is out of order.

Mr. DENNING. Thank you, Mr. Speaker.

Mr. HOOPES. Mr. Speaker and members of the House, since the gentleman from Philadelphia has asked the question, I think I have a right to answer it, and I will say that I do carry a card in the American Federation of Teachers which is affiliated with the American Federation of Labor.

The SPEAKER. The Chair does not think that any answer is necessary.

Mr. HOOPES. Mr. Speaker and members of the House, coming back to the bill itself, I want to say that its provisions are reasonable. It provides that in the case of an employe quitting, he must give seventy-two hours notice before he is entitled to receive his pay, and certainly an employer should be able to raise what he owes an employe within seventy-two hours. If he is discharged, he is entitled to be paid immediately, and certainly he should be. An employer should not have the right to fire an employe and refuse to pay him what he has earned.

The bill properly protects employers as well as employes. It is necessary to meet a very serious situation which has developed in this Commonwealth. It is the sort of law which is enforced in other states, and has been found to be effective and not unduly burdensome upon employers.

I, therefore, ask the members of this House to vote against the motion to reconsider and to pass this bill finally today, so that it may go to the Senate and at least have a chance of receiving consideration in that body. It is time that we con-

sider the interests of the employes and workers in this state as well as the interest of the employers.

On the question recurring,

Will the House agree to the motion?

Mr. HOOPES. Will the Speaker kindly state the motion and the effect of an aye vote.

The SPEAKER. The motion of the gentleman from Philadelphia, Mr. Sowers, is that the vote by which this bill passed third reading be reconsidered. A vote of aye is to sustain the motion and a vote of no is to reject the motion. The status of the situation, the Chair will explain further would be this: If the motion carries, then the motion recurs as made by the gentleman from Philadelphia Mr. Sowers, that this bill be recommitted to the Committee.

Mr. SOWERS. Mr. Speaker to save time, I will withdraw the motion.

On the question recurring,

Shall the bill pass finally?

QUESTION OF CONSTITUTIONALITY RAISED

Mr. HUTTON. Mr. Speaker and members of the House, I do not wish to delay this matter, but I think before the vote is taken, it might be well to call the attention of the members of the House to the provisions of the Pennsylvania Constitution.

Article III, section 7, provides specifically that the General Assembly shall not pass any legal or special law which has the effect of changing or providing different methods for the collection of debts. Those members of the House who are of the legal profession will recall the mechanics liens act of 1901, that its provisions have repeatedly been declared unconstitutional as setting up a different method for the collection of a debt than is provided for prior to the Constitution of 1874, and therefore, I submit that the provisions of section 9 of this proposed act are unconstitutional.

The SPEAKER. Does the Chair understand that the gentleman from Franklin raises the question of the constitutionality of the bill in question.

Mr. HUTTON. Mr. Speaker, under the provisions of rule 36 of this House, it is provided that no committee, either standing or select shall report any bill for the action of the House, the passage of which is prohibited by the terms of the Constitution which I have just read, and I, therefore, raise that question.

The SPEAKER. The Chair is of the opinion that any question affecting the Constitutionality of a bill is for the House itself to determine and not for the Speaker to decide.

This principle is supporting by uniform rulings of Speaker of the House of Representatives of the United States, which will be found in Hinds Precedents, Vol. 2, and Vol. 5.

Speaker Alter, in 1913 Legislative Journal, page 1301 and 1302, when a point of order was raised on the constitutionality of a bill, stated that "It is a question which ought to be debated by the lawyers of the House, and the only way a question of order can be debated is for the Chair to submit it to the house," which he did.

Cooley's Constitutional Limitations, Vol. 1, Chap. 4, page 99, says, "The decisions for the construction of the Constitution must be made by the body upon whom the duty is imposed, or from whom the act is required."

Rule 4 of this House gives the Speaker the authority to submit the question to the House, which he does.

On the question,

Will the House declare the bill to be constitutional?

Mr. HOOPES. Mr. Speaker and members of the House, very briefly I call attention to the fact that this Legislature in 1919 passed a so-called bad check act, which provides a method of collecting checks, to see what they are paid, and it was not in effect at the time the Constitution of 1874 was adopted. The courts of Pennsylvania have upheld that act. It is still on the statute books and has been used for the last fourteen years.

It is very peculiar that whenever you bring a bill in to protect the workers that this particular objection should be raised. It would sometimes seem that our Constitution was made to protect the vested interests against the rights of the workers of this State, and I don't believe in this instance that the particular section quoted does forbid the provisions of this act, and I ask the House to over rule the objection on that ground and to decide that the bill is constitutional and pass it.

On the question recurring.

Will the House declare the bill to be constitutional?

The SPEAKER. The Clerk will call the roll.

The Clerk proceeded to call the roll.

Mr. HUTTON. Mr. Speaker, will the Chair call the attention of the House to what a vote aye means and what a vote no means?

The SPEAKER. The Chair thought he had made that very clear, however, does the gentleman desire the roll to be cancelled for the benefit of the members that have not already voted.

Mr. HUTTON. Mr. Speaker, I would like to have it explained at this time.

The SPEAKER. Due to the fact that we are in the midst of a roll call does the gentleman desire the roll declared null and void and proceed with a new roll after the explanation has been made?

Mr. HUTTON. I would suggest that, Mr. Speaker.

The SPEAKER. If that is the case, the roll will be declared null and void and the question before the House is the question of the constitutionality of House Bill No. 135. A vote of aye is an expression on the part of the members that the bill is constitutional. A vote no is an expression on the part of the members that the bill is unconstitutional. Does that satisfy the gentleman from Franklin?

Mr. HUTTON. It does, Mr. Speaker.

Mr. PEELOR. Mr. Speaker, if this body decides that it is unconstitutional, then I want to know what is to become of the bill. Would it be submitted to our vote, and does it mean that this body sitting here is to act in a judicial capacity and attempt to settle a piece of legislation? I know what the Speaker has said, but are we to sit here and declare that this act is constitutional or unconstitutional? If that be true, then what will we do with the bill after this matter is taken care of? Will it be submitted to our vote? Certainly there is something wrong. Are those of us sitting here to say whether it is constitutional or whether it is not constitutional?

The SPEAKER. In answer to the gentleman from Indiana, the Chair desires to state, that if the majority vote is recorded in the negative this body has gone on record officially that the bill is not constitutional, and, therefore, by its expression states, and naturally, that it will be impossible for this body to vote on a bill that is unconstitutional, and, therefore, the bill would be dead.

Mr. PEELOR. Mr. Speaker, do I understand that we are going on record officially? Are we not going on record in-

dicially and are we not as a legislative body going beyond our jurisdiction?

The SPEAKER. The Chair desires to inform the gentleman that this would not become a judicial question until it became a law, and this body has the power to decide on legislation.

On the question recurring,

Will the House declare the bill to be constitutional?

The roll was called and was as follows:

YEAS—61

Beech,	Fitzgerald,	Malina,	Sarig,
Bernhard,	Gallagher, T. J.,	McCreary,	Schrope,
Boyd,	Gartner,	McGinnis,	Schwab,
Brancato,	Harmuth,	McGrail,	Scorza,
Brown, J. E.,	Hartman,	Melchiorre,	Shugarts,
Brown, W. L.,	Hermansen,	Negley,	Stank,
Brownfield,	Hester,	O'Connor,	Sterling, R. B.,
Cannon,	Hoffman,	O'Keefe,	Stevens,
Caputo,	Hoopes,	O'Rourke,	Wagner,
Carey,	Hough,	Perry, J. J.,	Walker, W. A.,
Carson,	Howard,	Powers,	Wasserman,
Chervenak,	Kane, J. J.,	Quinn,	Welsh,
Cohen,	Lane,	Raub,	Westrick,
Downey, G. E.,	Long,	Reed,	Wilson, L. M.,
Dunmire,	Lovett, J. E.,	Ruth,	Yourishin,
Eroe,			

NAYS—112

Andrews,	Hamilton,	Merrell,	Shreiner,
Baker,	Harris,	Mohn,	Simon,
Baldi,	Heffernan,	Moore,	Snyder,
Barnhardt,	Hefferon,	Mumford,	Sowers,
Bennett,	Heffner,	Murphy,	Spann,
Blumberg,	Hewitt,	Myers,	Steedle,
Brennan,	Himes, H. E.,	Nothnagle,	Stiteler,
Conner,	Holmes, J. L.,	O'Neill,	Stone,
Cooke,	Horst,	Patterson,	Stott,
Cordier,	Hutton,	Pennock,	Terry,
Craig,	Jones,	Perry, D. R.,	Trout,
Dane,	King,	Peters,	Turner,
DeFrehn,	Kinney,	Price,	Wade,
Denning,	Laubach,	Rectenwald,	Wall,
Ederer	Lewis,	Reilly,	Way,
Emhardt,	Lord,	Rhodes,	Weidemann,
Evans,	Lose,	Rice,	White,
Flinchbaugh,	Lynch, M.,	Roan,	Wike,
Flynn, J. M.,	Male,	Root,	Williams, G. W.
Forrest,	Maloney,	Roth,	Williams, J. J.,
Furman,	Mason,	Ruby,	Wilson, T. B.,
Gallagher, W. J.,	McClure,	Sautter,	Witkin,
Gillette,	McElwee,	Schrock,	Woodside,
Green,	McGregor,	Schwartz,	Wright,
Greenstein,	McHenry,	Scott,	Yeakel,
Griffith,	McKay,	Sheffer,	Zimmerman,
Habbyshaw,	McKinney,	Shellenberger,	Talbot,
Haines,	Meredith,	Shortz,	Speaker.

PRESENT—4

Bechtel,	Peelor,	Sterling, P.,	Tahl,

So the question was determined in the negative and the bill was declared to be unconstitutional.

REASONS FOR VOTE

Mr. PHILIP STERLING. I am not convinced that House Bill No. 117, Printer's No. 135, Page 10, calendar of December 13, 1933 is unconstitutional and therefore will not vote to declare it unconstitutional. I have already spoken against and advocated the defeat of the measure for reasons which reach to its merits. If the constitutionality of the measure is sustained by the House and it is considered on final passage I will vote against it, for the reasons stated in my previous remarks when the bill was last before the House on final passage.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 5, entitled:

An Act authorizing the adoption by employers in certain cases of a "check off" system whereby the union dues of employes and the wages of check weighmen, or other persons, may be deducted from the wages of employes; making unlawful other deductions and providing a penalty.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—101

Andrews,	Gartner,	McCandless,	Roth,
Barnhardt,	Green,	McClure,	Ruby,
Bechtel,	Greenstein,	McGrail,	Ruth,
Beech,	Harmuth,	Melchiorre,	Sarig,
Bennett,	Harris,	Moore,	Schrope,
Bernhard,	Hartman,	Mumford,	Shortz,
Boyd,	Heffner,	Munley,	Shugarts,
Brown, J. E.,	Hermansen,	Murphy,	Sowers,
Brown, W. L.,	Himes, H. E.,	Myers,	Spann,
Caputo,	Himes, L. R.,	Negley,	Stank,
Carson,	Hoopes,	O'Connor,	Steedle,
Chervenak,	Hough,	O'Keefe,	Sterling, R. B.,
Conner,	Howard,	O'Rourke,	Stevens,
Cooke,	Jones,	Pennock,	Stone,
Dane,	Kane, J. J.,	Perry, J. J.,	Tahl,
Davies,	Kane, L. P.,	Powell,	Trout,
Downey, G. E.,	Kinney,	Price,	Walker, G. E.,
Downey, J. J.,	Lane,	Quinn,	Walker, W. A.,
Dunmire,	Laubach,	Raub,	Way,
Emhardt,	Lovett, J. E.,	Rectenwald,	Welsh,
Eroe,	Lynch, M.,	Reed,	Westrick,
Fitzgerald,	Male,	Reilly,	Williams, G. W.,
Flinchbaugh,	Malina,	Rhodes,	Wilson, L. M.,
Flynn, J. W.,	Maloney,	Roan,	Wood,
Furman,	Mason,	Root,	Yourishin.
Gallagher, T. J.,	McBride,		

NAYS—45

Baker,	Hefferon,	McKinney,	Turner,
Brancato,	Hewitt,	Mohn,	Wade,
Brennan,	Holmes, J. L.,	Patterson,	Wall,
Craig,	Horst,	Peelor,	Weidemann,
Ederer,	Hutton,	Peters,	Wike,
Evans,	King,	Rice,	Williams, J. J.,
Flynn, J. M.,	Lewis,	Schrock,	Wilson, T. B.,
Forrest,	Lord,	Shellenberger,	Yeakel,
Gallagher, W. J.,	Lose,	Shreiner,	Zimmerman,
Gillette,	McCreary,	Stiteler,	Talbot,
Griffith,	McElwee,	Terry,	Speaker.
Haines,	McGregor,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 121, entitled:

An Act requiring wages to be paid in cash, check, or other evidence of indebtedness, redeemable in lawful money of the United States.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. J. E. BROWN. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—96

Andrews,	Gallagher, T. J.,	Malina,	Ruby,
Bechtel,	Gallagher, W. J.,	Mason,	Ruth,
Beech,	Gartner,	McClure,	Sarig,

Bernhard,	Gorman,	McGinnis,	Sautter,
Boyd,	Green,	McGrail,	Schwab,
Brancato,	Harmuth,	McHenry,	Scott,
Brown, J. E.,	Hartman,	Melchiorre,	Shortz,
Brown, W. L.,	Hefferon,	Moore,	Shugarts,
Brownfield,	Hermansen,	Munley,	Snyder,
Cannon,	Hester,	Murphy,	Sowers,
Caputo,	Himes, L. R.,	Myers,	Spann,
Carey,	Hoffman,	O'Connor,	Stank,
Carson,	Holmes, J. B.,	O'Keefe,	Steedle,
Chervenak	Hoopes,	O'Neill,	Sterling, R. B.,
Cohen,	Hough,	O'Rourke,	Stevens,
Cordier,	Howard,	Patterson,	Tahl,
Dane,	Jones,	Powers,	Terry,
Downey, G. E.,	Kane, J. J.,	Quinn,	Wagner,
Downey, J. J.,	Kane, L. P.,	Rectenwald,	Walker, W. A.,
Dunmire,	Lane,	Reed,	Wasserman,
Eroe,	Laubach,	Rhodes,	Welsh,
Fitzgerald	Long,	Roan,	Westrick,
Flynn, J. W.,	Lovett, J. E.,	Root,	Wilson, L. M.,
Furman,	Lynch, J. R.,	Roth,	Yourishin,

NAYS—72

McKinney,	Sterling, P.,	Meredith,	Stiteler,
Baker,	Heffner,	Mohn,	Stone,
Baldi,	Hewitt,	Negley,	Stott,
Bennett,	Himes, H. E.,	Nothnagle,	Trout,
Brennan,	Holmes, J. L.,	Peelor,	Turner,
Cooke,	Horst,	Perry, D. R.,	Wade,
Craig,	Hutton,	Perry, J. J.,	Wall,
DeFrehn,	King,	Peters,	Way,
Duffy,	Lord,	Powell,	Wike,
Ederer,	Lose,	Price,	Williams, G. W.,
Emhardt,	Lovett, W. S.,	Raub,	Wilson, T. B.,
Evans,	Lynch, M.,	Rice,	Wood,
Flinchbaugh,	Male,	Schrock,	Woodside,
Flynn, J. M.,	McCandless,	Schwartz,	Wright,
Forrest,	McCreary,	Shellenberger,	Yeakel,
Gillette,	McElwee,	Shettel,	Zimmerman,
Griffith,	McGregor,	Shreiner,	Talbot,
Habbyshaw,	McKay,	Simon,	Speaker,
Haines,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 197, entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—157

Andrews,	Gorman,	McKinney,	Shenkel,
Baker,	Green,	Melchiorre,	Shettel,
Baldi,	Habbyshaw,	Meredith,	Shortz,
Barnhardt,	Hamilton,	Merrell,	Shreiner,
Bechtel,	Harmuth,	Mohn,	Shugarts,
Beech,	Hartman,	Moore,	Simon,
Bernhard,	Heffernan,	Munley,	Snyder,
Blumberg,	Hefferon,	Murphy,	Sowers,
Boyd,	Heffner,	Myers,	Spann,
Brancato,	Hermansen,	Negley,	Stank,
Brennan,	Hester,	Nothnagle,	Steedle,
Brown, J. E.,	Hewitt,	O'Connor,	Sterling, P.,
Brown, W. L.,	Himes, H. E.,	O'Keefe,	Sterling, R. B.,
Brownfield,	Himes, L. R.,	O'Neil,	Stevens,
Cannon,	Hoffman,	O'Rourke,	Stone,
Caputo,	Holmes, J. B.,	Patterson,	Tahl,
Carey,	Hoopes,	Pennock,	Terry,
Carson,	Hough,	Perry, D. R.,	Trout,
Chervenak,	Howard,	Perry, J. J.,	Turner,
Cohen,	Hutton,	Peters,	Wagner,
Connor,	Jaffe,	Powell,	Walker, W. A.,
Cooke,	Jones,	Price,	Wasserman,
Cordier,	Kane, L. P.,	Raub,	Way,
Craig,	King,	Rectenwald,	Weidemann,
Cramer,	Lane,	Reed,	Welsh,
Dane,	Laubach,	Rhodes,	Westrick,
Davies,	Lenahan,	Rice,	White,
DeFrehn,	Lewis,	Roan,	Wike,
Downey, G. E.,	Long,	Roth,	Williams, G. W.,
Dunmire,	Lose,	Ruby,	Williams, J. J.,
Ederer,	Lovett, J. E.,	Ruth,	Wilson, L. M.,
Emhardt,	Lovett, W. S.,	Sarig,	Witkin,
Eroe,	Lynch, M.,	Sautter,	Wood,
Evans,	Male,	Schrock,	Woodside,
Fitzgerald,	Malina,	Schrope,	Wright,
Flinchbaugh,	McBride,	Schwab,	Yeakel,
Flynn, J. W.,	McCandless,	Schwartz,	Yourishin,
Furman,	McClure,	Scott,	Zimmerman,
Gallagher, T. J.,	McCreary,	Sheffer,	Talbot,
Gartner,	McElwee,	Shellenberger,	Speaker.
Gillette,	McKay,		

NAYS—5

Flynn, J. M.,	Peelor,	Wade,	Wall,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 63, entitled:

An Act creating an Unemployment Insurance Commission defining the powers and duties of said Commission and making an appropriation.

And said bill having been read at length the tihrd time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163

Andrews,	Gorman,	Maloney,	Sheffer,
Baker,	Green,	McBride,	Shellenberger,
Barnhardt,	Griffith,	McCandless,	Shenkel,
Bechtel,	Habbyshaw,	McClure,	Shettel,
Beech,	Haines,	McCreary,	Shugarts,
Bernhard,	Hamilton,	McElwee,	Simon,
Blumberg,	Harris,	McGinnis,	Snyder,
Boyd,	Hart,	McGregor,	Sowers,
Brancato,	Hartman,	McHenry,	Spann,
Brennan,	Heffernan,	McKay,	Stank,
Brown, J. E.,	Hefferon,	McKinney,	Steedle,
Brown, W. L.,	Heffner,	Melchiorre,	Sterling P.,
Cannon,	Hermansen,	Meredith,	Sterling, R. B.,
Caputo,	Hester,	Merrell,	Stiteler,
Carey,	Hewitt,	Mohn,	Stone,
Carson,	Himes, H. E.,	Moore,	Stott,
Chervenak,	Himes, L. R.,	Mumford,	Tahl,
Cohen,	Hoffman,	O'Connor,	Terry,
Conner,	Holmes, J. B.,	O'Keefe,	Turner,
Cooke,	Hoopes,	O'Neill,	Wagner,
Cordier,	Horst,	O'Rourke,	Walker, G. E.,
Craig,	Hough,	Pennock,	Walker, W. A.,
Dane,	Howard,	Perry, D. R.,	Wall,
Davies,	Hutton,	Perry, J. J.,	Wasserman,
DeFrehn,	Jaffe,	Powers,	Way,
Denning,	Jones,	Rectenwald,	Weidemann,
Duffy,	Kane, J. J.,	Reed,	Welsh,
Dunmire,	Kane, L. P.,	Rhodes,	Westrick,
Ederer,	King,	Roan,	White,
Emhardt,	Labar,	Root,	Wike,
Evans,	Lane,	Roth,	Williams, G. W.,
Fitzgerald,	Laubach,	Royle,	Williams, J. J.,
Flanagan,	Lenahan,	Ruby,	Wilson, L. M.,

Fleisher,	Lewis,	Ruth,	Witkin,
Flinchbaugh,	Long,	Sarig,	Woodside,
Flynn, J. M.,	Lord,	Sautter,	Wright,
Forrest,	Lose,	Schrock,	Yeakel,
Furman,	Lovett, W. S.,	Schrope,	Yourishin,
Gallagher, T. J.,	Lynch, J. R.,	Schwab,	Zimmerman,
Gallagher, W. J.	Lynch, M.,	Schwartz,	Talbot,
Gartner,	Male,	Scott,	Speaker.
Gillette,	Malina,		

NAYS—2

Rice,	Wilson, T. B.,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 145, as follows:

A Joint Resolution proposing an amendment to section eighteen article three of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section eighteen of article three of the Constitution of the Commonwealth of Pennsylvania is hereby amended to read as follows

Section 18 No appropriations shall be made for charitable educational or benevolent purposes to any person or community nor to any denominational or sectarian institution corporation or association Provided That appropriations may be made for pensions or gratuities for military services and to blind persons twenty-one years of age and upwards and for assistance to mothers having dependent children and to aged persons without adequate means of support

On the question,

Will the House agree to the bill on third reading?

Mr. TURNER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend sec. 1, page 2, lines 4 and 5, by striking out the words "and for assistance to mothers having dependent children"

Mr. TURNER. Mr. Speaker, I ask permission to make a statement with reference to this amendment at this time, stating the purpose of it.

The SPEAKER. The gentleman will proceed.

Mr. TURNER. Mr. Speaker and members of the House, I am offering an amendment to this proposed amendment to the Constitution, which would take out of it mothers assistance. I might say to the members of the House that I submitted this amendment to the lady from Berks, Mrs. Wilson, asking her whether she would consent to the placing of this amendment in the bill and she refused to consent.

My purpose is this: As you know, we have had mothers assistance and appropriations for mothers assistance for a number of years in Pennsylvania. It is doing a wonderful work and a work that is needed at this time.

The Constitutionality of the appropriations to the mothers assistance have never been questioned. I doubt whether they will ever be questioned. The only question at the present time is that we have not enough money to give for this splendid purpose in Pennsylvania. And now, this amendment couples old age pensions and mothers assistance. It would have to be passed by another session of the legislature and the earliest period that it could come for a vote would be in 1938. We cannot now forecast what the attitude of the people of Pennsylvania may be on either of these questions at that time, but should the people of Pennsylvania be opposed at that time to either old age pensions or the grants for mothers assistance, or both at that time, it would place mothers assistance in jeopardy and we might have the case arise in Pennsylvania where by vote of the people they would be wiped out. It seems to me that it is unfair to the voters in Pennsylvania, who are to approach the polls, in 1938 to have to decide both of these questions in one vote, as I am also advised that there is some question as to the constitutionality of placing two problems of this kind in one amendment for the people to vote upon. I am not, however, raising that question now. I am merely asking that you insert this amendment removing mothers assistance, removing it from the danger or the jeopardy in which it might be placed by reason of the conditions that may arise that we cannot now forsee and I think those who are interested in mothers assistance and those who are interested in old age pensions should allow the old age pension question to stand on its own bottom, because mothers assistance is not now in question.

Mrs. WILSON. Mr. Speaker and members of the House, this bill, House Bill No. 145, is the companion bill to the measure which has already been passed House Bill No. 144.

The men and women of this assembly who are in favor of pensions for the aged, who will be expected to vote upon this bill in a very short time must, if they vote against the measure or vote rather to amend the measure as Mr. Turner has proposed vote against mothers assistance. I want it to be made clear at this time that if you are in favor of mothers assistance as well as old age pensions you will support this measure as it appears on the calendar and you will vote down the amendments.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Delaware will state his question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, is it proper for me to ask for permission to interrogate the lady from Berks on another point in this bill?

The SPEAKER. The Chair would be of the question that this would not be a proper time for interrogation and so rules.

Mr. BENNETT. Mr. Speaker and members of the House before a vote is taken on this measure we ought to seriously and very deliberately consider what we are going to do; what is the possibility. I suppose in all legislative bodies there is a certain amount of suspicion in the minds of all of the body about certain things that are done by others. Some wise philosopher said that eternal vigilance is the price of liberty, and suspicion is the father of security, but that is not a very noble way of playing the game even in a legislative body.

As Mr. Turner has said, mothers assistance has worked in this state, bringing blessings, joy, happiness and comfort too great for me to try to enumerate. We are voting on a piece of legislation that will give the people of this state the privilege of amending the Constitution to make possible old age pensions; that is primary. This has nothing to do whatever with the mothers assistance fund, which is already in operation, and if they are both linked together to be voted upon by the people of this state and the voters should see fit to register their opposition, then this sacred, beautiful

humanitarian measure that has never been questioned constitutionally, the mothers assistance fund, will go down as a result of the vote. I ask you in behalf of the thousands of mothers who have maintained their children under their own roof because of this splendid legislation of the mothers assistance fund with which I have been in touch since its existence and creation in Philadelphia, I do say to you seriously that it is neither politics nor party, nothing but sheer humanitarianism and the love that every one of you should have for fatherless children that are maintained within their own homes under the guidance of a mother, and God or man never instituted any institution to care for children that comes nearer the measure of satisfaction than is given in the little home that is clean, decent and honest.

I am asking you, my friends and fellow colleagues of this body to vote for the amendments of Mr. Turner that will protect the mothers assistance fund in case the voters of this state should turn down the enabling act when they vote for old age pensions. This is in behalf, not only of those who are beneficiaries, the numberless children of this state, but also in behalf of the numberless children in the future that will be the beneficiaries of this splendid piece of humanitarian legislation, the mothers assistance fund. I bespeak and ask your cooperation and vote in behalf of the amendments that have been submitted. I know by the way,—and indeed I am a stumbling and meager advocate to even mention it—I personally know the causes and the motives that are in the heart and mind of Mr. Turner in offering these amendments, and I know that they are just exactly the motives and the inspiration and the feeling and the consideration that I have given utterance to here, regard for the mothers and orphans in this state that are now coming under the consoling shelter and influence and support of the mothers assistance fund. I ask you to support Mr. Turner's amendments outside of politics or party, but because it is a precautionary measure, absolutely honest. If we are sincere and if we are honestly in back of the mothers assistance fund, let us vote for this amendment that will protect that fund in the future.

Mr. HOOPES. Mr. Speaker and members of the House, I do not want to go into the motives back of these particular amendments, but I do want to answer the very specious arguments that have been advanced in their favor. That there is no necessity for an amendment to the Constitution to protect the mothers assistance fund; that may or may not be true. The fact remains that the people who are most heartily for mothers assistance, those who are in charge of the mothers assistance movements in Pennsylvania want this amendment in the form in which it is, and came to the sponsors of the old age amendments and begged that it be put in in order to make sure that the mothers assistance fund would be protected. Now they say that isn't necessary, and then they turn around and in the next breath they say that if this amendment is defeated you will defeat mothers assistance. I cannot believe that. If it is not necessary defeating this amendment certainly will leave the thing just as it now is and it will have no effect whatever upon mothers assistance. The only chance that a vote against the amendment would hurt mothers assistance would be in case the mothers assistance required amendment in order to be constitutional, in case somebody would raise the question, and those who have mothers assistance most at heart in this Commonwealth and have charge of its administration fear that this question may at some time be raised and it is in order to meet that possibility that we have been asked that this bill be put in the form that it is. It seems to me that it is merely a scheme to defeat old age pensions once more, to delay action until such time that it will be impossible to get it passed in this assembly and yet have some way of doing it without going on record on the question directly. I think that the time has come to vote on it. I have no doubt whatever what the attitude of the people of Pennsylvania will be on old age pensions, not for one minute. I have no doubt that if the Senate had adopted this amendment last May, the people of Pennsylvania would have adopted old age pensions and mothers assistance at the election of November 7th, but we did not give them the chance, and here was are trying to find more excuses for not giving them the chance again. I say it is time to face this issue and face it squarely. Let us put an amendment up that the advocates of old age pensions and the advocates of mothers assistance both want and let the people decide on it. I have no fear as to how they will decide. They will vote for the amendment.

Oh, they raise the objection that it may possibly be unconstitutional. I have never heard of that objection before. Certainly we can submit an amendment to the people of Pennsylvania changing any particular section of the constitution in any way that we propose to have it read, and if it is passed by two legislatures and the people of Pennsylvania adopt it, it will then become a part of the constitution, and if it is unconstitutional according to some other part the other part will have to go out, because that will be the amendment which the people said they want in the constitution. I don't think there is a particle of doubt but that we can amend the constitution by changing any section to read any way you want it to read, or by leaving a section out of the constitution entirely or by putting in an entirely new section if you want to do so, and to argue that by putting up two things that are alike, such as old age pensions and mothers assistance, you will endanger the whole thing is merely to my mind a specious argument and method of trying to defeat old age pensions once more. I want to call the attention of this House to the fact that those who oppose this vote on old age pensions have opposed old age pensions every time it came up on the floor of the House. Now, let us face the issue, let us vote on it, let us get the benefits of both old age pensions and mothers assistance, which is what the people want; let us adopt this measure as it is and vote down these amendments of the gentleman from Delaware.

Mr. WILSON. Mr. Speaker and members of the House, the mothers assistance end this amendment is being used as a very distinguished citizen of the Commonwealth used the hospitals and institutions of learning on the twenty-five million dollar bond issue to carry the bond issue through.

This mothers assistance is in no danger, there is no trouble about it. We can make whatever appropriations we want, and we never have any trouble, and it is put in this amendment very skillfully as the colleges and hospitals were put in the twenty-five million bond issue, to let them in edgeways, and to write mothers assistance in with old age pensions and for no other reason.

Now, there is no possibility of voting on this until 1938,—until after 1938. There is no terrible hurry. There are going to be two other regular sessions of the legislature in 1935 and 1937. Why in the closing days of the special session should anybody get on the floor and weep crocodile tears about mothers assistance and get an old age amendment to the constitution when they are not separate. There are many people in this Commonwealth who might be for mothers assistance and might not be for old age pensions and they might want to

vote for one and not vote for the other, and it is poor legislation—I don't know that this will appeal to the House with the stuff we have on this calendar—but I don't suppose it is appropriate to say this is poor legislation, because all we have to do is to say it is social legislation, and nobody would dare raise their voice against it. I say, ladies and gentlemen of this House, that it is poor legislation to put these two things in a constitutional amendment and force people who are for mothers assistance to vote for something they don't want and not be able to vote for mothers assistance. Now, it raises a doubt as to mothers assistance by the fact that the legislature passes a constitutional amendment for it. As the gentleman from Delaware has very well said, it has never been questioned and never will be questioned, and I make this statement on this floor, that any member of this House can draw a constitutional amendment provision bill, ask unanimous consent to have it pass through this House and get it and it will go through the House and Senate of Pennsylvania without a dissenting voice—a bill to give mothers assistance. There wont be a vote against a constitutional amendment for mothers assistance, not one and the people of Pennsylvania would overwhelmingly pass it, but the lady from Berks is combining these for the purpose, not of mothers assistance, but for the purpose of strengthening her old age pension amendment. I think it is poor legislation and it should be taken out and put in an amendment by itself.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there objection?

Mr. HOOPES. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169

Andrews,	Griffith,	McCreary,	Schwartz,
Baker,	Habbyshaw,	McElwee,	Scorza,
Baldi,	Hamilton,	McGinnis,	Scott,
Barnhardt,	Harmuth,	McGrail,	Sheffer,
Bechtel,	Harris,	McGregor,	Shellenberger,
Beech,	Hart,	McHenry,	Shettel,
Bennett,	Hartman,	McKay,	Shortz,
Bernhard,	Heffernan,	McKinney,	Shreiner,
Blumberg,	Hefferon,	Melchiorre,	Shugarts,
Boyd,	Heffner,	Mohn,	Simon,
Brancato,	Hermansen,	Moore,	Snyder,
Brennan,	Hester,	Munley,	Sowers,
Brown, J. E.,	Hewitt,	Murphy,	Spann,
Brown, W. L.,	Himes, H. E.,	Myers,	Stank,
Brownfield,	Himes, L. R.,	Negley,	Steedle,
Cannon,	Hoffman,	Nothnagle,	Sterling, P.,
Caputo,	Holmes, J. B.,	O'Connor,	Sterling, R. B.,
Carey,	Hoopes,	O'Keefe,	Stevens,
Carson,	Horst,	O'Neill,	Stone,
Chervenak,	Hough,	O'Rourke,	Stott,
Cohen,	Howard,	Patterson,	Tahl,
Conner,	Hutton,	Peelor,	Terry,
Cooke,	Jaffe,	Pennock,	Trout,
Cordier,	Jones,	Perry, D. R.,	Wade,
Cramer,	Kane, J. J.,	Perry, J. J.,	Wagner,
Dane,	Kane, L. P.,	Powell,	Walker, W. A.,
Davies,	Kinney,	Powers,	Wall,
Denning,	Lane,	Price,	Wasserman,
Downey, G. E.,	Laubach,	Quinn,	Way,
Dunmire,	Lewis,	Raub,	Weidemann,
Eckhardt,	Long,	Rectenwald,	Welsh,
Eroe,	Lord,	Reed,	Westrick,
Fitzgerald,	Lovett, J. E.,	Reilly,	Williams, G. W.,
Flynn, J. W.,	Lovett, W. S.,	Rhodes,	Williams, J. J.,
Forrest,	Lynch, J. R.,	Roan,	Wilson, L. M.,
Furman,	Lynch, M.,	Roth,	Wood,
Gallagher, T. J.,	Male,	Ruby,	Woodside,
Gallagher, W. J.,	Malina,	Ruth,	Wright,
Gartner,	Maloney,	Sarig,	Yourishin,
Gillette,	McBride,	Sautter,	Zimmerman,
Gorman,	McCandless,	Schrock,	Talbot,
Green,	McClure,	Schrope,	Speaker.
Greenstein,			

NAYS—13

Craig,	Haines,	Rice,	Wise,
Ederer,	King,	Stiteler,	Wilson, T. B.,
Evans,	Meredith,	Turner,	Yeakel,
Flynn, J. M.,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 142, entitled:

An Act to amend section four of the act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1024), entitled 'An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain santiary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," prohibiting the employment of females in foundries.

On the question,

With the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PHILIP STERLING. Mr. Speaker, before the roll call is proceeded with, it seems to me that every member of the House should turn to page 2, lines 26 and 27 of this measure and read what it purports to say.

Now Mr. Speaker and members of the House, the lines to which I want to call your attention seek to amend the existing law by providing that no female shall be employed or permitted to work in any foundry. There isn't a man or woman in this House that would encourage female labor in foundries, but if you will read the lines immediately preceeding this amendment you will find that the draftsman of the existing law took proper precaution when he wrote into it the following language: "Provided this section shall not apply to managers, superintendents and persons doing clerical or stenographic work," which brings me to the point of the case. If this House passes the bill as presently written you will write out of employment every female engaged in clerical or stenographic work in foundries. I leave the case to you.

Mrs. WILSON. Mr. Speaker and members of the House, I am opposed to this bill because it unnecessarily discriminates against employment of women. There is no logical reason why women should not be employed in foundries where a particular occupation does not involve hazard to health or welfare.

The employment of women in foundries at particular occupations which involve undue strain in lifting or handling heavy weights has been prohibited through regulations promulgated by the Advisory Board of the Department of Labor and Industry.

The amending of the Women's Law in so drastic a respect should not be considered unless there is ample evidence to show the employment of women in foundries is definitely prejudicial to their health or welfare. Such evidence would be difficult to produce.

If this bill passes and women are prohibited from working in foundries, where are they to go? will they be provided with easy work or will they be forced to compete with thousands of other women on an overcrowded labor market. Will they be compelled to sell their bodies for bread on the streets of our cities.

Women do not work in foundries from choice. They work there, as in other disagreeable, back breaking, nerve racking industries, because under our system of industry the husbands and fathers do not receive a sufficient wage to provide for their families and women are compelled to work. Until such a time as these conditions are remedied and men may provide well for their families, it is foolish to prohibit women from working in foundries or industries of a similar character.

On the question recurring,

Shall the bill pass finally?

MOTION TO POSTPONE

Mr. JAMES E. LOVETT. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

On the question,

Will the House agree to the motion?

It was not agreed to.

On the the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—11

Beech,	Malina,	O'Connor,	Shugarts,
Lovett, J. E.,	McGrail,	Quinn,	Wagner,
Lynch, M.,	Melchiorre,	Scorza,	

NAYS—168

Andrews,	Haines,	McElwee,	Shenkel,
Baker,	Hamilton,	McKay,	Shortz,
Baldi,	Harmuth,	McKinney,	Shreiner,
Barnhardt,	Hart,	Meredith,	Simon,
Bechtel,	Hartman,	Merrell,	Snyder,
Bennett,	Heffernan,	Mohn,	Spann,
Bernhard,	Hefferon,	Moore,	Stank,
Blumberg,	Heffner,	Mumford,	Steedle,
Boyd,	Hermansen,	Munley,	Sterling, P.,
Brancato,	Hester,	Murphy,	Stevens,
Brennan,	Hewitt,	Myers,	Stiteler,
Brown, W. L.,	Himes, H. E.,	Negley,	Stone,
Caputo,	Himes, L. R.,	Nothnagle,	Stott,
Carey,	Hoffman,	O'Neill,	Tahl,
Cohen,	Holmes, J. B.,	O'Rourke,	Terry,
Conner,	Holmes, J. L.,	Patterson,	Trout,
Cooke,	Hoopes,	Peelor,	Turner,
Cordier,	Horst,	Pennock,	Wade,
Craig,	Hough,	Perry, D. R.,	Walker, G. E.,
Cramer,	Hutton,	Perry, J. J.,	Walker, W. A.,
Davies,	Jaffe,	Peters,	Wall,
DeFrehn,	Jones,	Powell,	Wasserman,
Denning,	Kane, J. J.,	Powers,	Way,
Downey, G. E.,	Kane, L. P.,	Price,	Weidemann,
Dunmire,	King,	Raub,	Westrick,
Ederer,	Kinney,	Rectenwald,	White,
Emhardt,	Labar,	Reed,	Wike,
Eroe,	Lane,	Reilly,	Williams, G. W.,
Evans,	Laubach,	Rhodes,	Williams, J. J.,
Fitzgerald,	Lewis,	Rice,	Wilson, L. M.,
Flanagan,	Long,	Roan,	Wilson, T. B.,
Flynn, J. M.,	Lord,	Roth,	Witkin,
Forrest,	Lovett, W. S.,	Ruby,	Wood,
Gallagher, T. J.,	Lynch, J. R.,	Sautter,	Woodside,
Gartner,	Male,	Schrock,	Wright,
Gillette,	Maloney,	Schrope,	Yeakel,
Gorman,	Mason,	Schwab,	Yourishin,
Green,	McBride,	Schwartz,	Zimmerman,
Greenstein,	McCandless,	Scott,	Talbot,
Griffith,	McClure,	Sheffer,	Speaker.
Habbyshaw,	McCreary,	Shellenberger,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 138, entitled:

An Act to further amend clause (e) of section three hundred and six of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" by permitting the extension of time for hospitalization to ninety days at the option of the employer or insurer and fixing the date when this act becomes effective

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HUTTON. Mr. Speaker, I desire to interrogate the gentleman from Berks, Mr. Ruth.

The SPEAKER. Will the gentleman from Berks, Mr. Ruth, permit himself to be interrogated?

Mr. RUTH. I will, Mr. Speaker.

Mr. HUTTON. Mr. Speaker, will the gentleman from Berks please explain the advantages of this bill.

Mr. RUTH. Mr. Speaker and members of the House, in answer to the interrogation, under the present law the insurance funds whether paid by the state or private funds may only pay thirty days hospitalization, and if there is anything more than thirty days it is taken out of the surplus fund and the fund cannot be reimbursed. We have many instances where workmen have been injured and have been in hospitals for two or three months and the hospitals had to lose the money above the thirty days because these workmen were not able to pay their bills. Under this bill the insurers or employers by giving permission the fund may pay up to ninety instead of thirty days but beyond the thirty day limit they must have the permission of the insurer or the employer. I spoke to the Director of Workmens Compensation Insurance and he suggested that this would be a remedy whereby the fund could be reimbursed for anything that is paid over the thirty day limit with the consent of the insurer or employer.

Mr. JOHN M. FLYNN. Mr. Speaker and members of the House, I wish to call attention to the fact that this makes it optional on the part of the employer or insurer to pay certain medical and surgical benefits beyond the ninety day period provided by law. Now, then, Mr. Speaker, there is a situation presented where there is bound to be an argument. As between the insurance carrier and the employer, with the injured working man having nothing whatever to say. He gets no benefits from this bill. It simply is a bill that provides that if the employer and insurance carrier can agree that the doctors and the hospitals will get more money than is now provided by law, but the injured working man is not consulted and has no say in the matter and has no benefits. I believe this bill should be voted down.

There is no way that an insurance carrier could insure such a person. He wouldn't know whether he was paying thirty days benefits or ninety days benefits.

Mr. COHEN. Mr. Speaker and members of the House, I do not know who is responsible for this bill, but it appears to me that with the private insurance companies where you have a case of a working man being injured and additional hospitalization necessary it might result in the worker going back to the industry at a quicker period of time with a smaller loss to the industry and a smaller loss to the worker and a smaller loss to the insurer. By buying private insurance you can readily get the insurers to agree under the present law that the man will remain in the hospital for a longer length of time for medical treatment, but under the state workmens insurance fund, they find themselves regulated by the statute which we have in vogue and where they adhere to it very strictly, I think you would find it very difficult to go to the state workmens insurance and even though it should be reasonable to request it.

It might be that additional hospitalization and additional medical care might make a smaller loss to the state workmens insurance fund or the insurance carrier; nevertheless under existing statutes, the state workmens insurance fund would not be able to meet the request of the injured employer or the hospital in giving the employe additional hospitalization, and I think that this act is presented primarily to allow the state workmens insurance fund to do the reasonable thing, the very thing that is being done by private insurance companies now, and I think it should be passed.

Mr. JOHN M. FLYNN. Mr. Speaker and members of the House, all insurance carriers of repute are extending benefits beyond the thirty day period. There is nothing in the present law that prevents them from doing that, and I say again that this only makes a dispute between the employer and the insurance carrier and it creates a condition where the actuaries cannot compute the matter of benefits to be given. It is an impossible situation.

Mr. RUTH. Mr. Speaker and members of the House, I was informed by the Director of Workmens Insurance Fund of the State of a case he had under advisement at a certain hospital where two men fell from a roof they were painting and they were injured, which required them to be in the hospital for at least ninety days or more. Now the workmens insurance fund of the state may not pay one day over the first thirty days hospitalization; that is the present law. If there is anything additional granted it has to come out of the surplus fund, and the fund cannot be reimbursed. The director suggests that in a case of this nature where they were allowed to add to their experience rates, the rates on the insurance policies are figured on the experience gone by, and in this way they may figure on their experience rate by the consent of the insurer or employer and I feel that we should pass this bill, and see whether it won't work out to the advantage of the working man.

Mr. STEEDLE. Mr. Speaker, not that I desire to tarry the progress of this House, but I think I can speak with a great deal of practical experience on the question of rendering service beyond the thirty day limit. The statement made by the gentleman from Berks is true. Your present workmens insurance fund is not permitted to extend this privilege to employes who are injured and who of necessity need hospitalization beyond the thirty day period. In so doing they have to apply to the board of directors whom the certification must come through, and if that is not done the Hospital that has rendered the service to the individual takes that charge upon its own back without collecting a cent for the services rendered.

I want to say a word in behalf of the private insurers, who is in the position Mr. Flynn has stated. I am sure the insurance carrier plays the game on the square with a man that he protects for the employer.

He by a written notification which notification to the hospital and the doctor in attendance sets forth the fact and renders service to that individual until the injured man is able to leave the institution and return to his work. In this bill I can see the object that Mr. Ruth has in mind, and I think it only provides as far as the State of Pennsylvania workmens insurance fund is carried, because as it is now it is a dilly dally procedure and the hospitals are the ones who have to carry the load and it ought to be amended so that it applies to the state workmens insurance fund only, because the private insurance carriers have the right to grant that without any question, and my experience with real insurance carriers is that they are gentlemen in action and they render and they tell the hospital and the doctor to render such services as are best for that individual and this legislation is absolutely not necessary when it applies to private carriers. I think Mr. Ruth has just one thing in mind, to take away the barrier that prevents the workmens insurance fund from granting this service, and I say that the bill should be amended to include only the state workmens insurance fund. I think with its present language the act, in all fairness to the men who carry the insurance in Pennsylvania, should be amended. Much as I am interested in hospitals in this state and in the medical profession, I say that this is one bill that certainly should not be passed, because there is no way in which the insurers can regulate the cost of the insurance. They must regulate the cost through the actuary in the payment of the policy, and I think Mr. Ruth should offer an amendment limiting it simply to the state workmens insurance fund in the state of Pennsylvania.

Mr. HOOPES. Mr. Speaker, I would be very glad to offer an amendment in the Senate, but I cannot guarantee that they will put it in.

MOTION TO RECOMMIT

Mr. JOHN M. FLYNN. Mr. Speaker, I move that the bill be recommitted to the Committee on Insurance for the purpose of amendment.

The SPEAKER. The Chair has been informed that this bill is on final passage and is ready for a roll call. Is it the desire to reconsider the vote by which the bill passed third reading.

MOTION TO RECONSIDER VOTE

Mr. JOHN M. FLYNN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

On the question,

Will the House agree to the motion?

Mr. COHEN. Mr. Speaker and members of the House, I cannot see the logic of the motion of the gentleman from Elk, or Mr. Steedle's argument. They both maintain that private insurance carriers are doing this very thing now. Now if the private insurers are doing this very thing, apparently there is no skin off the private insurers nose if this bill be passed. The only thing is that we make it possible for the state workmens fund to do the very thing that the private insurers are doing. So I can't see the necessity of limiting this bill purely to the state workmens insurance fund. If the gentleman from

Elk or the gentleman from Allegheny, can explain to this House where the private insurers are going to be put to a disadvantage, I could see the possibility that there might be some foundation to their arguments, but they admit that the private insurers are doing this very thing and they won't be hurt by the passage of this bill.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. JOHN M. FLYNN. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance for the purpose of amendment.

On the question,

Will the House agree to the motion?

The SPEAKER declared the ayes appear to have it.

Whereupon, a division was called for, one hundred and four members voting in the affirmative and sixty in the negative the question was determined in the affirmative and the motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 57, entitled:

A Joint Resolution creating an Unemployment Insurance Investigation Commission; defining the powers and duties of said Commission; and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—129

Andrews,	Haines,	Melchiorre,	Simon,
Baker,	Heffernan,	Meredith,	Snyder,
Baldi,	Hefferon,	Moore,	Sowers,
Barnhardt,	Heffner,	Mumford,	Spann,
Bechtel,	Hewitt,	Murphy,	Steedle,
Bennett,	Himes, H. E.,	Negley,	Sterling, P.,
Bernhard,	Hoffman,	Nothnagle,	Stevens,
Blumberg,	Holmes, J. L.,	O'Connor,	Stiteler,
Brancato,	Hough,	O'Keefe,	Tahl,
Brennan,	Hutton,	O'Rourke,	Terry,
Brown, W. L.,	Jaffe,	Patterson,	Trout.
Carey,	Jones,	Peelor,	Turner,
Conner,	Kane, J. J.	Pennock,	Wade.
Cooke,	Kane, L. P.,	Perry, D. R.,	Walker, W. A.,
Cordier,	King,	Perry, J. J.,	Wall,
Craig,	Kinney,	Peters,	Wasserman,
Dane,	Laubach,	Powell,	Way,
Davies,	Lewis,	Price,	Weidemann,
Denning,	Long,	Reed,	White,
Downey, G. E.,	Lord,	Rice,	Wike.
Ederer,	Lovett, W. S.,	Roan,	Williams, G. W.,
Emhardt,	Lynch, J. R.,	Roth,	Williams, J. J.,
Evans,	Malina,	Ruby,	Wilson, L. M.,
Flynn, J. M.,	Maloney,	Sautter,	Wilson, T. B.,
Forrest,	Mason,	Schrock,	Witkin,
Gallagher, W. J.,	McCandless,	Schwartz,	Wood,
Gartner,	McClure,	Scott,	Woodside,
Gorman,	McElwee,	Sheffer,	Yourishin,
Green,	McGinnis,	Shellenberger,	Zimmerman,
Greenstein,	McGregor	Shortz,	Talbot,
Griffith,	McKay,	Shreiner,	Speaker.
Habbyshaw,	McKinney,		

NAYS—25

Boyd,	Dunmire,	Holmes, J. B.,	Schwab,
Brown, J. E.,	Fitzgerald,	Howard,	Shenkel,
Brownfield,	Flynn, J. W.,	Lane,	Shugarts,
Cannon,	Hartman,	Lynch, M.,	Sterling, R. B.,
Caputo,	Hermansen,	McGrail,	Welsh,
Chervenak,	Lester,	Raub,	Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 21, entitled:

An Act relating to labor; declaring the policy of the Commonwealth as to the hours of, and prohibiting the employment of persons for more than six hours in any one day, or for more than thirty hours in any one week; providing for overtime employment and attaching penalties thereto, and providing penalties for violations hereof.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PHILIP STERLING. Mr. Speaker and members of the House, the bill now before you is an exceedingly important one to defeat. It provides that after its enactment into law it shall be a crime to employ labor for more than six hours a day or more than thirty hours in a week.

If the measure that is presented to this Assembly is a means for a more equitable distribution of labor, one might, although even then, speciously say that it will be equitable to all labor, it would be different, but I call your attention particularly to the language of the first page of the bill, Printer's No. 110, where it appears in plain language that the premise upon which the measure is presented to the House for consideration is that of employment for more than six hours a day or more than thirty hours a week is inconsistent with good health and good physical being, and that it would not promote the general welfare of the employe or laborer, but would tend to decrease his usefulness. I do believe that "All work and no play makes Jack a dull boy", but I do also believe that if this measure was enacted into law, it would make playboys of us all. It seems to me that the House would do well by expressing indubitably its disapproval of this measure.

Mr. FLINCHBAUGH. Mr. Speaker and members of the House, I just want to call the attention of the House to some of the radical departures in this bill from existing legislation regarding hours of labor. We have an exemption for a number of industries, industries which are very essential. For instance, this bill does not exempt the farmer from the operation of a six hour day. It does not exempt those in domestic service, those in charitable institutions, those engaged in hospitals or institutions of education.

I wish to repeat that under the existing law the farmers are exempt from the workers' laws, both National and State. Under the National Recovery Act there is an exemption for farmers and allied industries from its operation, and the Pennsylvania law exempts those who are employed in charitable institutions and in educational institutions, but under this act there is no exemption whatever except on page 2 of this bill, you find this provision in the bill, lines 19 and 20, "Except watchmen and employes when engaged in making necessary repairs, or in cases of emergency where life or property is in imminent danger." Those who come from the rural sections, and especially those engaged in agriculture, know how important it is at certain times for those engaged in those

industries to work overtime. This measure is of great importance to the people employed in outside activities, and there are thousands of them in employment on the highways and in construction work, and in case of inclement weather at the beginning of the week, they may only have six hours employment during the entire week. I do not believe that the working men of this State desire this legislation. I don't believe there is an actual desire on the part of the working men of Pennsylvania for this legislation. We now have a National Recovery Act which takes care of the hours of employment and exempts certain industries, and for that reason I believe it would be well for us to give that proposition a trial before we embark on new and uncharted seas.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—17

Bechtel,	Carson,	Howard,	Schrope,
Brown, J. E.,	Eroe,	Lovett, J. E.,	Scorza,
Brownfield,	Gallagher, T. J.,	O'Connor,	Wilson, L. M.,
Cannon,	Hoopes,	O'Keefe,	Yourishin,
Caputo,			

NAYS—156

Andrews,	Habbyshaw,	McGrail,	Shreiner,
Baker,	Haines,	McGregor,	Shugarts,
Baldi,	Hamilton,	McKay,	Simon,
Barnhardt,	Harmuth,	McKinney,	Snyder,
Beech,	Harris,	Meredith,	Sowers,
Bennett,	Hartman,	Merrell,	Spann,
Bernhard,	Heffernan,	Mohn,	Stank,
Blumberg,	Hefferon,	Moore,	Steedle,
Boyd,	Heffner,	Mumford,	Sterling, P.,
Brancato,	Hermansen,	Murphy,	Stevens,
Brennan,	Hester,	Myers,	Stiteler,
Brown, W. L.,	Hewitt,	Negley,	Stone,
Carey,	Himes, H. E.,	Nothnagle,	Stott,
Chervenak,	Himes, L. R.,	Patterson,	Tahl,
Cohen,	Hoffman,	Peelor,	Terry,
Conner,	Holmes, J. L.,	Penrock,	Trout,
Cooke,	Horst,	Perry, D. R.,	Turner,
Cordier,	Hough,	Perry, J. J.,	Wade,
Craig,	Hutton,	Peters,	Wagner,
Cramer,	Jaffe,	Powell,	Walker, G. E.,
Dane,	Jones,	Powers,	Walker, W. A.,
Davies,	Kane, L. P.,	Price,	Wall,
DeFrehn,	King,	Quinn,	Wasserman,
Denning,	Kinney,	Rectenwald,	Way,
Downey, G. E.,	Laubach,	Reed,	Weidemann,
Dunmire,	Lewis,	Reilly,	Westrick,
Ederer,	Long,	Rhodes,	White,
Emhardt,	Lord,	Rice,	Wike,
Evans,	Lovett, W. S.,	Roan,	Williams, G. W.,
Flinchbaugh,	Lynch, J. R.,	Ruby,	Williams, J. J.,
Flynn, J. M.,	Lynch, M.,	Sarig,	Wilson, T. B.,
Forrest,	Male,	Sautter,	Witkin,
Furman,	Malina,	Schrock,	Wood,
Gallagher, W. J.,	Mason,	Schwab,	Woodside,
Gartner,	McBride,	Schwartz,	Wright,
Gillette,	McCandless,	Scott,	Yeakel,
Gorman,	McCreary,	Sheffer,	Zimmerman,
Green,	McElwee,	Shellenberger,	Talbot,
Greenstein,	McGinnis,	Shortz,	Speaker.
Griffith,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 207, entitled:

An Act to amend an act approved the twenty-fifth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand twenty-four) entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," by excepting from the provisions of the act domestic service in private homes and further regulating the hours of labor.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EDERER. Mr. Speaker and members of the House, this bill provides for a forty-four week. At the present time, as you know, we are working under the National Recovery Act a total of 40 hours a week. To be consistent, I voted for the Child Labor Act the other day, because it was national in character. I think that all acts of this kind should be established by Congress. If this act passes, you will put Pennsylvania in a position where after the National Recovery Act is no longer in effect, our industries will not be able to compete with the industries of other States, where they work possibly longer hours. I think this bill should be voted down.

Mr. HERMANSEN. Mr. Speaker and members of the House, during the last session I introduced a resolution here in the House embodying the principles of this bill, and it was passed unanimously by the House. This bill is setting a minimum where they won't work any greater hours after this experiment of the National Recovery Act is over. It seems to me that the day has come when there is no excuse for working more time than this bill specifies, with the improved and modern machinery that we have today to do the work, or that if we would ever require women and children to work more than this, is looking backward, and it is not keeping apace with the time. I think we are perfectly safe in voting aye on this measure at this time, and I would ask every member of the House to support this bill in conjunction with the support they gave it at the last session.

Mr. O'ROURKE. Mr. Speaker and gentlemen of the House, I omit the ladies because I feel that they will take care of the situation themselves without being addressed.

This bill is more or less an amendment to the act of 1915, Pamphlet Laws 1024, reducing the working hours from fifty-four to forty-four. Recently the majority of the laboring class have had their working hours cut down very materially, but I don't think that men should stand up and say "our sister workers should work longer hours than we men." All that the girls ask of you, and all I ask of you is to give our sister worker a break. Have the intestinal courage to give them a vote to put this bill over. Thank you.

Mr. HOOPES. Mr. Speaker and members of the House, this bill is for a forty-four hour week. The idea of having thousands of men walking the streets unemployed and insisting that women should work fifty to fifty-four hours a week, those who are lucky enough to have jobs is something that I cannot understand.

When they raise the argument that when the National Recovery Act goes out, then we are going to be at a disadvange with the industries of other states, of course is the argument that has always been raised against any such labor bills and when they are met with a bill from Washington they are against that because they say it interferes with states rights. The fact is that they are against it regardless of how you try to do it. They want to go on exploiting women as

they did in the days that are past. I say there is a time to call a halt to it, and let us call a halt to it in some degree at least by passing this measure and reducing the working hours of women at least from fifty-four to forty-four. The chief wrong with this bill is that it does not go far enough. Let us at least do this much, let us be modern enough to say that the women of this state shall not work more than forty-four hours a week when thousands of women are walking the streets totally unemployed, unable to find jobs of any kind. I ask you to vote "Aye" on this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159

Andrews,	Harmuth,	McGregor,	Shettel,
Baker,	Harris,	McKay,	Shugarts,
Barnhardt,	Hart,	McKinney,	Simon,
Bechtel,	Hartman,	Melchiorre,	Snyder,
Beech,	Heffernan,	Meredith,	Sowers,
Bennett,	Hefferon,	Merrell,	Spann,
Bernhard,	Heffner,	Mohn,	Stank,
Blumberg,	Hermansen,	Moore,	Steedle,
Boyd,	Hester,	Munley,	Sterling, P.,
Brancato,	Hewitt,	Myers,	Sterling, R. B.,
Brown, J. E.,	Himes, H. E.,	Negley,	Stevens,
Brown, W. L.,	Himes, L. R.,	O'Connor	Stiteler,
Brownfield,	Hoffman,	O'Keefe,	Stone,
Caputo,	Holmes, J. B.,	O'Neill,	Stott,
Carey,	Hoopes,	O'Rourke,	Tahl,
Carson,	Horst,	Patterson,	Terry,
Chervenak,	Hough,	Pennock,	Trout,
Conner,	Howard,	Perry, D. R.,	Wade,
Cordier,	Hutton,	Perry, J. J.,	Wagner,
Cramer,	Jaffe,	Powell,	Walker, G. E.,
Dane,	Jones,	Powers,	Walker, W. A.,
Davies,	Kane, J. J.,	Quinn,	Wall,
Denning,	Kane, L. P.,	Raub,	Wasserman,
Downey, G. E.,	Kinney,	Rectenwald,	Way,
Downey, J. J.,	Lane,	Reed,	Weidemann,
Dunmire,	Laubach,	Reilly,	Welsh,
Emhardt,	Long,	Rhodes,	Westrick,
Eroe,	Lovett, J. E.,	Roan,	Wike,
Fitzgerald,	Lovett, W. S.,	Roth,	Williams, G. W.,
Flinchbaugh,	Lynch, J. R.,	Ruby,	Williams, J. J.,
Flynn, J. W.,	Lynch, M.,	Ruth,	Wilson, L. M.,
Furman,	Male,	Sarig,	Witkin,
Gallagher, T. J.,	Malina,	Sautter,	Wood,
Gallagher, W. J.,	Maloney,	Schrope,	Woodside,
Gillette,	Mason,	Schwab,	Wright,
Gorman,	McBride,	Schwartz,	Yourishin,
Green,	McCandless,	Scorza,	Zimmerman,
Greenstein,	McCreary,	Sheffer,	Talbot,
Habbyshaw,	McElwee,	Shellenberger,	Speaker.
Hamilton,	McGrail,	Shenkel,	

NAYS—13

Craig,	Forrest,	Peters,	White,
Ederer,	Haines,	Rice,	Wilson, T. B.,
Flynn, J. M.,	King,	Turner,	Yeakel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 177, entitled:

An Act providing that one-third of the cost of the board of revision of taxes and of the assessors other than personal property assessors in counties of the first class, shall be paid by the school district co-extensive therewith.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—137

Andrews,	Hefferon,	Mumford,	Sowers,
Baker,	Heffner,	Munley,	Spann,
Barnhardt,	Hermansen,	Myers,	Stank,
Bechtel,	Hewitt,	Negley,	Steedle,
Bernhard,	Himes, H. E.,	Nothnagle,	Sterling, P.,
Brennan,	Himes, L. R.,	O'Keefe,	Stevens,
Brown, W. L.,	Hoffman,	O'Neill,	Stiteler,
Carey,	Holmes, J. L.,	Patterson,	Stone,
Chervenak,	Hoopes,	Peelor,	Tahl,
Conner,	Horst,	Pennock,	Terry,
Cordier,	Hough,	Perry, D. R.,	Trout,
Dane,	Hutton,	Perry, J. J.,	Turner,
Davies,	Jaffe,	Peters,	Wade,
DeFrehn,	Kane, L. P.,	Powell,	Wagner,
Denning,	King,	Raub,	Walker, G. E.,
Dunmire,	Kinney,	Rectenwald,	Walker, W. A.,
Ederer,	Labar,	Reed,	Wall,
Emhardt,	Laubach,	Reilly,	Wasserman,
Evans,	Lewis,	Rhodes,	Way,
Fitzgerald,	Long,	Rice,	Weidemann,
Flynn, J. M.,	Lord,	Roan,	White,
Furman,	Lose,	Roth,	Wike,
Gallagher, T. J.,	Lovett, W. S.,	Ruby,	Williams, G. W.,
Gallagher, W. J.,	Male,	Sautter,	Williams, J. J.,
Gartner,	Malina,	Schrock,	Wilson, L. M.,
Gillette,	Maloney,	Schwab,	Wilson, T. B.,
Gorman,	Mason,	Schwartz,	Witkin,
Green,	McCreary,	Scott,	Wood,
Greenstein,	McElwee,	Sheffer,	Woodside,
Habbyshaw,	McGregor,	Shellenberger,	Wright,
Haines,	McKay,	Shenkel,	Yourishin,
Hamilton,	McKinney,	Shortz,	Zimmerman,
Harris,	Melchiorre,	Shreiner,	Talbot,
Hartman,	Meredith,	Simon,	Speaker.
Heffernan,	Moore,	Snyder,	

NAYS—11

Beech,	Cramer,	Lane,	Quinn,
Cannon,	Eroe,	Lovett, J. E.,	Welsh,
Caputo,	Flynn, J. W.,	McGrail,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 154, entitled:

An Act to amend section twenty of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts;" making it unlawful for manufacturers of such beverages to sell the same to other than licensed distributors, except for export from this Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—98

Andrews,	Gallagher, W. J.,	McKinney,	Simon,
Baker,	Gallagher, T. J.,	Melchiorre,	Snyder,
Barnhardt,	Gartner,	Merrell,	Sowers,
Bechtel,	Gillette,	Negley,	Spann,
Bernhard,	Griffith,	O'Keefe,	Stank,
Brancato,	Habbyshaw,	O'Neill,	Steedle,
Brennan,	Haines,	O'Rourke,	Stiteler,
Cannon,	Hamilton,	Patterson,	Stone,
Carey,	Heffner,	Peelor,	Terry,
Carson,	Hewitt,	Perry, D. R.,	Trout,
Chervenak,	Himes, H. E.,	Perry, J. J.,	Turner,
Cohen,	Hoffman,	Peters,	Wade,
Cordier,	Jaffe,	Powell,	Walker, G. E.,
Craig,	Kane, L. P.,	Powers,	Walker, W. A
Dane,	Long,	Rectenwald,	Wall,
Davies,	Lovett, W. S.,	Reed,	Way,
DeFrehn,	Lynch, J. R.,	Reilly,	Weidemann,
Downey, G. E.,	Melchiorre,	Rhodes,	Williams, G. W.,
Dunmire,	McBride,	Roth,	Williams, J. J.,
Ederer,	McCandless,	Ruby,	Wilson, T. B.,
Emhardt,	McCreary,	Sautter,	Witkin,
Flinchbaugh,	McElwee,	Schrock,	Wood,
Flynn, J. M.,	McGregor,	Schwartz,	Wright,
Flynn, J. W.,	McHenry,	Sheffer,	Zimmerman,
Forrest,	McKay,	Shellenberger,	Talbot,
			Speaker.

NAYS—53

Baldi,	Greenstein,	Male,	Sarig,
Beech,	Harris,	Malina,	Schrope,
Blumberg,	Heffernan,	McGrail,	Shugarts,
Boyd,	Hester,	Mohn,	Sterling, P.,
Brown, W. L.,	Holmes, J. B.,	Moore,	Sterling, R. B.,
Brownfield,	Holmes, J. L.,	Munley,	Stevens,
Caputo,	Horst,	Myers,	Stott,
Conner,	Howard,	O'Connor,	Tahl,
Cooke,	Kinney,	Pennock,	Wagner,
Cramer,	Labar,	Price,	Welsh,
Denning,	Lane,	Quinn,	Westrick,
Fitzgerald,	Lovett, J. E.,	Root,	Wilson, L. M.,
Furman,	Lynch, M.,	Ruth,	Yourishin,
Green,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 143, as follows:

An Act prohibiting the granting of licenses for the sale of spirituous and vinous alcoholic liquors in certain territory

Section 1 Be is enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no license for the sale of spirituous and vinous alcoholic liquors for consumption on the premises where sold shall be granted by any duly authorized licensing authority for any place of business located within any city borough town or township if the electors thereof voted under the provisions of the Beverage License Law approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred fifty-two) at the municipal election in the year one thousand nine hundred and thirty-three against the granting of retail beverage licenses in such city borough town or township unless hereafter at an election duly held in accordance with law the electors of such city borough town or township shall vote in favor of the granting of licenses for the sale therein of spirituous and vinous alcoholic liquors Provided That this act shall not apply to clubs which do not cater to groups of non-members either privately or for functions as provided in subsection (b) of section four hundred and seven of the "Pennsylvania Liquor Control Act"

Section 2 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—138

Andrews,	Heffernan,	Mumford,	Snyder,
Baker,	Heffner,	Murphy,	Sowers,
Barnhardt,	Hermansen,	Negley,	Spann,
Bechtel,	Hewitt,	Nothnagle,	Steedle,
Beech,	Himes, H. E.,	O'Rourke,	Sterling, P.,
Bennett,	Himes, L. R.,	Patterson,	Sterling, R. B.,
Blumberg,	Hoffman,	Peelor,	Stevens,
Boyd,	Holmes, J. L.,	Pennock,	Stiteler,
Brancato,	Hoopes,	Perry, D. R.,	Stone,
Brennan,	Horst,	Perry, J. J.,	Stott,
Brown, W. L.,	Hough,	Peters,	Tahl,
Brownfield,	Hutton,	Powell,	Terry,
Carey,	Jaffe,	Powers,	Trout,
Cooke,	Jones,	Quinn,	Turner,
Cordier,	Kane, L. P.,	Rectenwald,	Wade,
Craig,	King,	Reed,	Wagner,
Dane,	Kinney,	Reilly,	Walker, W. A.,
Davies,	Laubach,	Rhodes,	Wall,
DeFrehn,	Long,	Rice,	Wasserman,
Dunmire,	Lord,	Roan,	Way,
Ederer,	Lovett, W. S.,	Roth,	Weidemann,
Emhardt,	Lynch, J. R.,	Royle,	White,
Eroe,	Lynch, M.,	Ruby,	Wike,
Evans,	Maloney,	Ruth,	Williams, G. W.,
Fitzgerald,	McBride,	Sautter,	Williams, J. J.,
Flinchbaugh,	McCandless,	Schrock,	Wilson, L. M.,
Flynn, J. M.,	McCreary,	Schwartz,	Wilson, T. B.,
Gallagher, T. J.,	McElwee,	Scorza,	Witkin,
Gallagher, W. J.,	McGinnis,	Scott,	Wood,
Gartner,	McHenry,	Sheffer,	Woodside,
Gillette,	McKay,	Shellenberger,	Wright,
Green,	McKinney,	Shettel,	Yeakel,
Greenstein,	Melchiorre,	Shreiner,	Talbot,
Griffith,	Meredith,	Shugarts,	Speaker.
Haines,	Mohn,	Simon,	
Hartman,	Moore,		

NAYS—21

Caputo,	Downey, J. J.,	Lane,	Munley,
Carson,	Duffy,	Lovett, J. E.,	O'Connor,
Chervenak,	Furman,	Male,	Sarig,
Cramer,	Hester,	Malina,	Westrick,
Downey, G. E.,	Howard,	McGrail,	Yourishin,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPLY TO QUESTION OF INFORMATION

The SPEAKER. The Chair desires to answer the question of the gentleman from Cambria, Mr. Andrews, who requested the names of the members who had received leaves of absence. They are: Wheeler, Stevenson, Surface, Sinwell, Marcks, and Storb.

STATEMENT BY MR. ANDREWS

Mr. ANDREWS. Mr. Speaker, I desire to make a statement.

The SPEAKER. The gentleman will proceed.

Mr. ANDREWS. Mr. Speaker and members of the House, this House this afternoon by resolution commanded the presence of all of its members who had not received leaves of absence. The record of the roll call shows that from thirty-five to forty-five members are absent, doubtless unintentionally in contempt. The only way, Mr. Speaker, that the absent members can purge themselves of this unintentional contempt would seem to me to be by being present at the initial roll call in the morning.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a question of Parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. ANDREWS. I ask, Mr. Speaker, as a question of parliamentary inquiry whether it will be proper tomorrow morning to ask for a roll call when the House convenes, for the purpose of ascertaining how many members unintentionally absent this afternoon and so in contempt have purged themselves of contempt.

The SPEAKER. It is the opinion of the Chair that due to the fact that this body went on record this afternoon as demanding the presence on the part of the members, unless they were excused for specific purposes, that the gentleman could request a roll call in the morning.

REPLY TO PARLIAMENTARY INQUIRY

The SPEAKER. As to the parliamentary inquiry of the gentleman from Philadelphia, Mr. Malina, the Chair directs his attention to the Legislative Journal of Tuesday, November 21, 1933, and by referring to page 133, he will find that his remarks under the question of personal privilege are recorded in the Journal.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 40.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 13, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 40, Printer's No. 90, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

BILL LAID ON TABLE

Mr. MYERS. Mr. Speaker, I move that the communication together with the bill be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 39.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 13, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 39, Printer's No. 80, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

BILL LAID ON TABLE

Mr. MYERS. Mr. Speaker, I move that the communication together with the bill be laid upon the table.

The motion was agreed to.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 10. (HOUSE BILL No. 238.)

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon, and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 27. (HOUSE BILL No. 239.)

An Act providing for the construction of a tunnel or tunnels between the State of New Jersey and the Commonwealth of Pennsylvania under the Delaware River and the issuance of permits therefor.

Referred to the Committee on Highways.

SENATE BILL No. 90. (HOUSE BILL No. 240.)

An act relating to advertising by holders of licenses to sell liquors or malt liquors for consumption on the premises.

Referred to the Committee on Judiciary General.

SENATE BILL No. 100. (HOUSE BILL No. 241.)

An Act supplement to an act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws 20), entitled "An act for the government of cities of the second class" creating the position of Solicitor for the Department of City Controller.

Referred to the Committee on Cities.

SENATE BILL No. 115. (HOUSE BILL No. 242.)

An Act authorizing counties cities boroughs townships incorporated towns poor districts and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding and limiting any compensation payable therefor

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 123. (HOUSE BILL No. 243.)

An Act to amend the title and section one of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1019), entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes; authorizing the county commissioners to sell the same at private sale under the circumstances," by extending the provisions thereof to unseated lands.

Referred to the Committtee on Counties.

SENATE BILL No. 124. (HOUSE BILL No. 244.)

An Act to further amend sections one, two, three, ten, eighteen, and nineteen, of the act, approved the thirteenth day of January, one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended, pursuant to Amendment Number Five to the Constitution of the Commonwealth, adopted November seventh, one thousand nine hundred thirty-three, eliminating the tax-paying qualification for voters.

Referred to the Committee on Elections.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and outlined as follows:

HOUSE BILL No. 56.

An Act to amend sections one thousand seven hundred and seventy-six two thousand one hundred and twelve and two thousand one hundred and forty-one of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" lengthening the time for which assessment bonds for street and sewer improvements may be issued regulating notice where sewer-works are constructed without the limits of a borough

With the information that the Senate has passed the same without amendment.

ADJOURNMENT

Mr. McGRAIL. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11:00 o'clock.

The motion was agreed to, and (at 7:56 o'clock P. M.) the House adjourned until Thursday, December 14, 1933, at 11:00 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

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HOUSE OF REPRESENTATIVES

THURSDAY, December 14, 1933

The House met at 11.00 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Dear Lord, we invoke Thy blessing upon the Commonwealth of Pennsylvania. Come Thou. in Thy majesty of love and power and reign over us in our need. Make us willing subjects of Thine; Thy way is truth, Thy will is righteousness; Thy constraint is liberty and Thy law is love.

We pray Thee, O God, to direct the movements of governments, enter the marts of trade, sanctify our institutions of learning, sustain all who labor, whether in field, mine, factory or home; fill our hearts with righteousness and peace; establish Thy throne and reign in the hearts of the people.

We pray for the sick and afflicted everywhere, but especially now may Thy healing touch be manifest upon his Excellency, the Governor, and those members of the House who are sick. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will proceed to read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. Kinney, the further reading was dispensed with and the Journal approved.

APPOINTMENT OF COMMITTEE

The SPEAKER. The Chair desires to make a statement.

Some of the members of the House have felt that it might be in order to have a Christmas party on Wednesday evening, December 20, and in view of that fact the Chair has appointed a Committee that will meet and discuss plans. The Chair recommends that the gentleman from Dauphin Mr. Shreiner, take charge of and get this group together. The Chair appoints as a Committee for this purpose, Messrs. Shreiner, Rice, Woodside, Habbyshaw, David R. Perry, Nothnagle, Mohn, George Downey, Ederer, Bennett, McGrail and L. P. Kane.

SENATE MESSAGE

AMENDED RESOLUTION RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced returned resolution from the House of Representatives as follows:

In the House of Representatives, November 27, 1933.

Whereas Under the general rules and regulations issued by the Federal Civil Works Administration of Pennsylvania (Number one issued November twentieth one thousand nine hundred and thirty-three) it is made clear that local and State Governments are expected to cooperate and contribute to the projects to be carried on under the Federal Civil Works Administration it being specifically stated in such rules and reglations paragraph six as follows

"The greater the contribution the local government makes in supplying materials and supervision the more speedily will this program be put in operation * * *" and

Whereas Many local governments in communities in which the need is greatest are not in a position financially to make any contributions to such projects and

Whereas It is of paramount importance that projects be instituted in such communities with the greatest possible speed and

Whereas The amount of contributions desired by the Federal agency seems to be about ten per centum of the amount to be expended therefore be it

Resolved (if the Senate concur) That the General Assembly of the Commonwealth of Pennsylvania urge and suggest to the State Emergency Relief Board that said board

(a) Ascertain from the proper Federal authorities the amount of money intended to be spent in the Commonwealth of Pennsylvania through the Federal Civil Works Administration

(b) Ascertain from such authorities the corresponding amount which will be expected to be expended by State and local governments

(c) Set aside from the funds for relief purposes in the possession or to come into the possession of the board sufficient moneys to enable expected contributions to be made for local relief projects by the State Emergency Relief Board in worthy cases

(d) Immediately establish and put into effect a system whereby political and municipal subdivisions of this Commonwealth may apply to the State Emergency Relief Board or such agencies as may be established or designated by the board for State assistance to such political and municipal subdivisions in order that they may cooperate with the Federal Civil Works Administration in local civil works projects and be it further

Resolved That since the program for Federal Civil Works is intended to expire of February fifteenth one thousand nine hundred and thirty-four the General Assembly urges upon the Board the necessity for haste and be it further

Resolved That copies of this resolution shall immediately upon adoption be furnished the members of the State Emergency Relief Board

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Amend resolution, page 3, line 3, by inserting after the word "Board" the following: "with the request that the Board report back to the General Assembly its action on this resolution."

On the question,

Will the House concur in the amendment made by the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVES OF ABSENCE

Mr. JOHN B. HOLMES asked and obtained leave of absence for Mr. Flanagan on account of illness.

Mr. SHEFFER asked and obtained leave of absence for Mr. Surface on account of illness.

Mr. HOUGH asked and obtained leave of absence for Mr. Shenkel on account of illness.

REPORTS FROM COMMITTEES

Mr. RUTH, from the Committee on Agriculture, re-reported as committed, House Bill No. 229 (Senate Bill No. 52), entitled:

An Act to amend the title and sections one, two, and three of the act approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand two hundred twenty-nine), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," as amended, by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health.

Mr. THOMAS J. GALLAGHER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 231 (Senate Bill No. 56), entitled:

An Act authorizing counties, poor districts, boroughs, towns, townships and school districts having moneys borrowed for one purpose to use the same for other purposes which will aid recovery from existing economic depression; and requiring in certain such cases the assent of the electors.

Mr. WEIDEMANN, from the Committee on Highways, reported as amended, House Bill No. 234 (Senate Bill No. 89), entitled:

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects; providing for the payment of damages by counties and townships as a result of relocating, widening or constructing said highways or bridges; and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 238 (Senate Bill No. 10), entitled:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon, and making an appropriation.

Mr. J. M. FLYNN, from the Committee on Insurance, reported as amended, House Bill No. 138, entitled:

An Act to further amend clause (e) of section three hundred and six of the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," by permitting the extension of time for hospitalization to ninety days at the option of the employer or insurer; and fixing the date when this act becomes effective.

BILLS ON FIRST READING

Mr. THOMAS J. GALLAGHER asked and obtained unanimouse consent for House Bill No. 231 (Senate Bill No. 56), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 231 (Senate Bill No. 56), entitled:

An Act authorizing counties, poor districts, boroughs, towns, townships and school districts having moneys borrowed for one purpose to use the same for other purposes which will aid recovery from existing economic depression; and requiring in certain such cases the assent of the electors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. STEEDLE asked and obtained unanimous consent for House Bill No. 238 (Senate Bill No. 10), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 238 (Senate Bill No 10), entitled:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon and making an appropriation.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

CALL OF HOUSE

Mr. ANDREWS. Mr. Speaker, I ask for a call of the House.

The SPEAKER. The Sergeant-at-Arms will close the doors and permit no one to enter or leave during the calling of the roll.

The Clerk will call the roll.

The roll was called and was as follows:

PRESENT—188

Andrews,	Greenstein,	McClure,	Scorza,
Baker,	Griffith,	McCreary,	Scott,
Baldi,	Habbyshaw,	McElwee,	Sheffer,
Barnhart,	Haines,	McGinnis,	Shellenberger,
Bechtel,	Hamilton,	McGrail,	Shettel,
Beech,	Harmuth,	McGregor,	Shortz,
Bennett,	Harris,	McKay,	Shreiner,
Bernhard,	Hart,	McKinney,	Shugarts,
Blumberg,	Hartman,	Melchiorre,	Simon,
Boyd,	Heffernan,	Merrell,	Snyder,
Brancato,	Hefferon,	Mohn,	Sowers,
Brennan,	Heffner,	Moore,	Spann,
Brown, J. E.,	Hermansen,	Mumford,	Stank,
Brown, W. L.,	Hester,	Munley,	Steedle,
Brownfield,	Hewitt,	Murphy,	Sterling, P.,
Cannon,	Himes, H. E.,	Myers,	Sterling, R. B.,
Canuto,	Himes, L. E.,	Negley,	Stevens,
Carey,	Hoffman,	Nothnagle	Stiteler,
Carson,	Holmes, J. B.	O'Connor	Stone,
Chieffenak,	Holmes, J. L.,	O'Keefe,	Stott,
Cohen,	Hoopes,	O'Neill,	Tahl,
Conner,	Horst,	O'Rourke,	Terry,
Cooke,	Hough,	Patterson,	Trout,
Cordier,	Howard,	Peelor,	Turner,
Craig,	Hutton,	Pennock,	Wade,
Cramer,	Jaffe,	Perry, D. R.,	Wagner,
Dane,	Jones,	Perry, J. J.,	Walker, W. A.,
Davies,	Kane, J. J.,	Peters,	Wall,
DeFrehn,	Kane, L. P.,	Powell,	Wasserman,
Downey, G. E.,	King,	Powers,	Way,
Downey, J. J.,	Kinney,	Price,	Weidemann,
Dunmire,	Labar,	Quinn,	Welsh,
Ederer,	Lane,	Raub,	Westrick,
Emhardt,	Laubach,	Reetenwald,	White,
Eroe,	Lenahan,	Reed,	Wike,
Evans,	Lewis,	Reilly,	Williams, G. W.,

Fitzgerald,	Long,	Rhodes,	Williams, J. J.,
Flinchbaugh,	Lord,	Rice,	Wilson, L. M.,
Flynn, J. M.,	Lose,	Roan,	Wilson, T. B.,
Flynn, J. W.,	Lovett, J. E.,	Roth,	Witkin,
Forrest,	Lovett, W. S.,	Ruby,	Wood,
Furman,	Lynch, J. R.,	Ruth,	Woodside,
Gallagher, T. J.,	Lynch, M.,	Sarig,	Wright,
Gallagher, W. J.,	Male,	Sautter,	Yeakel,
Gartner,	Malina,	Schrock,	Yourishin,
Gillette,	Maloney,	Schrope,	Zimmerman,
Gorman,	Mason,	Schwab,	Talbot.
Green,	McBride,	Schwartz,	Speaker.
	McCandless,		

ABSENT WITH LEAVE—8.

Flanagan,	Shenkel,	Stevenson,	Surface,
Marcks	Sinwell.	Storb,	Wheeler,

ABSENT WITHOUT LEAVE—10.

Denning,	Fleisher.	Meredith,	Royle,
Duffy,	McHenry,	Root,	Walker, G. E.,

Mr. FLINCHBAUGH. Mr. Speaker, Mr. McClure was called to the long distance telephone, and under the circumstances, he should be recorded as being present.

The SPEAKER. Will the gentleman produce the body of the gentleman from Allegheny, Mr. McClure, during the morning session. If there is no objection, the gentleman from Allegheny, Mr. McClure, will be granted a temporary leave of absence.

Mr. J. E. BROWN. Mr. Speaker, Mr. McHenry has been present this morning and has just stepped out of the Hall.

The SPEAKER. The gentleman will be recorded as present when he returns to the House.

The SPEAKER. The roll has been called and a quorum is present. This House by its action has granted a leave of absence to the following members: Mr. Wheeler, Mr. Stevenson, Mr. Surface, Mr. Sinwell, Mr. Marcks, Mr. Storb, Mr. Flanagan, Mr. Shenkel and Mr. McClure. The others are absent without leave. Does the gentleman from Cambria, Mr. Andrews, desire the names of the absentees be read?

Mr. ANDREWS. Yes, Mr. Speaker.

The Clerk read the names of the absentees as follows: Mr. Denning, Mr. Duffy, Mr. Fleisher, Mr. McHenry, Mr. Meredith, Mr. Root, Mr. Royle and Mr. George Walker.

The SPEAKER. The Chair announces that any member that was recorded as being absent who will present himself to the Chair during the day will be marked as present.

FURTHER PROCEEDINGS DISPENSED WITH UNDER CALL OF HOUSE

Mr. ANDREWS. Mr. Speaker, I move that further proceedings under the call may be dispensed with with this exception. The gentleman from Philadelphia, Mr. Malina and the gentleman from Philadelphia, Mr. Witkin, b asked to enter upon the record their reasons for their absence.

On the question,

Will the House agree to the motion?

Mr. BLUMBERG. Mr. Speaker, the gentleman from Cambria, Mr. Andrews went one step too far. Replying on behalf of the gentleman from Philadelphia, Mr. Witkin, may I state that Mr. Witkin is now employed or actually engaged on work pertaining to the Committee on Ways and Means, and will be here shortly.

The SPEAKER. Does the gentleman from Cambria still insist on his motion as stated?

Mr. ANDREWS. I will withdraw that portion of the motion relating to the gentleman from Philadelphia, Mr. Malina, and the gentleman from Philadelphia, Mr. Witkin.

On the question,

Will the House agree to the motion as amended?

It was agreed to.

The SPEAKER. The Sergeant-at-Arms will open the doors and the House will proceed with its business.

RESOLUTION

EXTENDING THANKS TO THE GOVERNOR AND MRS. PINCHOT

Mr. HUTTON offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 14, 1933.

Whereas, The members of this House and their wives were the guests last night at a reception to members of the General Assembly tendered by His Excellency, the Governor and Mrs. Pinchot; and

Whereas, The members of this House are grateful for, and appreciate. the thoughtfulness and the kind hospitality of the Governor and his wife; therefore be it

Resolved, That this House extends to the Governor and to Mrs. Pinchot this expression of its gratitude for the entertainment he so generously provided for them; and be it further

Resolved, That a copy of this resolution be transmitted by the Acting Chief Clerk of this House to His Excellency, the Governor.

RECONSIDERATION OF VOTE FIXING DATE FOR ADJOURNMENT

Mr. HART. Mr. Speaker and members of the House, on December 13th this House adopted the following resolution:

That this body stay in session on Thursday, December 14th and Friday, December 15th, so that the legislation on the calendar may either be passed and sent to the Senate or be defeated.

I move you, sir, that the vote by which the resolution was adopted be reconsidered.

Mr. HARRIS. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Hart, vote?

Mr. HART. In the majority, Mr. Speaker.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Harris, vote?

Mr. HARRIS. In the majority, Mr. Speaker.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House adopt the resolution?

Mr. HARRIS. Mr. Speaker, I offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend lines 1 and 2 of the resolution by striking out the following: "And Friday, December 15th."

On the question recurring,

Will the House adopt the resolution as amended?

It was adopted.

RESOLUTION NO. 22

Mr. CORDIER. Mr. Speaker, I desire to call up at this time Resolution No. 22. Printer's No. 144.

The resolution was read by the Clerk as follows:

In the House of Representatives, December 13, 1933.

Whereas There are many school districts within the Commonwealth that are far in arrears in the payment of salaries to school teachers and

Whereas These school teachers have remained at their posts carrying on their professions for the benefit of the youth of this Commonwealth giving of their knowledge and ability for the general welfare relying only upon their faith in the responsibility of the Commonwealth and their school districts for the final payment of the remuneration due them for their services and necessary for their sustenance and

Whereas House Bill Number seventy-four already passed upon finally by this House makes an appropriation of $5,000,000 for the purposes of furnishing aid to financially handicapped and distressed school districts in such manner as the Superintendent of Public Instruction shall determine therefore be it

Resolved That it is the opinion of this House that payment from such appropriation should first be made by the Superintendent of Public Instruction to such school districts as are in arrears in the payment of salaries to teachers by reason of inability to collect taxes to the end that they receive the just compensation due for their services and for their unselfish adherence to duty and be it further

Resolved That a copy of this resolution be transmitted by the acting Chief Clerk to the Superintendent of Public Instruction

On the question,

Will the House adopt the resolution?

RESOLUTION COMMITTED

Mr. CORDIER. Mr. Speaker, I move that this resolution be committed to the Committee on Education for the purpose of further study.

The motion was agreed to.

RESOLUTION NO. 19

Mr. QUINN. Mr. Speaker, I desire to call up at this time Resolution No. 19, Printer's No. 124.

The resolution was read by the Clerk as follows:

In the House of Representatives, December 11, 1933.

Whereas, Many days have elapsed since a Federal Jury convicted Eugene F White Chief Clerk of Assembly of grave offenses against the laws of this Nation and

Whereas Ample time and opportunity have been afforded him to tender his resignation to the General Assembly and

Whereas It would appear that the continued enjoyment by him of the honors and emoluments of the office of Chief Clerk of this Assembly would tend to reflect upon this Assembly in the minds of the people of the State of Pennsylvania and would tend to subject this Assembly to the criticism of all right-thinking people

Now Be It Resolved That the said Eugene F White be called upon to tender his resignation as Chief Clerk of this body and that in the event of his failure so to do immediately upon the transmission of this Resolution to him the said office be declared vacant and this body proceed to the election of a successor

On the question,

Will the House adopt the resolution?

RESOLUTION COMMITTED

Mr. HUTTON. Mr. Speaker, I move that this resolution be committed to the Committee on Rules.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Quinn and Mr. Beech and were as follows:

YEAS—125

Andrews,	Harris,	McKinney,	Simon,
Baker,	Hart,	Merrell,	Snyder,
Baldi,	Heffernan,	Mohn,	Sowers,
Barnhardt,	Hefferon,	Moore,	Spann,
Bechtel,	Heffner,	Murphy,	Steedle,
Bennett,	Hermansen,	Myers,	Sterling, P.,
Bernhard,	Hewitt,	Negley,	Stevens,
Blumberg,	Himes, H. E.,	Nothnagle,	Stiteler,
Brennan,	Hoffman,	O'Connor,	Stott,
Brown, W. L.,	Holmes, J. L.,	O'Rourke,	Terry,
Carey,	Horst,	Patterson,	Trout,
Conner,	Hutton,	Peelor,	Turner,
Cooke,	Jaffe,	Pennock,	Wade,
Cordier,	Jones,	Perry, D. R.,	Walker, W. A.,
Craig,	Kane, L. P.,	Perry, J. J.,	Wall,
Downey, J. J.,	King,	Peters,	Wasserman,
Dunmire,	Kinney,	Powell,	Weidemann,
Ederer,	Laubach,	Price,	White,
Emhardt,	Lewis,	Rectenwald,	Wike,
Evans,	Long,	Reed,	Williams, G. W.,
Flynn, J. M.,	Lose,	Rice,	Williams, J. J.,
Forrest,	Lovett, W. S.,	Roan,	Wilson, T B.,
Gartner,	Lynch, J. R.,	Roth,	Witkin,
Gillette,	Maloney,	Sautter,	Wood,
Gorman,	Mason,	Schrock,	Woodside,
Green,	McBride,	Schwartz,	Wright,
Greenstein,	McCandless,	Scorza,	Yeakel,
Griffith,	McClure,	Scott,	Yourishin,
Habbyshaw,	McCreary,	Sheffer,	Zimmerman,
Haines,	McElwee,	Shellenberger,	Talbot,
Hamilton,	McGregor,	Shortz,	Speaker.
	McKay,	Shreiner,	

NAYS—54

Beech,	Flinchbaugh,	Lovett, J. E.,	Ruth,
Boyd,	Flynn, J. W.,	Lynch, M.,	Sarig,
Brancato,	Furman,	Male,	Schrope,
Brown, J. E.,	Gallagher, T. J.,	Malina,	Schwab,
Brownfield,	Gallagher, W. J.,	McGinnis,	Shettel,
Caputo,	Harmuth,	McGrail,	Shugarts,
Carson,	Hartman,	Melchiorre,	Stank,
Chervenak,	Hester,	O'Keefe,	Sterling R. B.,
Cohen,	Himes, L. R.,	Powers,	Stone,
Cramer,	Hoopes,	Quinn,	Way,
Davies,	Kane, J. J.,	Raub,	Welsh,
Downey, G. E.,	Labar,	Reilly,	Westrick,
Eroe,	Lane,	Rhodes,	Wilson, L. M.,
Fitzgerald,	Lenahan,		

So the question was determined in the affirmative and the motion was agreed to.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 56,

An act to amend sections one thousand seven hundred and seventy-six two thousand one hundred and twelve and two thousand one hundred and forty-one of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising and amending and consolidating the law relating to boroughs" lengthening the time for which assessment bonds for street and sewer improvements may be issued regulating notice where sewer-works are constructed without the limits of a borough.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTIONS

URGING USE OF TAR ON PENNSYLVANIA HIGHWAYS

Mr. SPANN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 14, 1933.

Resolved, That since the use of road tar creates employment in the mines, on the railroads and in the steel mills of

Pennsylvania, which produces one third of all the tar of the United States, and inasmuch as the value of road tar has been demonstrated in many years of service, The House of Representatives requests the Highway Department of Pennsylvania to give special consideration to the use of a larger proportion of tar in the construction and maintenance of roads on which bituminous materials are required.

STATEMENT BY MR. McCREARY

Mr. McCREARY. Mr. Speaker, I desire to make a statement.

The SPEAKER. The gentleman will proceed.

Mr. McCREARY. Mr. Speaker, I voted "No" a few minutes ago on the resolution to adjourn today. I suppose may be you thought it rather strange. I have a wife at home, the same as you have, but I have got four bills in this committee and I would like to smoke them out.

The SPEAKER. What does the gentleman from Erie desire the Chair to do?

Mr. McCREARY. Mr. Speaker, I think I am justified in saying that those are the only four economy bills that have been introduced in the House this Extraordinary Session, and if they had allowed them to come out of the committee and pass this House and the Senate and become a law, they would have gone a long way to arrange for the one hundred million dollars that our friend, Mr. Andrews, says we are in arrears.

The SPEAKER. Is the gentleman discussing the merits of his various bills or making a statement?

Mr. McCREARY. Mr. Speaker, I am making a statement and every word is the truth. I simply stated that if these four bills had gone on through and become law, I believed they would have in a large measure prepared the way to settle this one hundred million dollars that our friend, Mr. Andrews, said we passed appropriations for. Therefore, I think they should have been allowed to come out on the floor, and that is why I voted "No" to adjourn today. I would like to continue this session until those bills are out, but suppose that is impossible.

Now, may I just make this statement so that the members of this House will know what those bills were; four mill tax to compel all intangible values to be stamped whether or not that tax has been paid, and they would be non-intangibles unless they were. The reason for that is that my county is four hundred thousand dollars short on that tax every year and it should be assessed and collected. The other one was the stay of Sheriff's sales for one year until the Federal Home Loan law could be put into effect and save thousands of homes and farmers all over the state. The other one was the reduction in salaries in fourth class counties to bring the salaries down to a par with the income of the taxpayers who have to pay those salaries. The fourth one, House Bill No. 38, was to require every man who voted on a bond issue to be the owner of real estate or a freeholder. That is the law in England and has been ever since England was organized, and the laws of this country are largely founded on old English law, and that should become one of the laws of this state and nation

Now, members of the House, I want to acknowledge my appreciation of the fact that you passed House Bill No. 85, one of my bills, here yesterday. I would like now to ask one other favor of you. This bill is exactly the same kind of a bill that this House passed last session, which went over to the Senate and they amended it to take all the advantage out of it. The House refused to concur in those amendments and the bill fell. The same bill has now passed the House, and I request that if any of you members have any influence over in the Senate you use it for the benefit of this bill—not for me. The Senate is mad at me, I am told, because at the last session I said there were two hundred and seven members of the House and only fifty Senators and therefore the House knew four times as much as the Senate. If they get mad at me for a little thing like that, I will be sure that my conclusion was correct. It makes me think of one of the songs that we used to sing when we were kids: "Susie is mad, and I am glad, and I know what will please her. A bottle of wine, to make her shine, and some nice boy to squeeze her." The only thing I can't think of possibly is a nice boy that would want to squeeze the Senate. I could think of a nice boy that would want to choke it; and there is a great deal of difference between a choke and a squeeze.

I don't suppose, members of the House, there is any hope, if you are going to adjourn tonight, of getting the four bills out, and I don't suppose I will have an opportunity to introduce any more bills in this House, because I think that the record I have established up in Erie County will result in their electing a Democrat or a Socialist. They think you must be able to get things through, and I don't seem to be able to do that. The only result of the legislation up in Erie County was that this Legislature repealed the franchise of fifty-four thousand voters up there in a bill that went through this Legislature last year taking away from the voters the privilege of voting for Poor Directors and handing it over to the Courts of Quarter Sessions, and I am held responsible because I didn't stop it. You members of this House killed that bill the first time, but it came back the next day for reconsideration. The Senators' influence was sufficient to pass it and I think I took the results of it. Do you wonder I do not want to go back home until I get these other four bills out and passed? You would too.

I thank you, members of the House, for your patience.

The SPEAKER. The Chair desires to ask the gentleman a question. Does the gentleman from Erie, Mr. McCreary, believe that had the House remained in session until tomorrow his bills would have come out of committee?

Mr. McCREARY. I was advised, Mr. Speaker, that there was a chance for one of them to come out—not all four of them.

The SPEAKER. The remarks of the gentleman will be noted in the Journal.

STATEMENT BY MR. FLINCHBAUGH

Mr. FLINCHBAUGH. Mr. Speaker, I desire to make a statement.

The SPEAKER. The gentleman will proceed.

Mr. FLINCHBAUGH. Mr. Speaker and members of this House, I want to report that I, by the command of the Speaker this morning, present the body of the Chairman of the Judiciary General Committee, the Honorable John McClure in good and whole condition.

The SPEAKER. The gentleman from Allegheny, Mr. McClure, will be marked present on the call of the House this morning.

Mr. FLINCHBAUGH. Mr. Speaker, I ask that the committee of one be discharged.

The SPEAKER. The committee is discharged with the thanks of the House

STATEMENT BY MR. JAMES E. LOVETT

Mr. JAMES E. LOVETT. Mr. Speaker, I desire to make a statement.

The SPEAKER. The gentleman will proceed.

Mr. JAMES E. LOVETT. In regard to House Bill No. 142 which was defeated in the House yesterday, I think the members of this House deserve an explanation from me in regard to that bill.

The intent of the bill was not to prohibit stenographers and clerks and managers from working in foundries in the State of Pennsylvania. I learned from some of the older members of the House that the fault in the bill was very poor draftsmanship. Some members came and asked me if there were female workers working in foundries. They didn't seem to know. There is such female help in the foundries in the way of moulding and core making, etc. That was the real intent of the bill.

Now, while they say there are a large number of foundries that do not employ female help, there are others that do and this bill was presented in line with NRA because it was not fair competition to those who did not employ female labor.

I thank the members of the House.

The SPEAKER. The remarks of the gentleman will be noted on the Journal.

RESOLUTION

REQUESTING INFORMATION FROM AUDITOR GENERAL AND STATE TREASURER

Mr. DENNING offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 13, 1933.

Whereas, His Excellency, the Governor, has requested the Legislature to enact a number of bills which would cost the taxpayer of this Commonwealth millions of dollars; and

Whereas, Many of the Governor's proposals are worthy and perhaps necessary; and

Whereas, This Legislature is anxious and willing to do anything it can to help the unemployed, the needy, and the bankrupt communities and school districts of the Commonwealth; and

Whereas, No member of the Legislature knows how much money there is in the State Treasury today, or how much there will be any day from now until May 31, 1935, when the fiscal biennium ends; and

Whereas, the Legislature cannot logically and sensibly appropriate funds for definite purposes unless it knows how much money is available for such appropriations; therefore be it

Resolved, That the Auditor General of the Commonwealth of Pennsylvania, be requested to submit to the House of Representatives in person, or by communication, information showing the present surplus balances of the general and all other State funds, and his estimate of revenues anticipated from liquor sales; and be it further

Resolved, That the State Treasurer be likewise requested to submit to this Legislature figures showing the present financial standing of the Commonwealth and his estimate of the revenue to be derived from liquor sales.

Resolved, That a copy of this resolution be transmitted to the Auditor General and State Treasurer, by the acting Chief Clerk of the House of Representatives.

BILL RECOMMITTED

Mr. JOHN J. WILLIAMS. Mr. Speaker, I move that House Bill No. 170, Printer's No. 157, entitled

An Act to authorize any County City Borough Township or other municipal sub-division of the Commonwealth of Pennsylvania to purchase construct maintain and operate bridges tunnels streets highways traffic distribution centers traffic circles airports hangars park-ways recreation grounds and facilities electric power stations and facilities water works systems reservoirs sewer systems sanitary disposal plants and facilities gas plants and facilities pipe lines and facilities public parks swimming pools lakes dams gas mains water mains transportation systems and parts of any of said projects and improvements thereof and additions thereto and to purchase lease maintain and operate other mechanical facilities equipments and appliances appropriate proper necessary or convenient in connection with the construction operation and use of such projects and to authorize any County City Borough Township or other municipal sub-division of the Commonwealth of Pennsylvania now or hereafter owning and operating any such project to improve enlarge extend or repair the same and for any such purpose or purposes to authorize any such County City Borough Township or other municipal sub-division of the Commonwealth of Pennsylvania to issue revenue bonds payable solely from the revenues derived from the operation of any such projects to regulate the issuance sale retirement and refunding of such bonds and of other matters in connection therewith and to authorize any County City Borough Township or municipal sub-division of the Commonwealth of Pennsylvania to collect fees tolls rates rentals and charges in connection with any or all of said structures projects additions or improvements and any or all parts thereof to regulate the use of the revenues of such projects when such bonds are issued or outstanding to provide for the operation of any such project in case of deficiency in such revenues and for other purposes

on page 6 of today's calendar, bills on second reading, be recommitted to the Committee on Municipal Corporation for the purpose of further study and amendment.

On the question,

Will the House agree to the motion?

Mr. FITZGERALD. Mr. Speaker, I would like to interrogate the gentleman from Lackawanna, Mr. Williams.

The SPEAKER. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. JOHN J. WILLIAMS. Mr. Speaker, I will.

Mr. FITZGERALD. Mr. Speaker, may I ask the gentleman from Lackawanna if he has entered into any agreement with Mr. Kane to recommit this bill?

Mr. JOHN J. WILLIAMS. No sir. Mr. Speaker, I entered into an agreement with the sub-committee that they would report the bill out for second reading, with the understanding that it was to be sent back to the committee for study and amendment.

Mr. FITZGERALD. Mr. Speaker, does the gentleman realize that if the bill goes back to committee it will fail to pass due to the fact that we are to adjourn today?

Mr. JOHN J. WILLIAMS. Not necessarily so, Mr. Speaker.

Mr. FITZGERALD. Are there any reasons why, Mr. Speaker, the bill cannot be amended on the floor if those amendments are necessary?

Mr. JOHN J. WILLIAMS. Mr. Speaker, the bill has not been studied by the committee as yet. We thought by getting the bill out on second reading, it would help the bill that much faster. If we get it back to the committee we can possibly have the bill out again after the committee has passed upon it.

Mr. FITZGERALD. Is it not a fact that if this goes back into your committee that absolutely prevents it from becoming enacted into law?

Mr. JOHN J. WILLIAMS. Why so? It can be reported out on Monday night and then have a chance to go through by next Thursday.

Mr. FITZGERALD. Mr. Speaker and members of the House, this is a highly important bill and it is easy to see that the purpose for recommitting it is other than the motive given, and I would therefore ask the members to vote against recommittment of this bill.

Mr. J. J. KANE. Mr. Speaker, I was not in my seat when this motion to recommit this bill was made, but in answer to the statement made by the Chairman of the Committee on Municipal Corporations, I will say that I do not know of any agreement that was made to recommit the bill.

This bill is a bill that intends to legalize what are known as revenue bonds for the purpose of borrowing money from the Federal Government for reconstruction purposes on self-liquidating projects. The bill was drafted hastily in order to get it registered in the House when the date set for closing the acceptance of bills was adopted. Many amendments have been made to the bill. We had intended to make them on second reading.

Since the bill has been reported out of committee there have been objections from various sections of the state, third and fourth class counties, and I agreed with some members to accept amendments confining them to second class counties, and I have no intention at this time to call the bill up, and I think that the Chairman of the Committee should at least have given me the consideration of being in my seat when he made the motion. I had intended to let the bill ride on the calendar until such time as further amendments could be prepared. I, therefore, ask the members of this House to give me the consideration of letting the bill ride on second reading until such time as we can prepare further amendments.

Mr. SHREINER. Mr. Speaker, being a member of the sub-committee that reported this bill out, it was our understanding that it would be recommitted after second reading.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 118, entitled:

An Act imposing a graduated income tax for school purposes on residents of Pennsylvania including fiduciaries and on income of non-residents derived from property or business in Pennsylvania providing for disposition of proceeds of the tax defining taxable income and requiring filing of returns thereof providing for the withholding of the tax at source in certain cases and imposing duties on withholding agents providing methods and proceedings for determination and collection of the tax and impositions of liens therefor providing for administration of the act by the Department of Revenue authorizing that Department to make rules imposing penalties and making an appropriation for administrative costs

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 132, entitled:

An Act concerning deficiency judgments providing methods for determining the amount thereof and the disposition of costs and in certain cases defining the fair market value of the property sold

And said bill having been read at length the first time

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 135, entitled:

An Act relating to executions providing for the entry of deficiency judgments and limiting the amount for which writs of execution may issue in certain cases

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 43, entitled:

An Act to protect the lives and secure the safety and health of the people by making it unlawful to evict persons from dwellings under certain conditions or to levy upon and sell household goods of such persons

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. WITKIN. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WITKIN. Mr. Speaker, for the benefit of the gentleman from Cambria, Mr. Andrews, and the other members of the House, I desire to be recorded as being present.

The SPEAKER. The gentleman will be so recorded.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 212, as follows:

An Act to amend section two hundred and four of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" regulating the establishment and maintenance of branch banks offices and agencies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assmbly met and it is hereby enacted by the authority of the same That section two hundred and four of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons re-

stricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows

Section 204 Branch Offices and Sub-agencies A An institution shall not establish maintain or operate either directly or indirectly any branch bank branch office agency sub-office sub-agency or branch place of business within this Commonwealth [for the transaction of any part of its business but all of the business of such institution shall be carried on solely and exclusively at its principal place of business] except as may be permitted by this act

[This section shall not apply to branches sub-offices and sub-agencies established or those for which locations had been purchased or leased by deed recorded or leases actually delivered prior to the first day of March one thousand nine hundred twenty-seven or to branches sub-offices and sub-agencies which resulted from mergers or consolidations of institutions effective prior to the first day of April one thousand nine hundred twenty-seven and such institutions shall have the right to relocate the same within the corporate limits of the city borough or township in which the principal place of business is located at the time of such relocation provided that such relocation is made with the approval of the Department in the manner provided by this act for any removal of the places of business of an institution

This section shall not apply to any institution which has its principal place of business in a city borough or township within this Commonwealth in which one or more national banking association incorporated under the laws of the United States was on the first day of March one thousand nine hundred twenty-seven operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business for the transaction of any part of its business and any such institution may hereafter establish subject to the approval of the Department and thereafter maintain and operate branch banks branch offices agencies sub-offices sub-agencies and branch places of business for the transaction of any part of its business but only within the corporate limits of the city borough or township in which its principal office is located and in which such national banking association was on the first day of March one thousand nine hundred twenty-seven operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business The right to establish and maintain branch banks branch offices agencies sub-offices sub-agencies or branch places of business under the provisions of this subsection shall be limited to the territory included within the corporate limits on the first day of March one thousand nine hundred twenty-seven of the respective cities boroughs or townships in which such national banking associations were on that date operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business and such right shall not extend to additional territory which may after the first day of March one thousand nine hundred twenty-seven be added to such cities boroughs or townships by annexation consolidation with one or more municipal corporations or otherwise nor shall it extend to other portions or divisions of municipal corporations to which such cities boroughs or townships may be annexed or with which they may be consolidated after that date the intention being to limit to the respective corporate limits such cities boroughs or townships as they existed on the first day of March one thousand nine hundred twenty-seven the right to establish and maintain the branch banks branch offices agencies sub-offices sub-agencies and branch places of business authorized in this section]

B Any institution may continue to maintain and operate any branch bank branch office agency sub-office sub-agency or branch place of business lawfully established by such institution

C Any institution may in the manner provide by this act for an amendment to its articles establish a branch bank branch office agency sub-office sub-agency or branch place of business at any place within this Commonwealth where at the time such institution proposes to establish such branch bank branch office agency sub-office sub-agency or branch place of business any national banking association having its principal office in the same county as that in which the principal office of the institution proposing to make such action is located would have the power under the laws of the United States now or hereafter enacted to establish a branch bank branch office agency sub-office sub-agency or branch place of business of such national banking association

D Any institution may in the manner provided by this act for an amendment to its articles established and thereafter maintain and operate a branch bank branch office agency sub-office sub-agency or a branch place of business at any place within the county in which its principal office is located or in any contiguous county if it shall appear that the community in which such institution proposes to establish such branch bank branch office agency sub-office sub-agency or branch place of business is without [adequate] banking facilities

E Any institution may in the manner provided by this act for an amendment to its articles establish and thereafter maintain and operate any branch bank branch office agency sub-office sub-agency or branch place of business at any place within the county in which its principal office is located or in any contiguous county where the establishment of such branch bank branch office agency sub-office sub-agency or branch place of business is effected by the merger or consolidation in the manner provided in this act of two or more institutions and where the community in which such branch bank branch office agency sub-office sub-agency or branch place of business is to be established is without adequate banking facilities other than an institution which is a party to such merger or consolidation

Section 2 This act shall become effective immediately upon final enactment

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 174, as follows:

An Act authorizing the county commissioners of the several counties to secure from Federal agencies funds for the erection and acquisition of bridges

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of any county in this Commonwealth be and are hereby authorized to negotiate for and secure funds from any agency of the Federal government at present existing or which may hereafter be established either by loan or grant for the erection or acquisition of such bridges as counties either separately or in conjunction with other counties are now by law authorized to erect or acquire

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 191, as follows:

An Act to amend section one of the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred thirty-seven) entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two and validating the liens of such taxes" further extending the period for such returns and providing for returns for the year one thousand nine hundred and thirty-three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the third

day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred thirty-seven) entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two and validating the liens of such taxes" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any tax collector or receiver of taxes of any county city borough town township school district or poor district shall have failed or neglected to make return to the county commissioners of taxes assesed and levied against seated lands for the years one thousand nine hundred and thirty-one or one thousand nine hundred and thirty-two or one thousand nine hundred and thirty-three within the time required by law such tax collector or receiver upon obtaining the written consent of the taxing authorities of the municipal subdivision which levied the tax may legally and validly make return of such taxes for any of the aforesaid years in the manner provided by law for such return at any time within six months after this [act] amendment takes effect and the liens of any taxes for said years so returned under the authority of this act shall be valid and are hereby ratified and confirmed and a county treasurer's sale may be had for such taxes at any time when a treasurer's sale is held or on any day to which said sale may be adjourned or readjourned in the manner provided by existing law Provided however That the return of any tax under this act shall not revive or re-establish any tax lien against real estate which was transferred to any purchaser during the time when any such lien was lost nor shall such return affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the collector to return the taxes at the regular time

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 65, entitled:

An Act requiring all deputy sheriffs to be paid by the counties in which they are employed prohibiting all contracts and agreement for repayment or reimbursement to any county or the sheriff thereof by any person copartnership association or corporation of compensation to such deputy sheriff and fixing penalties

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the compensation of all deputy sheriffs appointed or employed in any county of this Commonwealth shall be paid only by such county and in the amount and in the manner now or hereafter fixed by law

Mr. ANDREWS. Mr. Speaker, I desire to offer the following amendments to the bill.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend page 1, line 8 by striking out the bracket before the word "Section".

Amend page 1, line 12 by striking out at the end of the line after syllable "ac-" the bracket.

Amend page 2, line 1 by striking out the bracket before the syllable "count".

Amend page 2, line 6 by striking out at the end of the line after the word "unlawful" the bracket.

On the question,

Will the House agree to the amendments?

They were agreed to.

The second section was read as follows:

Section 2 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not less than fifty dollars nor more than five hundred dollars or shall undergo an imprisonment of not more than six months or both at the discretion of the court

On the question

Will the House agree to the section?

Mr. ANDREWS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 2, line 7 by striking out after the figure "[3]" and before the word "Any" the figure: "[2]" and inserting in lieu thereof the figure: "3."

On the question,

Will the House agree to the amendment?

It was agreed to

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 This act shall become effective immediately upon final enactment

On the question

Will the House agree to the section?

Mr. ANDREWS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 2, line 14 by striking out after the figure "[4]" and before the word "This" the figure: "[3]" and inserting in lieu thereof the figure: "4."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows

An Act requiring all deputy sheriffs to be paid by the counties in which they are employed prohibiting all contracts and agreement for repayment or reimbursement to any county or the sheriff thereof by any person copartnership association or corporation of compensation to such deputy sheriffs and fixing penalties

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 185, as follows:

An Act relating to income taxes for school purposes in counties of the third fourth fifth sixth seventh and eighth classes of this Commonwealth providing for the assessment of the potential annual income of every piece of real estate and the

return of the actual net income of every natural person of the age of twenty-one years and upwards residing in the county and every copartnership unincorporated association company limited partnership and company doing business within the county providing a method of determining said actual net income providing that rates and levies for school purposes (except for the payment of existing indebtedness) shall be based on the sum of said potential annual income of real estate and said actual net income and providing for the levying thereof giving the right of appeal and repealing all inconsistent laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That throughout this act unless the context clearly indicates a different intention the singular includes the plural and the masculine pronoun includes the feminine and the neuter As used in this act

"County" shall include all counties of the third fourth fifth sixth seventh and eight classes of this Commonwealth

"Taxable district" means the township borough ward or district which is coextensive with the jurisdiction of an assessor In the case of an estate the taxable district shall be construed to be one in which the decedent was a resident at the time of his death

"Taxable" as applied to the sections and clauses of this act relating to potential annual income means every natural person and estate resident in the "taxable district" and every copartnership unincorporated association joint stock association company limited partnership and corporation doing business in the "taxable district" of the assessor and as applied to the sections and clauses of this act relating to gross income and actual net income means every natural person and estate resident in a taxing district

Section 2 The term "potential annual income" as used in this act means the gross annual income which any piece of real estate other than such as is actually necessary for the exercise of the corporate franchise of a public service company would be capable of earning if the same were used for the most advantageous purpose for which it is available or with reasonable certainty will become available within the next three years without regard to whether it actually is so used or not taking into consideration the location thereof the improvements thereon and the means of access thereto but not taking into consideration the amount of money actually invested therein the market value thereof or any use for which it may become available in the future more than three years in advance of the date on which the assessment is made less only the annual expenses and costs necessary to maintain the property in as good condition as it is at the time of making the assessment but not the expenses and costs of permanent improvements or of improvements greater than are necessary to keep such property in the same state of repair in which it was at the time of making the assessment

Section 3 Not earlier than the first Monday of June in the year one thousand nine hundred and thirty-six and triennially thereafter the county commissioners or board for the assessment and revision of taxes of the county shall issue their precepts to the assessors of the respective taxable districts within their respective counties to make a triennial assessment of the potential annual income of all pieces of real estate within their respective taxable districts and said assessors hereby are required to complete said assessments and to make their return thereof to the said county commissioners or board for the assessment and revision of taxes not later than the thirty-first day of October one thousand nine hundred and thirty-six and triennially thereafter provided that the said commissioners or boards of the several counties subject to this act at the time of issuing their said precepts may direct the return thereof to be made on the first Monday of October in each such triennial year At the time of making assessments of potential income the assessor shall leave with each taxable a blank for the return of actual net income as provided in this act

For the purpose of assessing the potential income of real estate as herein provided for the years one thousand nine hundred and thirty-four one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six the precepts hereinfore provided for shall be issued within thirty days after the effective date of this act and the return thereof shall be made on or before the first day of May one thousand nine hundred and thirty-four

Section 4 In all cases where any tract of land having erected thereon a mansion house is divided by county township borough or city lines the land lying in each city borough township or county shall be considered as a separate piece of land except where the line passes through the mansion house in which event the owner thereof shall have the right to choose the municipal subdivision in which shall be considered the location of said mansion house for the taxation of potential annual income by election filed in the office of the county commissioners or board for the assessment and revision of taxes on or before the first day of April one thousand nine hundred and thirty-four and on or before the first Monday of September in other triennial assessment years which said election shall be effective for the period of that triennial assessment only and on failure or default of the owner to make such election the mansion house shall be considered as located in the municipal subdivision wherein its main entrance is located

Section 5 The assessors aforesaid on receipt of the precepts above mentioned shall proceed at once to make and they hereby are authorized and required to make an assessment of the potential annual income of all pieces of real estate within their respective taxable districts giving the names and surnames of the several owners thereof together with a brief description of each piece of real estate giving also the approximate size and boundaries thereof and improvements thereon

Section 6 Upon the return of the assessments the county commissioners or board for the assessment and revision of taxes as the case may be shall send to each taxable through the assessor of the taxable district a notice stating the potential income for which his land stands rated itemizing the same for each piece of real estate and the time and place fixed for appeal therefrom which notice shall be served at least five days before the appeal day

Section 7 Upon their own initiative or on complaint of any taxpayer as to his own assessment or of any taxable district of the county affected thereby or on complaint of any five taxpayers of the county as to any assessments not on the property of the complainants the county commissioners or board for the assessment and revision of taxes shall have power and authority upon cause shown to their satisfaction either to increase or to decrease the assessment of the potential annual income of any piece of real estate as fixed by the assessor as aforesaid

Section 8 Any owner of real estate being aggrieved by the decision of the county commissioners or board for the assessment and revision of taxes changing or refusing to change the assessment made by the assessor either on their own initiative or on complaint as aforesaid shall have the right of appeal from said decision to the court of common pleas of the county wherein the assessment is filed but not later than twenty days after notice of said decision Either the county commissioners or board for the assessment and revision of taxes on behalf of the county or any appellant in the court of common pleas shall have the right of appeal from the decision of said court to the Superior Court of Pennsylvania or the Supreme Court of Pennsylvania as in other cases

Section 9 At the time of making the assesment of the potential annual income of real estate as provided in section three of this act and at the same time of year in the years intervening between the triennial assessments the said assessors shall deliver to every taxable in his taxable district or to such officer agent or employe thereof as may be found in charge of the place of business thereof a blank prepared for that purpose on which to make under oath or affirmation a return of the actual annual income of such taxable and said assessor with his return as hereinbefore provided for in this act also shall file with the county commissioners an alphabetical list of the taxables to which he delivered said blanks

Section 10 The term "gross income" as used in this act for the purpose of determining the entire "actual net income" of a taxable shall mean gains profits and income derived from salaries wages or compensation for personal service of whatever kind and in whatever form paid or from professions vocations trades businesses commerce or sale or dealings in property whatever real or personal growing out of the ownership or use of or interest in such property also from interest rent dividends securities or transactions of any business carried on for gain or profit or gains and/or profits from other sources and income derived through estates by the beneficiaries thereof as distributed shares less the following items

(a) The proceeds of life insurance policies and contracts paid upon the death of the insured to individual beneficiaries or to the estate of the insured

(b) The amount received by the insured as a return of premium or premiums paid by him under life insurance endowment or annuity contracts either during the term or at the maturity of the term mentioned in the contract

(c) The value of property acquired by gift bequest devise or descent (but the income from such property shall be included in gross income)

(d) Interest upon the (1) obligations of the United States or its possessions (2) securities issued under the provisions of the Federal Farm Local Act (3) bonds issued by the War Finance Corporation (4) obligations issued by the Reconstruction Finance Corporation

(e) Any amount received through accident insurance or under the Workmen's Compensation Laws as compensation for personal injuries plus the amount of any damages received whether by suit or agreement on account of such injuries or through the War Risk Insurance Act or on account of any law for the benefit or relief of injured or disabled members of the military or naval forces of the United States

(f) Salaries wages and other compensation received by officials and employes from the United States Government including persons in the military and naval forces of the United States

(g) Stock dividends received by a stockholder provided however if before or after the distribution of any stock dividend the corporation proceeds to cancel or redeem its stock at such time and in such manner as to make the distribution and cancellation or redemption in whole or in part essentially equivalent to the distribution of a taxable dividend then the amount so distributed in redemption or cancellation of the stock shall be treated as a taxable dividend and included in gross income provided further that any stock dividend shall be considered in computing gross income upon the sale exchange or other disposition of the stock upon which a stock dividend has been declared or of the stock included in such stock dividend

(h) The principal paid by a building and loan association to a member thereof upon the maturity of his or her shares or upon the withdrawal of such member from the association as used in this act means the gross income of a taxpayer

Section 11 The term "actual net income" as defined in section ten of this act less the following deductions

(a) All the ordinary and necessary expenses paid and incurred during the taxable year in carrying on any trade or business or in the production of income required to be included in gross income under this act including a reasonable allowance for salaries or other compensation for personal services actually rendered by persons other than the taxable and including rentals or other payments required to be made as a condition to the continued use or possession for the purposes of the trade or business or property to which the taxpayer has not taken or is not taking title or in which he has no equity

(b) All interest on indebtedness paid or accrued during the taxable year

(c) Taxes paid or accrued within the taxable year imposed by (1) the authority of the United States or of any of its possessions (2) by the Commonwealth of Pennsylvania (3) by any county city borough town township school district or poor district of this Commonwealth (except those assessed against real estate as local benefits by the foot front rule or by viewers as now provided by law) or (4) by the authority of any other state county or territory

(d) Losses sustained during the taxable year and not compensated for by insurance or otherwise if incurred in trade or business but not otherwise

(e) Losses sustained during the taxable year and not compensated for by insurance or otherwise if incurred in any transaction entered into for profit though not connected with the trade or business No deduction shall be allowed under this clause for any loss claimed to have been sustained in any sale or other disposition of shares of stock or security where it appears that within thirty days before or after the date of such sale or other disposition the taxpayer has acquired (otherwise than by bequest or inheritance) or has entered into a contract or option to acquire substantially identical property and the property so acquired is held by the taxpayer for any period after such sale or disposition If such acquisition or the contract or option to acquire is to the extent of part only of substantially identical property then only a proportionate part of the loss shall be disallowed

(f) Losses sustained during the taxable year on property not connected with the trade or business if arising from fires storms shipwrecks or other casualty or from theft and not compensated for by insurance or otherwise

(g) Debts ascertained to be worthless and charged off within the taxable year and when satisfied that a debt is recoverable only in part the county commissioners may allow such debt to be charged off in part A worthless debt arising during the year from unpaid wages salary rent or any similar item of taxable income is not an allowable deduction unless the income which such item represents has been included as income by the taxpayer in the return filed

(h) The potential annual income of any real estate the actual income or rental from which is included in the gross income of the taxable

(i) In the case of mines oil and gas wells or other natural deposits and timber a reasonable allowance for depletion and for depreciation or improvement according to the peculiar conditions in each case such reasonable allowance in all cases to be made under the rules and regulations to be made by the county commissioners The county commissioners may apportion such deductions equitable between the lessor and the lessee

Section 12 In triennial and intervening years the taxables to whom said blanks for the return of actual net income are delivered by the assessors as aforesaid hereby are required to make return thereof to the county commissioners or board for the assessment and revision of taxes not later than thirty days after they receive the same for the calendar year one thousand nine hundred and thirty-three and not later than the fifteenth day of February for the calendar year preceding for all other years

Section 13 On their own initiative or on complaint of any five taxables of the county and not more than twenty days after the return is filed the county commissioners or board for the assessment and revision of taxes after investigation and hearing of which hearing the taxable shall have at least five days written notice may add to the gross income as set out in such return income not included therein and/or may refuse to allow deductions and/or parts of deductions claimed therein or from the best information available the said county commissioners or board may fix an amount as the actual net income of any taxable that neglects or refuses to make a return

Section 14 Taxables aggrieved by the actions of the county commissioners or board for the assessment and revision of taxes in not allowing deductions claimed or in adding income not included by the taxable in his return as provided in section thirteen of this act within twenty days after written notice of such action may appeal to the court of common pleas of said county with the right to either the county or the taxable to appeal from the decree of the court of common pleas to the Superior Court or the Supreme Court of Pennsylvania as in other cases

Section 15 That the county commissioners of each county of the third fourth fifth sixth seventh and eighth classes of this Commonwealth for the year one thousand nine hundred and thirty-four within sixty days of the effective date of this act and on the first Monday of December of each other year shall proceed to make an estimate for the ensuing year of the probable expenses of all the school districts in the county including the salaries of teachers principals supervising principals superintendents and all necessary instructors the cost of light heat water books and all other school supplies the amount paid to the Teachers Retirement Fund the amount paid secretaries the expense of maintenance of buildings and keeping same in repair the necessary cost of transportation of pupils funds necessary for new buildings grounds and/or equipment The information as to these several items shall be furnished by the school boards of the several school districts and if the amounts so furnished by any district are disputed or excepted to by any other district the same must be approved by the Superintendent of Public Instruction of this Commonwealth

Section 16 Upon receipt of said returns from the taxables as aforesaid and their correction as provided in section thirteen of this act the county commissioners or board for the assessment and revision of taxes shall cause a list of taxables to be made showing the potential annual income of real estate of each taxable if any and actual net income of each taxable as hereinafter defined and the sum of the two shall be the valuation for each taxable on which all school taxes shall be computed according to the rates and levies determined upon by the county commissioners for school purposes

Section 17 The potential annual income of any piece of real estate shall not be changed between the years of the triennial assessment unless the potential annual income of said piece of real estate has been increased by the erection of buildings or other improvements thereon or its potential annual income has been reduced by the destruction of buildings formerly erected thereon or other casualty or the mining of minerals in which case and only in which case the assessors may reassess the potential annual income of any piece of real estate in the years between the triennial assessment and the assessors shall also note on their return any change in the ownership of any piece of real estate or any subdivision of any piece of real estate and in the case of subdivision of any piece of real estate the assessors are authorized and required to apportion the potential annual income between the several parts A precept directing them to do the things provided for in this section shall be issued to the assessors on the first Monday of August in each year intervening between the triennial years All acts authorized by this section are subject to appeals as hereinbefore provided for in the case of triennial assessments

Section 18 On the first Monday of March in each year the county commissioners shall levy a tax for school purposes on the valuation as fixed in this act and particularly in the sixteenth section thereof as shall be sufficient to pay the cost of collection and the probable expenses of all the school districts of the county for the ensuing year according to their estimate as provided for in section fourteen of this act but said tax shall not exceed two per centum (2%) of said valuation

Section 19 All taxes on real estate for school purposes other than the tax on the potential income thereof as provided in this act except taxes to pay existing indebtedness which shall be levied and collected as heretofore are hereby abolished within the counties to which this act applies

Section 20 All taxes imposed under this act shall be charged in duplicates by the taxing authorities as now provided by law for the taxation of property and the taxes so charged shall be collected by tax collectors in the manner and with like powers and authority as now is or hereafter shall be provided by law for the collection of school taxes In the case of taxes on potential annual income the land against which such taxes are charged shall be subject to return and county treasurers sale and to the filing of liens as now is or hereafter shall be provided by law for taxes on real property

Section 21 All taxes for school purposes provided for in this act shall be paid into the county treasury and there kept as a separate fund to be known as the "School Fund"

Section 22 Out of said "School Fund" on proper vouchers issued by the county commissioners there shall be paid to each school district in the county for school purposes its share of said "School Fund" based on the items applicable to it that are enumerated in section fifteen of this act less in each case the amount of the state appropriation made to each such district

Section 23 The provisions of this act are severable and if any of its provisions are declared unconstitutional the decision so holding shall not be construed to impair any other provision of this act It hereby is declared as a legislative intent that this act would have been enacted had such unconstitutional provision not been included therein

Section 24 All acts and parts of acts general special or local inconsistent with this act are hereby repealed

Section 25 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 230 (Senate Bill No. 55), entitled:

An Act making an appropriation of moneys in the Motor License fund to the Department of Public Instruction, and providing for the repayment of such moneys from the General Fund.

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Genral Assmbly met and it is hereby enacted by the authority of the same That the sum of five million dollars ($5,000,000) is hereby specifically appropriated out of the Motor License Fund to the Department of Public Instruction of the Commonwealth of Pennsylvania for the two fiscal years commencing June first one thousand nine hundred and thirty-three for aiding financially handicapped and distressed local public school districts The Superintendent of Public Instruction shall apportion the sum hereby appropriated to such local public school districts and in such amounts as he shall deem expedient The sum hereby appropriated shall be in addition to any appropriation made to the said Department of Public Instruction by the general appropriation bill for said biennium

The second section was read as follows:

Section 2 The General Assembly hereby declares that a moral obligation rests on the General Assembly to return such money to the Motor License Fund in the future whenever the financial condition of the General Fund permits an appropriation from the General Fund for such purposes without incurring an over appropriation liability

On the question,

Will the House agree to the section?

Mr. DAVID R. PERRY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 8, by striking out the following: "in the future"

Amend section 2, page 2, by striking out all of lines 9, 10 and 11 and insert in lieu thereof, "within a period of four years from the effective date of this act."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section and title were separately read and agreed to as follows:

Section 3 This act shall become effective immediately upon final enactment

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction and providing for the repayment of such moneys from the General Fund

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. COHEN. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. COHEN. Mr. Speaker, is it necessary to have strike-out amendments in writing, or can they be made orally?

The SPEAKER. The gentleman is informed that it is necessary to have any amendments in writing.

Mr. COHEN. I was under the impression, Mr. Speaker, that amendments that were not to eliminate from the bill portions thereof need not be in writing.

The SPEAKER. The Chair desires to inform the gentleman that for the official records amendments must be in writing.

The Chair may be able to clear up what is in the gentleman's mind. If amendments to strike out were offered in writing at this time on a bill before the House, the amendments would not affect the bill, and therefore would not affect its progress, but even then amendments must be submitted in writing for the official record.

Mr. COHEN. Mr. Speaker, may I ask that the House pass over House Bill No. 228 (Senate Bill No. 42) until I have an opportunity to prepare the amendments.

The SPEAKER. If there are no objections, House Bill No. 228 will be passed over for the present. The Chairs hears none and the bill will be passed over for the present.

The SPEAKER. Will the gentleman from Franklin, Mr. Hutton, please approach the rostrum and preside over the deliberations of the body?

MR. HUTTON IN THE CHAIR

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 66, entitled:

An Act for the relief of financially distressed taxpayers providing for the payment in installments of delinquent county city borough incorporated town township school and poor taxes in certain cases and abating additional penalties and interest thereon

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That upon the payment of any tax assessed and levied upon any person for the year one thousand nine hundred and thirty-four by the taxing authorities of any county city borough incorporated town township school or poor district on or before the first day of January one thousand nine hundred and thirty-five and upon the presentation of a proper receipt therefor to the taxing authorities of such county city borough incorporated town township school or poor district such person may and such authorities shall if such person is in default in the payment of any tax levied by the same taxing authority enter into an agreement for the payment by such person of such delinquent taxes assessed and levied against him for any year or years prior to the year one thousand nine hundred and thirty-four together with the penalty then due thereon in ten annual installments

On the question,

Will the House agree to the section?

Mr. ANDREWS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, line 6, by inserting after the word "city" the following: "(except a city of the first class)"

Amend Sec. 1, page 1, line 11, by inserting after the word "city" the following: "(except a city of the first class)"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections were separately read and agreed to as follows:

Section 2 Upon the payment of any tax assessed and levied for the year one thousand nine hundred and thirty-four by any person then in arrears in the payment of any taxes and the presentation of a receipt therefor and the execution of an agreement by such person with the corporate authorities assessing and levying such tax for the payment of any such delinquent taxes as aforesaid no further penalties or interest shall accrue thereon during such time as such person continues to promptly pay the installments agreed upon

Section 3 In case of the neglect or refusal of any person entering into such agreement to pay when due any installment payable under the terms of such agreement all of the delinquent taxes owing by such person together with penalties provided by existing law and interest thereon shall become due and payable and shall be collected as now provided by law Provided however That credit shall be given on such amount as may be then due from such person to the amount of any installment or installments theretofore paid under the terms of such agreement

The fourth section was read as follows:

Section 4 The collection of all taxes assessed and levied and all penalties imposed on any tax levied by the duly constituted authorities of any county city borough incorporated town township school or poor district for the year one thousand nine hundred and thirty-three or any year prior thereto whether entered as a lien or returned to the county treasurer or retained by the person charged with the collection of such tax is hereby postponed and all interest on such penalties is hereby abated as of the time of the passage of this act until such time as taxes levied by such authorities for the year one thousand nine hundred and thirty-four are paid but not for a longer period than the first of January one thousand nine hundred and thirty-five If persons from whom any such delinquent taxes are due shall not pay taxes levied and assessed against them for the year one thousand nine hundred and thirty-four on or before the first day of January one thousand nine hundred and thirty-five then such delinquent taxes together with penalties and interest thereon as provided by law shall be due and payable without any abatement in the same manner as if this act had not been passed and shall be collected as now provided by law

On the question,

Will the House agree to the section?

Mr. ANDREWS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 4, page 2, line 29, by inserting after the word "city" the following: "(except a city of the first class)"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section and title were separately read and agreed to as follows:

Section 5 This act shall become effective immediately upon final enactment

An Act for the relief of financially distressed taxpayers providing for the payment in installments of delinquent county city borough incorporated town township school and poor taxes in certain cases and abating additional penalties and interest thereon

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 109, as follows:

An Act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled "An act authorizing the abatement of penalties on local taxes" as amended by providing for the extension of time during which such abatements may be allowed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled "An act authorizing the abatement of penalties on local taxes" as amended by section one of the act approved the first day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred fourteen) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all or any tax penalties imposed by existing laws on county taxes in counties other than those of the second class and on city borough town township school district and poor district taxes due and payable to such local political subdivisions except in counties and cities of the first class may be abated [to the extent herein provided] by the political subdivision imposing the tax Any ordinance or resolution abating penalties on taxes as herein provided shall contain a provision that such taxes must be paid within three months from the date the ordinance or resolution takes effect and that in default of such payment the penalties shall continue to be imposed in the same manner as if such ordinance or resolution had not been adopted but the authorities of any such political subdivision at the expiration of such three month period and at the expiration of any additional similar period of time may by ordinance or resolution abate such penalties for further periods of three months and such ordinances or resolutions shall contain the same provision required to be inserted in the original ordinance or resolution Such ordinance or resolution may provide for a different amount of abatement of penalties in proportion to the promptness of payments of the delinquent taxes [but no abatement shall be authorized which would result in the amount of the penalty unabated being less than interest at the rate of six per centum on the delinquent taxes from the date when such taxes became delinquent]

In all cases where such taxes are collected under the general laws of this Commonwealth this act shall apply to all taxes whether or not liens for such taxes have been filed in the office of the prothonotary of any county or the lands against which such taxes are charged have been returned to county commissioners for tax sale purposes

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 137, as follows:

An Act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four by installments and for a discount for prompt payment of such taxes in cities of the second class and in school districts of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person copartnership association or corporation charged with any taxes on real property for second class city or first class school district purposes which have become delinquent at or prior to the first day of January one thousand nine hundred and thirty-four may at any time prior to the first day of February one thousand nine hundred and thirty-four elect to pay the principal sum of such delinquent taxes as provided in this act anything in the permanent statutes of this Commonwealth to the contrary notwithstanding

Section 2 If within the time mentioned in section one of this act such person copartnership association or corporation tenders to the receiver of taxes or city treasurer as the case may be a sum equal to one hundred per centum of the principal sum of such taxes so delinquent less penalties interest and other charges such receiver of taxes and city treasurer are hereby authorized to receive such amount in full payment of all such taxes penalties interest and other charge Upon receiving such amount the receiver of taxes or city treasurer shall give to the person making such tender a receipt in full for all taxes penalties interest and other charges for the year one thousand nine hundred and thirty-three and any year prior thereto Such payment shall operate as a remitter of the difference between the sum so received and the aggregate amounts charged on the tax duplicate or on delinquent real estate tax list or both and shall be so treated in the settlement of the accounts of such receiver of taxes and city treasurer

Section 3 Any such person copartnership association or corporation being the owner of such real proprety may at such time in lieu of making a tender as authorized by section two of this act enter into a written undertaking in such form as shall be prescribed by the city solicitor or the solicitor of the school district as the case may be to pay the full principal amount of such taxes and assessments so delinquent less penalties interest and other charges in five equal annual installments payable at the time prescribed by law for the payment of taxes in cities of the second class and school districts of the first class in the years one thousand nine hundred and thirty-four one thousand nine hundred and thirty-five one thousand nine hunderd and thirty-six one thousand nine hundred and thirty-seven and one thousand nine hundred and thirty-eight without interest Such undertaking shall be made in duplicate one copy shall be retained by such person and the other shall be filed with the city or school district treasurer as the case may be who shall note on the tax list and duplicate and on the delinquent tax list the fact that such undertaking has been entered into and thereafter so long as such undertaking shall continue to be performed the lands against which said delinquent taxes penalties interest and other charges are charged shall not be proceeded against for the collection of such taxes anything in the permanent statutes of this Commonwealth to the contrary notwithstanding

Section 4 A person electing to pay delinquent taxes by installments as provided in section three of this act shall thereby undertake in his own behalf and on behalf of all subsequent grantees and transferes of such real estate that the real estate taxes currently payable during the period covered thereby will be paid when due and that the five installments of such delinquent taxes will be paid in five annual installments at and during the period of collection of the current real estate taxes with out interest penalty or other charge

Section 5 Any person copartnership association or corporation who has entered into an undertaking to pay such

delinquent real property taxes in installments pursuant to this act may at any installment period pay the entire unpaid balance of the principal sum of such delinquent taxes without penalty or interest

In case of any default in the payments under the undertaking provided for in this act such undertaking shall be canceled of record in the office of the city treasurer or treasurer of the school district as the case may be and such delinquent taxes together with penalties and interest shall thereupon be collected as provided by existing law excepting that in such event there shall be credited on the tax list and duplicate and the delinquent tax list and duplicate thereof the amounts theretofore paid under such undertaking and the penalties on such delinquent taxes shall be adjusted to the amount of the principal sum thereof remaining unpaid and the interest if any chargeable on such taxes at the rate prescribed by the permanent law of this Commonwealth shall be computed from the date of such default only

Section 6 When an undertaking to pay delinquent taxes on real property in installments made pursuant to this act has been fully performed and not prior thereto the city treasurer or receiver of taxes as the case may be shall give to the person so performing such undertaking a receipt in full for the principal sum of the taxes paid thereby which shall include a certificate to the effect that penalties interest and other charges in respect of the year or years covered thereby or any other year prior to the year one thousand nine hundred and thirty-four have been canceled and annulled The form of such receipt and certificate shall be prescribed by the city solicitor or solicitor of the school district as the case may be Such receipt shall operate as a remitter in the manner and to the extent provided in section two hereof

Upon the satisfaction of all taxes for the years prior to the year one thousand nine hundred and thirty-four in accordance with the provisions of this act all penalties and interest on taxes and penalties for said years prior to the year one thousand nine hundred and thirty-four shall be abated and cancelled and in the event any such taxes and assessments have heretofore been paid but the penalties and interest thereon have not been paid then such penalties and interest shall be so abated and cancelled

Section 7 In the event any appeal from the valuation of any parcel or parcels of land or buildings and structures thereon is pending on the effective date of this act then any person entitled to the benefits of this act with respect to taxes levied on such land and buildings and structures may avail himself of any election provided for by this act at any time within sixty days after any decision of such appeal which has become final notwithstanding the limitation expressed in section one of this act

Section 8 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 232, (Senate Bill No 41), entitled:

An Act to amend paragraph (a) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" by appropriating such fund to the Board of Finance and Revenue for redemption of bonds issued to acquire toll bridges

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 226, (Senate Bill No. 31), entitled:

An Act authorizing the Department of Property and Supplies to act as purchasing agency for certain Federal agencies and making an appropriation of moneys received to reimburse the department for the cost of so acting

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 227, (Senate Bill No. 34), entitled:

An Act authorizing the State Treasurer to act as custodian of moneys and securities contributed to or deposited with the Commonwealth or officers, departments, boards, or commissions of the Commonwealth, prescribing the manner in which such moneys or securities shall be held and disbursed or delivered up, and making an appropriation to the Treasury Department for the cost of administering such moneys and securities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 225 (Senate Bill No. 62), entitled:

An Act reducing to five days the period during which municipal subdivisions of the Commonwealth are required to advertise notice of proposed awards of contracts for articles to be used on projects financed by the Federal Civil Works Administration.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 181, as follows:

An Act to amend section five hundred and twenty-four as amended and section five hundred and twenty-five of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing that in school districts of the first class taxes for school purposes shall be assessed and collected in the same manner at the same proportional rates upon the several classes of property and with the same exemptions as the municipal taxes for the municipality comprising the respective school districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and twenty-four of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by

which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by the act approved the twelfth day of March one thousand nine hundred and twenty-nine (Pamphlet Laws twenty) is hereby further amended to read as follows

Section 524 In all school districts of the first class the school taxes for the following fiscal year shall be levied annually by the board of school directors thereof on or after the second Monday of November and before the first Monday of December following

The board of school directors thereof shall annually levy a tax [on each dollar of the total assessment of] in the proportional rates provided by law applicable to taxes for municipal purposes on all property assessed and certified for taxation in said district the total amount of which tax shall be ascertained determined and fixed by adding together the following

(a) An amount which with all moneys received from the Commonwealth applicable thereto shall be sufficient to pay the minimum salaries and increments of the teaching and supervisory staff thereof as fixed and provided by law and to pay the contributions of said district to the teachers' retirement system

(b) An amount sufficient to pay the interest on and retire the principal of the indebtedness of said district at maturity

(c) An amount sufficient to pay all other expenses and requirements of said school district which amount [for the tax years one thousand nine hundred and thirty and one thousand nine hundred and thirty-one shall be equivalent to not less than two and three-quarter nor more than three and one-quarter mills on the dollar of the total assessment of all property assessed and certified for taxation therein and for the tax year one thousand nine hundred and thirty-two and thereafter an amount which] shall be equivalent to not less than three nor more than three and one-half mills on the dollar of the total [assessment of all] assessed valuation of land and buildings and of all other property assessed and certified for taxation therein

Section 2 That section five hundred and twenty-five of said act is hereby amended to read as follows

Section 525 In all school districts of the first class in this Commonwealth the school taxes shall be levied and assessed upon the same property in the same manner at the same proportional rates upon the several classes of property and with the same exemptions as [that upon which] the municipal taxes of the municipality comprising such school districts of the first class [are levied and assessed]

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 233, (Senate Bill No. 53), entitled:

An Act providing for the creation of public "Authorities" in counties of the second class authorizing such "Authorities" to enter into agreements with the Government of the United States particularly as they relate to the National Industrial Recovery Act and any amendment and supplements thereto the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others defining and providing for the organization and dissolution of such "Authorities" conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions upon which such "Authorities" may exercise their powers endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds authorizing such "Authorities" to make and receive appropriations repealing certain acts and parts of acts inconsistent herewith and for other purposes

Article I, section 1, was read as follows:

ARTICLE I

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each county of the second class of this Commonwealth there is hereby created a body corporate and politic to be known as the "Authority" of said county (hereafter in this act called the "Authority") provided however that such "Authority" shall not become operative nor transact any business until and unless the board of county commissioners of the county in which it is created shall by proper resolution declare its creation and appoint and designate the members thereof as in this act herein prescribed Such "Authority" shall constitute a public body corporate and politic of said county for the public purposes herein set forth and shall exercise an essential governmental function in effectuating such purposes and to that end said "Authority" shall be endowed with and is hereby granted the following powers to-wit

(a) To construct maintain and operate bridges tunnels streets highways traffic distribution centers traffic circles airports hangars parkways recreation grounds and facilities public parks swimming pools lakes dams and parts of any of said projects and improvements thereof and additions thereto and to charge and collect fees tolls rentals and charges in connection with any or all of said structures projects additions or improvements and any or all parts thereof the proceeds therefrom to be used for the purpose of maintaining and operating the same and of repaying to the United States Government and to others any and all monies and interest thereon which may have been borrowed therefrom in connection with the purposes for which said "Authority" was created as same may be due and payable

(b) To enter into any contract or contracts with any street railway company telegraph company telephone company or other corporation or person or persons desiring to make use of any of the projects constructed or maintained pursuant to the purposes for which said "Authority" has been created and under the provisions of this act for the concurrent use of such portion of any of said projects as shall not substantially impair or restrict the public use and enjoyment thereof upon such rates terms and conditions as shall be agreed upon or to charge tolls or rentals for such special use provided however that such rates terms and conditions shall in no instance be less than the rates terms and conditions paid and met for like rights service and privileges within said county

(c) To construct and maintain or to lease the right to construct and maintain roads highways bridges tunnels for park purposes where none is now provided and available water mains and other mechanical equipment and appliances appropriate proper and necessary in connection with the construction and operation and use of the aforementioned projects by the public on over under along across or through any land and between any points which may be necessary for the construction and maintenance of such projects and the carrying out of the purposes for which said "Authority" is created

(d) To continue as a body corporate and politic for the time specified in this act

(e) To sue and be sued complain and defend in its own name

(f) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile thereof to be impressed or affixed or in any manner reproduced

(g) To purchase take receive lease as lessee take by gift devise or bequest or otherwise acquire and to own hold use and otherwise deal with any real or personal property or any interest therein situated in the county in which said "Authority" is created and set up which may be appropriate to enable it to accomplish fully and properly its purpose or purposes

(h) To sell and convey lease as lessor and otherwise dispose of all or any part of its property and assets

(i) To borrow money for any or all of the purposes for which it is organized to issue its promissory notes bonds or other forms of certificates of indebtedness with interest as evidence thereof and to secure any of its obligations by mortgage pledge or deed of trust of or on any of its property franchises and income

(j) To enter into any obligation necessary for the transaction of its ordinary affairs

(k) To have and exercise all of the powers and means necessary or essential to effect the purpose or purposes for which the "Authority" is organized

(l) To have and exercise the right and power of eminent domain for the acquisition of real property (the title thereto so acquired being title in fee simple) necessary for and in connection with the business of the "Authority" and for the purposes for which it was created but not to assess levy or collect any taxes of any kind or nature or for any purpose whatsoever specifically to borrow from the Government of the United States or other funds for the construction maintenance and operation of the projects for which said "Authority" shall have been created and to issue its negotiable bonds or other obligations secured by mortgage and trust deed given therefor and to provide for the rights of the holders thereof

(m) To elect a chairman vice-chairman secretary and treasurer and to adopt suitable by-laws for the management of its affairs The secretary and treasurer need not be member or members of the "Authority"

(n) To appoint and designate such officers agents and employes as it may require for the performance of its duties and fix and determine their qualifications duties and compensation

(o) To make rules and regulations for the management and regulations of its affairs

(p) To enter upon any lands waters and premises within the county in which said "Authority" is created and set up for the purpose of making surveys soundings and examinations

(q) To determine the exact location system and character of and all other matters in connection with any and all improvements or facilities which it may be authorized to own construct establish effectuate operate or control

(r) To exercise such other powers not inconsistent with the Constitution of this Commonwealth or of the United States which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers except the power to levy taxes or assessments and generally to exercise in connection with its property and affairs and in connection with property within its control any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs

(s) To dissolve and wind up the "Authority" and specifically when as and if all indebtedness to the United States and all other proper and lawful indebtedness of the "Authority" shall have been fully paid it shall be the duty of the "Authority" through appropriate action of its officers and members to convey and transfer in fee simple free and clear of all debts liens encumbrances and obligations whatsoever to the county in which said "Authority" shall have been created and set up all of the projects improvements structures and operations constructed erected acquired or maintained by said "Authority" during the period of its corporate existence and any and all monies contracts bills and notes receivable leases franchises and all other property whether real or personal of the "Authority" to render to said county by its proper officers full and complete account of all the transactions and business of the "Authority" and to dissolve and wind up its affairs and thereafter cease entirely to exist

On the question,

Will the House agree to the section?

Mr. McCLURE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 1, page 3, line 20, by adding at the end thereof, after the word "county" the following: "And provided further, that all contracts entered into under the provisions of this paragraph shall be subject to the approval of the Public Service Commission of this Commonwealth."

Amend Section 1, page 3, line 23, by inserting after the words "gas mains" the following: "water mains."

Amend Section 1, page 3, line 24, by striking out after the words "available" the following: "water mains."

Amend Section 1, page 4, line 19, by adding at the end thereof, after the word "assets" the following: "but no such sale conveyance, lease or other disposition shall be made unless the intention of the 'Authority' to sell, convey, lease or dispose of such property or assets has been advertised at least one time in the legal periodical and one newspaper of general circulation published in the county in which the 'Authority' has been created not less than ten days prior to the time of making such sale, conveyance, lease or other disposition."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Articles II and III were separately read and agreed to as follows:

ARTICLE II

Section 201 Whenever the county commissioners of any county of the second class shall desire to form an "Authority" under this act they shall adopt a resolution signifying their intention so do do

Section 202 The county commissioners of such county shall cause a notice of the resolution to be published at least one time in the legal periodical of the county in which the "Authority" is to be formed and at least one time in one newspaper of general circulation published in the county The said notice shall contain a brief statement of the substance of the resolution making reference to this act and shall state that on a day certain not less than three days after publication of the said notice articles of incorporation of the proposed "Authority" will be filed with the Secretary of the Commonwealth

Section 203 On or before the day fixed for the notice above provided for the county shall file with the Secretary of the Commonwealth articles of incorporation together with proof of the advertisement required by the preceding section If the Secretary of the Commonwealth finds that the articles of incorporation conform to law he shall forthwith but not prior to the day specified in the notices required by the preceding section endorse his approval thereon and when all proper fees and charges have been paid shall file the articles and issue a certificate of incorporation to which shall be attached a copy of the approved articles The articles upon being approved and filed by the Secretary of the Commonwealth shall constitute the charter of the "Authority"

Section 204 The articles of incorporation shall be executed by each incorporating county by its county commissioners and under its county seal and shall be acknowledged on behalf of each county by its county commissioners

Section 205 The articles of incorporation shall set forth

(a) The name of the "Authority"

(b) A statement that an "Authority" is formed under this act

(c) The name of the incorporating county together with the names and addresses of its county commissioners and the chief clerk of the board of county commissioners

Section 206 Upon the issuance of the certificate of incorporation by the Secretary of the Commonwealth the "Authority's" existence shall begin The certificate of incorporation shall be conclusive evidence of the fact that the "Authority" shall be incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate an "Authority" which should not have been formed under this act or which had been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation

ARTICLE III

Section 301 The "Authority" shall consist of three members all of whom shall be citizens of this Commonwealth and of the county in which said "Authority" is created and set up and who shall be designated and appointed by the county commissioners All members shall continue to hold office until their respective successors are appointed and qualified

Section 302 The members shall have entire charge of the "Authority's" property and affairs and shall for the purpose of doing business constitute a board but no action of the board shall be binding unless a majority of the members of the "Authority" shall vote in favor thereof

Section 303 The salary or compensation of the officers and members of the "Authority" shall be fixed and determined by the salary board of the county in which said "Authority" is created and set up but none of such salaries of compensation shall be increased or diminished during the term for which the officer or member receiving the same shall have been appointed

Section 304 Vacancies in the office of president vice-president secretary or treasurer caused other than by expiration of term shall be filled by election by the members of the "Authority" Vacancies in the membership of the "Authority" shall be filled by appointment by the county commissioners of the county in which said "Authority" is created and set up

Article IV, section 401 was read as follows:

ARTICLE IV

Section 401 If for any of its authorized purposes the "Authority" shall find it necessary or convenient to acquire any real property in the county in which said "Authority" is created and set up whether for immediate or future use the "Authority" may find and determine that such property whether a fee simple absolute or a lesser interest is required for public use and upon such determination The "Authority" shall have enjoy and exercise the same right and power of eminent domain as is now by law had enjoyed and exercised by counties of the second class However no property now or hereafter vested in or held by any county city borough township political subdivision or other municipality shall be taken by the "Authority" without the consent of such political subdivision or municipality unless expressly authorized by this act

If the "Authority" is unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property in the county in which said "Authority" is created and set up for any reason whatsoever then the "Authority" may acquire such real property in the manner provided for the acquisition of such property by counties of the second class in the exercise of the right of eminent domain

The power of the "Authority" to acquire real property by condemnation or the exercise of the power of eminent domain in the county in which said "Authority" is created and set up shall be a continuing power and no exercise thereof shall be deemed to exhaust it

The "Authority" and its duly authorized agents and employes may enter upon any land in the county in which said "Authority" is created and set up for the purpose of making such surveys maps or other examinations thereof as it may deem necessary or convenient for its authorized purposes

All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania not withstanding any contrary provision of law are hereby authorized and enpowered to lease lend grant or convey to the "Authority" upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships political subdivisions or other municipalities may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned and real property which may be necessary or convenient to the effectuation of the authorized purposes of the "Authority" including real property already devoted to public use

The term "real property" as used in this act includes lands structures franchises and interests in land including lands under water and riparian rights and any and all things and rights usually included within the said term and includes not only fees simple absolute but also any and all lesser interests such as easements rights of way uses leases licenses and all other incorporeal hereditaments and every estate interest or right legal or equitable including terms of years and liens thereon by way of judgments mortgages or otherwise and also claims for damage to real estate

On the question,

Will the House agree to the section?

Mr. McCLURE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 401, page 11, line 7, by striking out the words "The 'Authority'",

Amend Section 401, page 11, line 7, by striking out the word "enjoy."

Amend Section 401, page 11, line 7, by inserting after the word "and" the word: "shall."

Amend Section 401, page 11, line 8, by striking out the word "same."

Amend Section 401, page 11, lines 8, 9 and 10, by striking out the word "as" in line 8, the whole of line 9, and the words "the second class" in line 10, and inserting in lieu thereof: "to acquire the same."

Amend Section 401, page 11, line 15, by adding at the end thereof, after the word "act" the following: "and neither shall any property of a public service company be taken, except such property as can now be taken by the county commissioners under existing laws."

Amend Section 401, page 12, lines 14, 15, 16 and 17, by striking out the words "and without the neces-" in line 14, the whole of lines 15 and 16, and the words "the authorities concerned" in line 17, and inserting in lieu thereof: "subject, however, to the approval of the court of quarter sessions of the county in which such 'Authority" has been created."

On the question,

Wil the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the amendments?

It was agreed to.

Article IV, Section 402 was read and agreed to as follows:

Section 402 All contracts shall be let and purchases made by the "Authority" in the manner now provided by law relating to contracts and purchases by county commissioners in counties of the second class

Article V was read and agreed to as follows:

ARTICLE V

Section 501 Notwithstanding any provisions of this act the "Authority" shall have no power to pledge the credit of the Commonwealth of Pennsylvania or the credit of any county city borough township or other municipality of said Commonwealth or to create any debt of said Commonwealth or of such municipality county city borough or township and the bonds and debts of said "Authority" shall be a lien upon and payable solely from the assets and revenues of said "Authority"

Section 502 The "Authority" within sixty days after the first day of January each year shall cause a complete audit of its affairs to be made by a firm of certified public accountants approved by the county commissioners of the county in which said "Authority" is created and set up and shall furnish a copy thereof to the said county commissioners the Federal Emergency Administration of Public Works and if desired to the trustee under any mortgage or deed of trust given to secure any bonds issued by the "Authority"

Section 503 Before entering upon the duties of office the treasurer of the "Authority" shall furnish a bond with at least one corporate surety or three individual sureties in an amount not less than one hundred per centum of the estimated amount of the largest sum which will probably be in the treasurer's hand at one time during the succeeding year Such bonds shall be conditioned for the safe-keeping of the moneys of the "Authority" and faithful performance of the treasurer's duties

In lieu of furnishing surety bond as above provided the treasurer may pledge with any bank trust company or bank and trust company in Pennsylvania which may be agreed upon securities to guarantee safe-keeping of the funds of the "Authority" and faithful performance of his or its duties The securities so pledged shall have a market value of not less than one hundred twenty per centum of the estimated amount of the largest sum which will probably be in the hands of the treasurer at one time during the succeeding year The "Authority" shall have the right to require the pledging of additional securities if and when the securities already pledged shall become depreciated below said value. All securities so pledged shall be accompanied by proper assignments or powers of attorney for their transfer

Article VI, Section 601 was read as follows:

ARTICLE VI

Section 601 The "Authority" is hereby authorized to make and enforce such rules and regulations and to establish levy and collect (or to authorize by contract franchise lease or otherwise the establishment levying and collection of) such tolls rents rates fees and other charges in connection with any properties which it may construct erect acquire own operate or control as it may deem necessary proper desirable and reasonable which said tolls rents rates fees and other charges shall be at least sufficient to meet the expenses thereof including the cost of maintenance and operation thereof and interest and sinking fund or amortization charges and the "Authority" is hereby authorized and empowered to pledge such tolls rates rents fees and other revenues or any part thereof either presently received or to be received in the future or both as security for the repayment with interest and taxes if any of any monies borrowed by it or advanced to it for any of its authorized purposes and as security for the satisfaction of any other obligation assumed by it in connection with such loans or advances

On the question,

Will the House agree to the section?

Mr. McCLURE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 601, page 14, line 23, by inserting after the word "authorized" the following: "subject to the approval of the Public Service Commission of this Commonwealth."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Article VII was read and agreed to as follows:

ARTICLE VII

Section 701 The Commonwealth of Pennsylvania and all municipalities and political subdivisions thereof so long as any bonds or other securities or obligations of the "Authority" remain outstanding and unpaid and unless and until adequate provision is made by law for the protection of those advancing money upon obligations shall not diminish or impair the power of the "Authority" to own operate or control its properties and facilities or to establish levy and collect tolls rents rates fees and other charges in connection with such properties or facilities

Article VIII, Section 801 was read as follows:

ARTICLE VIII

Section 801 The bonds or other securities or obligations which may be issued by the "Authority" for any of its authorized purposes and as security for which there may be pledged the property tolls rents rates fees and other revenues or any part thereof of any properties or facilities owned operated or controlled by the "Authority" are hereby made securities in which all State and municipal officers and bodies of the Commonwealth of Pennsylvania all banks bankers trust companies savings banks saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth of Pennsylvania may properly and legally invest any funds including capital belonging to them or within their control and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officer or agency of the Commonwealth of Pennsylvania for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized

On the question,

Will the House agree to the section?

Mr. McCLURE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be ready by the Clerk.

The amendment was read by the Clerk as follows:

Amend bill, by striking out the whole of Article VIII, beginning on page 15, line 25 and ending on page 16, line 21.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Article IX, Section 901 was read as follows:

ARTICLE IX

Section 901 The effectuation of its authorized purposes by the "Authority" is and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania for the increase of their commerce and prosperity and for the improvement of their health and living conditions and since the "Authority" will be performing essential governmental functions in effectuating said purposes the "Authority" shall not be required to pay any taxes or assessments upon any property acquired or used by it for such purposes and the bonds or other securities or obligations issued by the "Authority" their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation within the Commonwealth of Pennsylvania

On the question,

Will the House agree to the section?

Mr. McCLURE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend bill, page 16, line 22, by striking out the figure "IX" and inserting in lieu thereof: "VIII."

Amend Section 901, page 16, line 23, by striking out the figure "901" and inserting in lieu thereof: "801."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Article X, Section 1001 was read as follows:

ARTICLE X

Section 1001 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

On the question,

Will the House agree to the section?

Mr. McCLURE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend bill, page 17, line 8, by striking out the figure "X" and inserting in lieu thereof: "IX"

Amend Section 1001, page 17, line 9, by striking out the figure "1001" and inserting in lieu thereof: "901."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Article X, section 1002 was read as follows:

Section 1002 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the section?

Mr. McCLURE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 1002, page 17, line 16, by striking out the figure "1002" and inserting in lieu thereof: "902."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Article X, section 1003 was read as follows:

Section 1003 This act shall become effective immediately upon the approval thereof by the Governor of this Commonwealth.

On the question,

Will the House agree to the section?

Mr. McCLURE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be ready by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 1003, page 17, line 18, by striking out the figure "1003" and inserting in lieu thereof: "903."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act providing for the creation of public "Authorities" in counties of the second class; authorizing such "Authorities" to enter into agreements with the Government of the United States, particularly as they relate to the National Industrial Recovery Act and any amendments and supplements thereto, the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others; defining and providing for the organization and dissolution of such "Authorities;" conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions upon which such "Authorities" may exercise their powers; endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds; authorizing such "Authorities" to make and receive appropriations; repealing certain acts and parts of acts inconsistent herewith; and for other purposes.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. McCLURE. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of further study and amendment.

The motion was agreed to.

RECONSIDERATION OF VOTE

Mr. SHELLENBERGER. Mr. Speaker, I move that the vote by which House Bill No. 5, Printer's No. 100, entitled:

An Act authorizing the adoption by employers in certain cases of a "check off" system whereby the union dues of employes and the wages of check weighmen or other persons may be deducted from the wages of employes making unlawful other deductions and providing a penalty

was defeated on final passage Wednesday, December 13, 1933, be reconsidered.

Miss BRANCATO. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Juniata, Mr. Shellenberger, vote on the final passage of this bill?

Mr. SHELLENBERGER. Mr. Speaker, I voted "no."

The SPEAKER. How did the lady from Philadelphia, Miss Brancato, vote on the final passage of this bill?

Miss BRANCATO. Mr. Speaker, I voted "no."

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. Hoopes and Mr. Yourishin.

Mr. O'CONNOR. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—108

Andrews,	Gartner,	McClure,	Sarig,
Barnhardt,	Green,	McCreary,	Sautter,
Bechtel,	Harmuth,	McGinnis,	Schrope,
Beech,	Hartman,	McGrail,	Schwab,
Bernhard,	Hefferon,	McHenry,	Schwartz,
Boyd,	Hermansen,	McKinney,	Scott,
Brancato,	Hester,	Melchiorre,	Sheffer,
Brown, J. E.,	Himes, L. R.,	Munley,	Shellenberger,
Brown, W. L.,	Hoffman,	Murphy,	Shettel,
Brownfield,	Holmes, J. B.,	Myers,	Shugarts,
Cannon,	Hoopes,	O'Connor,	Snyder,
Caputo,	Hough,	O'Keefe,	Sowers,
Carson,	Howard,	O'Neill,	Spann,
Chervenak,	Jones,	O'Rourke,	Stank,
Cohen,	Kane, J. J.,	Patterson,	Steedle,
Cordier,	Kane, L. P.,	Perry, J. J.,	Sterling, R. B.,
Cramer,	Kinney,	Powell,	Stevens,
Davies,	Lane,	Powers,	Stone,
Downey, G. E.,	Lenahan,	Quinn,	Tahl,
Downey, J. J.,	Long,	Raub,	Wagner,
Dunmire,	Lovett, J. E.,	Rectenwald,	Wall,
Eroe,	Lynch, J. R.,	Reed,	Welsh,
Fitzgerald,	Lynch, M.,	Rhodes,	Westrick,
Flinchbaugh,	Malina,	Roan,	Williams, G. W.,
Flynn, J. W.,	Maloney,	Roth,	Williams, J. J.,
Furman,	Mason,	Ruby,	Wilson, L. M.,
Gallagher, T. J.,	McCandless,	Ruth,	Yourishin,
Gallagher, W. J.			

NAYS—66

Baker,	Greenstein,	Lose,	Stiteler,
Baldi,	Griffith,	McElwee,	Terry,
Bennett,	Haines,	McGregor,	Trout,
Blumberg,	Harris,	McKay,	Turner,
Brennan,	Hart,	Merrell,	Wade,
Carey,	Heffernan,	Mohn,	Walker, W. A.,

Conner,	Heffner,	Mumford,	Weidemann,
Cooke,	Hewitt,	Negley,	White,
Craig,	Himes, H. E.,	Peelor,	Wike,
Dane,	Holmes, J. L.,	Pennock,	Wilson, T. B.,
DeFrehn,	Horst,	Perry, D. R.,	Witkin,
Ederer,	Hutton,	Peters,	Wright,
Emhardt,	Jaffe,	Reilly,	Yeakel,
Evans,	King,	Rice,	Zimmerman,
Flynn, J. M.,	Laubach,	Schrock,	Talbot,
Forrest,	Lewis,	Shreiner,	Speaker.
Gillette,	Lord,	Simon,	

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. O'CONNOR. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—107

Andrews,	Gallagher, W. J.,	McCandless,	Ruth,
Barnhardt,	Habbyshaw,	McClure,	Sarig,
Bechtel,	Harmuth,	McCreary,	Sautter,
Beech,	Hartman,	McGinnis,	Schrope,
Bernhard,	Hefferon,	McGrail,	Schwab,
Boyd,	Hermansen,	McKinney,	Scott,
Brancato,	Hester,	Melchiorre,	Sheffer,
Brown, J. E.,	Himes, H. E.,	Merrell,	Shellenberger,
Brown, W. L.,	Himes, L. R.,	Munley,	Shettel,
Brownfield,	Hoffman,	Murphy,	Shortz,
Cannon,	Holmes, J. B.,	Negley,	Shugarts,
Caputo,	Hoopes,	O'Connor,	Snyder,
Carson,	Hough,	O'Keefe,	Stank,
Chervenak,	Howard,	O'Neill,	Steedle,
Cohen,	Jones,	O'Rourke,	Stevens,
Cordier,	Kane, J. J.,	Perry, J. J.,	Stone,
Cramer,	Kinney,	Powers,	Wagner,
Davies,	Lane,	Price,	Walker, W. A.,
DeFrehn,	Lenahan,	Quinn,	Wall,
Downey, G. E.,	Long,	Raub,	Welsh,
Downey, J. J.,	Lovett, J. E.,	Rectenwald,	Westrick,
Dunmire,	Lynch, J. R.,	Reed,	Williams, G. W.,
Eroe,	Male,	Reilly,	Williams, J. J.,
Fitzgerald,	Malina,	Rhodes,	Wilson, L. M.,
Furman,	Maloney,	Roan,	Woodside,
Gallagher, T. J.,	Mason,	Ruby,	Yourishin,

NAYS—57

Baker,	Griffith,	Mohn,	Trout,
Bennett,	Harris,	Mumford,	Turner,
Blumberg,	Hart,	Myers,	Wade,
Brennan,	Heffernan,	Patterson,	Weidemann,
Conner,	Heffner,	Peelor,	White,
Cooke,	Hewitt,	Pennock,	Wike,
Craig,	Holmes, J. L.,	Peters,	Wilson, T. B.,
Dane,	Hutton,	Rice,	Witkin,
Ederer,	Jaffe,	Schrock,	Wood,
Emhardt,	Laubach,	Shreiner,	Wright,
Evans,	Lewis,	Simon,	Yeakel,
Flinchbaugh,	Lose,	Stiteler,	Zimmerman,
Flynn, J. M.,	McElwee,	Stott,	Talbot,
Forrest,	McGregor,	Terry,	Speaker
Gillette,	McKay,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Franklin, Mr. Hutton, for presiding over the deliberations of the body.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to third reading and consideration of House Bill No. 151, as follows

An Act to amend sections two three five six seven eight nine ten eleven twelve section thirteen as amended sections fourteen nineteen twenty twenty-one twenty-two twenty-four twenty-six thirty-two thirty-three thirty-four thirty-six forty section forty-three as amended sections forty-seven forty-nine of and to add sections eight and one-tenth to twelve and one-tenth twenty-three and one-tenth twenty-three and two-tenths twenty-five and one-tenth forty-nine and one-tenth forty-nine and two-tenths forty-nine and three-tenths to the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven) entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualifications clerks and counsel fixing their qualifications terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registers shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars to said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions nd the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith" providing a system of permanent personal registration for such cities changing the number of the members of the registration commission removing the existing registration commissioners and providing for the appointment of the new members thereof and imposing additional duties and restrictions upon the registration commissioners county commissioners registrars and inspectors of registration

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two three five six seven and eight of the act approved the tenth day of July one thousand nine hun-

dred and nineteen (Pamphlet Laws eight hundred fifty-seven) entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualification terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of the commissions by the commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registers shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey supoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars to said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothontaries sheriffs commissioners of peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissioners punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith" are hereby amended to read as follows

Section 2 The word "city" as used herein refers to any city to which this act applies and "commission" has reference to any registration commission in such a city and the word "commissioner" to any member of such a commission

The word "oath" as used herein includes affirmation and the word "swear" includes affirm "Election" means any general special or municipal election unless otherwise specified

The words "general election" means the election which the Constitution of this Commonwealth requires to be held in even numbered years and the words "municipal election" that which it requires to be held in odd numbered years "November election" refers to both the general and municipal election or either according to the context

The word "party" as used herein refers to any political party or body of electors one of whose candidates either at the last general or at the last municipal election polled at least five per centum of the largest entire vote cast for any elected candidate in any city to which this act applies although such percentage of said vote may not have been attained in any particular election district thereof

"Body of electors" refers to any political body not recognized as a political party but entitled to make nominations of candidates for any public office by nomination papers on whose behalf proper affidavits have been filed with the prothonotary or elsewhere as now is or hereafter may be required by law to obtain the exclusive right to use a party name or appellation for any election or primary

"Spring primary" refers to the primaries that now are or hereafter may be required to be held in even numbered years and "fall primary" to those in all odd numbered years

The words "qualified elector" means any person who shall possess all the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district will obtain such qualifications before the next ensuing election or primary

"Register" means the [book] cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registrars or the commissioners as hereinafter provided

"County" shall refer to any county in which any city to which this act applies is situated or with which such city is coextensive

All references to prothonotaries sheriffs county commissioners courts judges peace officers and other officials where not otherwise specified shall be understood to refer only to those of the proper counties aforesaid or of any judicial district in which any city to which this act applies is situated or with which it is coextensive

All references to mayors city councils city treasurers controllers receivers of taxes police officers and other officials where not otherwise specified shall be understood to refer only to those of any city to which this act applies

The words "public office" as used herein shall include any National State judicial county city ward or election office requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

Section 3 The Governor of the Commonwealth shall within ten days after the passage hereof and in every fourth year thereafter appoint a registration commission for each city to which this act applies [consisting of five] The registration commission for each city shall hereafter consist of three members who shall be appointed by the Governor They shall be duly qualified electors thereof not more than [three] two of whom shall belong to the same political party The terms of office of the commissioners first appointed under the provisions of this amendment shall commence on the first day of February one thousand nine hundred and thirty-four and shall expire on the first Monday of January one thousand nine hundred and thirty-eight As soon as the commissioners so appointed for any city under the provisions of this amendment shall qualify the terms of office of all existing registration commissoiners in such city and of all their appointees shall be ended and they shall immediately surrender transfer and deliver all public property records funds and accounts then in their charge to the custody and use of the commissioners so appointed hereunder

All commissioners hereafter appointed shall hold office for a term of four years or until their successors qualify unless sooner removed or otherwise disqualified Any vacancy in any commission shall be filled by the Governor within ten days after the vacancy occurs by appointing a competent person to hold office during the remainder of the term of the commissioner whose place becomes vacant The Governor may at any time without stating any cause remove any commissioner and appoint his successor for the remainder of his term

Each commissioner in any city aforesaid shall receive a compensation at the rate of four thousand dollars per annum payable monthly by the treasurer of such city upon the presentation of proper warrants signed by the chairman or chief clerk of the commission

Section 5 The commissioners shall keep a record in permanent form of all proceedings and make an annual report to the Governor Their records and all district registers street lists lists of voters affidavits petitions appeals witness lists accounts contracts reports and other documents in their custody except the general registers shall be open to public inspection and may be inspected and copied by any qualified elector when thay are not necessarily being used by the commissioners or employes having duties to perform in reference thereto between the hours from nine o'clock ante meridian to four post meridian daily except Sunday and legal holidays between the first day of December of each year and the first day of September

following but during the months of September October and November in each year all such books and papers shall while in the custody of the commissioners be open to the public for the purpose aforesaid both during the aforesaid hours and also during the hours from four post meridian to ten post meridian daily except Sunday and legal holidays under proper regulations for their safe-keping and subject however to the further provisions of this act

Section 6 The commissioners shall not later than August fifteenth [of each year] in the year of one thousand nine hundred and thirty-four appoint four registrars for each election district as herein provided and designate two of them one of whom shall be of the majority party to have charge of the [two registers] district register and the voting check list as hereinafter provided The registrars must be duly qualified electors of the said district and shall have been residents of the city for a period of two years and of the ward for one year immediately preceding their appointment They must be sober and judicious persons of good moral character able to read intelligently and to write legibly Two of the registrars shall be members of the party polling the highest vote within the election district at the last preceding November election and one at least shall be a member of the party polling the next highest number of votes at said election [The commissioners shall provide at all times a board of registrars not more than two of whom shall be of the same political faith] Of the registrars appointed in August one thousand nine hundred and thirty-four the two designated by the commissioners to have charge of the district register and the voting check list shall hold their office for the period of one year as heretofore but the other two registrars shall hold their office only until the end of the calendar year of one thousand nine hundred and thirty-four On the same date in all subsequent years the commissioners shall appoint two registrars for each district one of whom shall be of the majority party and the other one of the party polling the next to highest number of votes within the election district at the last preceding November election The said two registrars shall have the same qualifications as above set forth and shall have charge of the district register and the voting check list as hereinafter provided If [therefore] it appears at any time that by reason of a change in political affiliations or because of error in the appointment a board is not [so] properly divided as provided by this act any ten electors of any election district may file a petition with the commissioners setting forth the facts and praying that one or more of the appointments may be revoked and that other appointments may be made Upon presentation of such a petition one of the commissioners shall fix a time not less than five days thereafter and at least three days notice shall be given by mail to [all] the registrar or registrars of such board who are [alleged to be of the same political faith] concerned when a public hearing shall be given all concerned and if the facts are then found to be as represented the commissioners shall give the relief asked for

Whenever expedient they may appoint the assessor of any election district if otherwise qualified as one of the registrars but no other person who holds or is a candidate for public office shall act as registrar

Section 7 Not later than July twentieth of each year any five or more qualified electors of any election district of the same political party may file with the commissioners their petition for the appointment of not more than two qualified persons also members of said party as registrars The petition shall set forth the name address qualifications occupation and political affiliation of each person suggested for appointment as a registrar and give the respective residences of the petitioners and declare that each of them belongs to the same party as that designated as the party of each candidate which petition shall be signed by each petitioner in his own handwriting and sworn to be one of them and by each candidate More than one petition may be filed on behalf of the same party for each election district provided that no elector shall be competent to sign petitions for more than two candidates but if any candidate dies withdraws or becomes disqualified before the last day for filing petitions aforesaid any elector who recommended him may sign a petition for another candidate

All petitions shall be open to public inspection and not earlier than July twenty-sixth of each year the commissioners shall commence public hearings thereof considering them on consecutive week-days in the numerical order of the wards and of the election districts within each ward to which they relate respectively unless reasonable cause be shown for postponing any hearing to a later time or date and reasonable notice of such postponement given to all concerned

The commissioners shall publish one general notice of the place and times or days when they will examine the candidates from the election districts of the various wards at least three days prior to the first hearing in at least two daily newspapers each having a paid circulation of at least fifty thousand copies daily in the city and shall mail to each candidate a special notice of the time and place when he will be examined regarding his qualifications at least three days before the day fixed for same except that the commissioners need not notify any candidate who had previously been appointed a registrar to appear but may reappoint him without such examination

If more candidates are duly nominated as members of any party than it is entitled to have appointed the commissioners shall appoint the candidate or candidates whom they consider most fit and if there are not sufficient fit candidates nominated on behalf of any party the commissioners may appoint other persons without regard to party of whom they have knowledge

Any qualified elector of the city may appear before the commissioin and show wherein any person nominated for appointment or appointed as a registrar does not posses the requisite qualifications and the commissioners may decline to appoint any candidate or remove any registrar whom they consider unfit No person shall be appointed a registrar unless the appointment is approved by [three] two commissioners

Any person appointed a registrar must perform his duties as prescribed by this act unless excused therefrom by the commissioners for cause shown

Section 8 The registrars of each election district shall meet at the polling-place in [even numbered years] the year one thousand nine hundred and thirty-four on the ninth Thursday the seventh Tuesday and fifth Saturday preceding the general election which shall be known as a fall registration on the fifth Wednesday preceding the spring primary which shall be known as the spring registration and in all other even numbered years on the fifth Saturday preceding the general election which shall also be known as the fall registration and on the fifth Wednesday preceding the spring primary which shall also be known as the spring primary and in odd numbered years beginning with the year one thousand nine hundred and thirty-five on the [tenth Tuesday ninth Tuesday and] ninth Saturday preceding the municipal election which shall also be known as a fall registration They shall remain in open session from seven ante meridian to one post meridian and from four post meridian to ten post meridian of each registration day aforesaid

They shall on said days receive personal applications from persons who claim that they are entitled to be registered They shall have power to administer oaths shall examine said applicants under oath and shall record on the [registers the] registration cards names of those whom they shall determine to be qualified as hereinafter provided

Section 2 That said act is hereby amended by adding thereto section eight and one-tenth to read as follows

Section 8.1 Any person lawfully registered under the provisions of this act during the fall registration of one thousand nine hundred and thirty-four or thereafter in the election district wherein he or she resides shall not be required to again register unless he or she moves out of such election district or fails to vote at two successive elections and for the purpose of this section the term "elections" shall mean general municipal and primary elections

The names of all persons who move out of the election district in which he or she shall have last registered or who shall have failed to vote at two successive elections shall be taken from the registers and in order to qualify as a voter such persons must again register in the manner provided by this act

Section 3 That sections ten eleven and twelve of said act are hereby amended to read as follows

Section 9 For further accommodation of the public the commission shall hold regular sessions for the registration of electors at its office [in even numbered years on each day except Sunday from the fourth Tuesday to and including the second Saturday preceding the spring primary and on each day except Sunday from the fourth Wednesday to and including the second Saturday preceding the general election and in odd numbered years on each day except Sunday from the eighth Wednesday preceding the municipal election to and including the fifth day preceding the fall primary and after said primary from the sixth Monday to and including the second Saturday before the municipal election] beginning the sixth day after the fall election in one thousand nine hundred and thirty-four and on each day thereafter except Sundays holidays the day of each election and each primary the thirty days next preceding each election and each primary and the five days next following each election and each primary and except each registration day and five days preceding and five days following each registration day on each of which days the commission shall remain in session from nine o'clock ante meridian to twelve o'clock noon and from one to four pst meridian to receive personal applications for registration from electrs who [on account of illness absence from the city business or personal reasons did not find it convenient to appear at their polling-places on any of the registration days when the registrars were in session or who although not then qualified have since become qualified to be registered or who were refused registration by the registrars for any reason] claim the right to be registered but the commissioners shall examine all applicants for registration before them as fully as the registrars are required to interrogate persons who appear before them at the polling-places and inquire also whether they were refused registration by the registrars and if so why and require any person who is challenged by any qualified elector of the city to meet such challenge in the same manner as if he had been duly challenged before the registrars of his election district

Section 10 The names and other information concerning those whom the commissioners shall determine to be entitled to be registered at the office of the commission shall be recorded [on the same registers as were previously used at the polling-places by the registrars for registering other electors residing in the same election district] in duplicate on registration cards in the same manner as if such persons were registered by the registrars of their districts at the polling places and the commissioners shall keep separate lists of the names addresses of all electors registered by them in each election district [but need not print them in the street lists previously prepared by the registrars]

Section 11 Electors who [did not register at a fall registration] are not registered may not register at the spring registration if any [of the following year] if they will be qualified to vote at the spring primary The commissioners shall also sit on the third Wednesday preceding every special election for the purpose of registering all electors who have not been rgistered in the election district in which they then reside but who otherwise are or will be fully qualified to vote at such election if they shall continue to reside in said district

Section 12 Two weeks notice of all registration days shall be given by the commissioners by one general notice published in at least two daily newspapers each having a paid circulation of at least fifty thousand copies daily in the city and by posting notices at the polling-places

The registration lists effective at the time this act becomes effective shall become of no validity at the beginning of the period of fall registration [next succeeding that at which the registers were opened

The] in the year of one thousand nine hundred and thirty-four but the old registers shall be preserved by the commissioners for at least two years after [the year in which they are in use] such date and during said period shall be open to public inspection under proper regulations for their safekeeping and no register shall be destroyed without the previous consent in writing of the district attorney of the proper county

Section 4 That said act is hereby amended by adding thereto section twelve and one-tenth to read as follows

Section 12.1 (a) For the purpose of registering the qualified electors of the districts over which they have jurisdiction the commissioners shall prepare duplicate sets of registration cards serially numbered and containing spaces for entering the information required by this act and the following affidavit

REGISTRATION AFFIDAVIT

Any Wilful False Statement made Herein Constitutes Perjury and is Punishable as Such

State of Pennsylvania } ss
County of }

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or had read to me) the foregoing statements made in connection with any registration and that they are true and correct
Subscribed and sworn to before

me this ..... day of

..... 19....

.....
Signature of Voter

.....
Signature of Registrar

(b) Subject to the foregoing provisions of this petition the Secretary of the Commonwealth shall prescribe the form of such registration cards

(c) Each card shal lbe printed on stock of good quality shall be of suitable uniform size and shall be filed out and executed in duplicate by each applicant for registration The commission shall provide suitable binders for filing and indexing the registration cards

(d) The commission shall keep a record of the serial numbers of the registration cards issued by it from time to time to each registrar

(e) Before ten ante meridian on the day following the last day for registration before an election or primary and at such other times as the commission may prescribe each registrar shall return to the office thereof the district register and all registration cards used or unused in his possession and shall account fully in writing for each missing card

(f) Unused registration cards may be re-issued by the said commission but it shall preserve all other papers records and memoranda as a part of its record

Section 5 That section thirteen of said act as amended in part by section one of the act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred ninety-two) and in part by section one of the act approved the eleventh day of April one thousand nine hundred and twenty-nine (Pamphlet Laws four hundred eighty-three) is hereby further amended to read as follows

Section 13 Every person claiming the right to [vote] register must appear in person before the registrars in the district in which he lives or before the commissioners on one of the days prescribed by [law] this act and answer the questions put to him by them

[Provided however That] The registration of every person now lawfully registered or who registers before the spring primary in one thousand nine hunded and thirty-four under the provisions of this act shall be valid and sufficient until the beginning of the fall registration period in the year of one thousand nine hundred and thirty-four at which time all registrations shall be cancelled The registration commissioners shall at [each] the fall registration preceding the November election in one thousand nine hundred and thirty-four furnish to the registrars of the several wards and precincts the registers of the proper ward or precinct for the

previous year Every person appearing before the registrars at such registration who was registered in said district for the previous year and who still resides at the same residence within said district as in the previous year shall after being sworn [upon the production of a proper tax receipt and the] and making [of] a statement that he was registered in said election district the year immediately preceding that he resides in the same residence as during the year immediately preceding and naming the political party if any to which he belongs be again registered by the registrars without answering the additional questions In all such cases the registrars shall at any time during the day complete the registration of such person from the registers of the preceding year making due allowance for the elapsing of one year The answers must be recorded [on a single line in two registers which shall have the following form]

Surname	Christian Name	Occupation	Present Residence		
			Street and Number	Householder Lodger Lessee or Owner	Room or Floor Occupied
1	2	3	4	5	6

Length of Residence		Place of Residence at Time of Last Registration				Place of Birth	Naturalization Papers Produced Yes or No	No of Affidavit of Naturalization of Father if taken	Tax Receipt Produced Yes or No
In State	In District	State	City	Street and Number	Date of last Registration				
7	8	9	10	11	12	13	14	15	16

No of Affidavit of loss if taken. If under 22 years of age write of "Age"	Personal Description				Designation of Political Party for Primary Vote	Signature at time of Registration or of Voting
	Color	Approximate "Age"	Tall Short or Medium	Approximate Weight		
17	18	19	20	21	22	23

If Challenged No of Challenge Affidavit	VOTED These columns are for use at elections and are not to be filled in by Registrars			
	Fall Primary	November Election	Spring Primary	Special Election
	Party Ballot		Party Ballot	
	Non-Partisan Ballot		Non-Partisan Ballot	
24	25	26	27	28

[The size and character of the said register shall be determined by the Secretary of the Commonwealth and the form thereof shall be furnished by the said secretary to the respective commissions

Immediately above the form shall be printed the following instructions "THAT APPLICANT MUST BE SWORN OR AFFIRMED THAT THE INFORMATION GIVEN BY HIM IN REFERENCE TO HIS RIGHT TO BE REGISTERED SHALL BE THE TRUTH ANY WILFUL FALSE STATEMENT CONSTITUTES PERJURY AND IS PUNISHABLE AS SUCH"

Every register shall be indexed alphabetically from A to Z The lines of each page shall be consecutively numbered in both margins beginning with the number one at each alphabetical division of the register The answer of the applicants shall be recorded in their presence in both registers in the following manner

In the first column shall be entered] in his presence by the registrar or commissioner in permanent writing or typewriting in duplicate in the proper spaces on the registration cards as follows (1) the surname of the applicant [in the order of his appearance at the place of registry on the page bearing the index letter of his surname in the second column shall be entered] (2) his Christian name or names [in the third column] (3) his occupation [in the fourth column] (4) the street and number of his residence [in the fifth and sixth columns] (5) whether he is a householder lodger lessee or owner and if he is a lodger or lessee of a portion only of a house the location or number of the room or floor which he occupies [in the seventh and eighth columns shall be entered] (6) the length of his residence in the State and district respectively in answer to the question as to his residence in the State and district respectively it shall be sufficient for him to state such time as shall qualify him to vote within the district [in the ninth tenth eleventh and twelfth columns] (7) the location of the house from which he last registered giving State city street and number respectively [and] (8) the year in which he was so registered [in the thirteenth column] (9) the State or Territory of the United States or the foreign country where he was born [in the fourteenth column] (10) whether being foreign-born he produces his naturalization papers [in the fifteenth column] (11) the number of the affidavit of naturalization of his father if taken [in the sixteenth and seventeenth columns the manner in which he complies with the law relating to the payment of taxes as a qualification of the right to vote whether by the production of his receipt or by making affidavit if the applicant is less than twenty-two years of age the word "age" shall be recorded in said columns in the eighteenth nineteenth twentieth and twenty-first columns] (12) his person description designating whether white or colored and his approximate age [height and weight] in giving the approximate age a statement that the applicant is twenty-one years of age and upwards shall be sufficient [in the twenty-second column] (13) the designation of the political party of the elector for the purpose of voting at [the next succeeding primary or] primaries if such a statement shall still be required as preliminary to the right to vote at [such primary or] primaries [in the twenty-third column in the register marked "voting check list" he shall be required to sign his name if able to write] (14) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar or commissioner and dated by him (15) if he alleges inability to write a record of the fact shall be made [in the same column] and he shall be permitted to subscribe by making his mark and unless due to some apparent physical infirmity he shall be required to make affidavit of his inability to write [in the twenty-third column in the register marked "ballot check list" he shall (if challenged on election day) be required to sign his name in the twenty-fourth column shall be entered] (16) the number of the challenge affidavit of every person who is required to take said affidavit [in the twenty-fifth twenty-sixth twenty-seventh and twenty-eighth columns the election officers shall record in one register the obtaining of the ballot and in the other the casting of the vote of the registered elector at the fall primary November election spring primary or special election as hereinafter provided or as may hereafter be provided by law]

Each registration card shall also have a sufficient number of spaces thereon for the insertion of (17) the city ward and election district in which the elector resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal (18) the date of each election and primary at which the elector votes and (19) the signature or initials of the election officer who enters the record of voting on the card

The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed according to the city the registration affidavit will be known as the general register when filed according to election districts as the district registers

Whenever the registration cards of any registered person shall become entirely filled so they can no longer be used to mark the necessary information thereon the commission shall have prepared and attach to such person's card in each register a supplemental card Each such supplemental card shall be printed in a color different from the registration cards it shall have the same serial number as the registration card with a letter A B etc printed after number according to the number of supplemental cards attached to each registration card Each supplemental card shall have printed thereon the ward and division of the elector his name and address and the necessary spaces to permit the entry thereon of the information required under this act They shall be attached to the registration cards by permanent fasteners but in such a manner that the contents of the registration cards may be examined and the necessary entries may be made from time to time on the supplemental cards Whenever supplemental cards are attached to the registration cards of any elector the registration cards shall be stamped with the word "Supplemental" together with the date thereof

Section 6 That sections fourteen nineteen twenty twenty-one and twenty-two of said act are hereby amended to read as follows

Section 14 Every person [who shall have paid within two years a State or county tax either by himself or his duly authorized agent or attorney which was assessed at least two months and paid at least one month before the next ensuing November election and] who shall possess all the [other] qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered at a fall registration but at the spring registration only if he will be qualified to vote at the spring primary but no person shall be registered unless both registrars when only two are sitting and at least three of the registrars when four are sitting or two commissioners determine that he is so qualified except by order of a court of common pleas as hereinafter provided

Section 19 On [the fifth Wednesday preceding the spring primary] each registration day the registrars shall in addition to the registration of electors strike from the list the names of such persons as shall be proven to their satisfaction by the affidavits of at least two qualified electors of the division to have died or removed from the division since the last registration The registrars shall record on blank forms provided for the purpose the name and previous places of registration giving wards and divisions of all persons registered by them on said day who give as such place of previous registration a place in the same city and shall forward the same to the commissioners for their information

And the commissioners shall record the like facts relating to persons registered by them who have moved from one election district of the city into another since their previous registration

Section 20 Upon receiving from any registrars or making any record of the transfer of the registration of any qualified elector who removed from one division to another in the same city [on any registration day preceding the spring primary] as aforesaid the commissioners shall examine the [registers] district register of the election district given as the previous place of registration and if the name of such elector remains registered therein they shall [strike it therefrom] remove his registration cards from such district register and from the city egister mark on each card the word "cancelled" and note [therein] thereon the reason for so doing

Section 21 If any person claiming the right to be registered shall object to the action of any registrars in striking his name from the registers he may file his petition with

the commissioners not later than two weeks prior to [the spring] any primary general or municipal election setting forth the ground of his complaint under oath and praying for the correction of the registers by the restoration of his name thereto which petition shall be heard and disposed of not later than ten days preceding the [spring] primary general or municipal election after one of the commissioners shall have fixed a time for a public hearing thereof at the office of the commission and the petitioner shall have given each registrar at least forty-eight hours notice of such hearing by leaving a copy of said petition with the time and place for hearing same indorsed thereon at the residence of each registrar and at such hearing if the commissioners are satisfied that such notice has been given and that the petitioner is entitled to be registered they shall amend the register accordingly by registering the petitioner in the usual manner but any registrar or qualified elector of the city may appear and show cause why the same should not be done

Section 22 On any registration day preceding the spring primary any person who desires to change the enrollment of his political designation because of change in his political affiliation at the last [preceding] November election at which he voted or who has hitherto not enrolled as a member of a party although registered may appear before the registrars of the proper division or the commissioners whichever may have the registers and change the enrollment of his political designation or cause his political designation of party to be entered on the registers

Section 7 That said act is hereby amended by adding thereto sections twenty-three and one-tenth and twenty-three and two-tenths to read as follows

Section 23.1 The duplicate registration cards or affidavits shall be placed in exact alphabetical order for the entire city by the commissioners and indexed and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded These affidavits shall constitute the general register of such city and shall not be removed from the office of the commission except upon order of the court of common pleas of the county wherein such city is located

Section 23.2 The original registration affidavits shall be filed by election districts and within each election district in order of streets and houses and indexed and the cards or affidavits so filed for each election district shall constitute the district register for such district The district registers shall be kept at the office of the commission except as herein provided and shall be open at all times subject to reasonable safeguards rules and regulations to public inspection

The cards in the district registers shall be contained in a filing device so constructed that every entry on each card may be visible and that entries may be made thereon but that no card can be removed from the filing device which without the use of a key or other device which shall at all times remain in the possession of the commission

Section 8 That section twenty-four of said act is hereby amended to read as follows

Section 24 The commissioners shall have power to investigate on their own motion any irregularities in registration to summon witnesses to examine them under oath to require the production of any relevant books and papers and to correct the registers by striking off names which they may find to be improperly registered provided none be struck off except at the public sessions of the commission for registration purposes herein provided for To assist them in securing correct and impartial information regarding any matter within the jurisdiction of the commission the commissioners may from time to time appoint as many inspectors of registration as may be necessary for the city who must be qualified electors of the city and sober and judicious persons of good moral character able to read intelligently and to write legibily They shall be chosen in such manner as shall be agreed upon by the commissioners without regard to their party affiliations and shall have the power to administer oaths and the other powers herein granted them but shall not exercise the same until they shall have taken an oath of office such as the commissioners may prescribe and receive a certificate of appointment stating their names and addresses and the length of time for which they shall have been appointed respectively If at any time five or more electors of any election district shall petition the commissioners for the appointment of one inspector to secure correct and impartial information regarding the registration of electors in such district the commissioners shall at once appoint an inspector for such district who shall perform the duties of his office in such district as provided in this act

Section 9 That said act is hereby amended by adding thereto section twenty-five and one-tenth to read as follows

Section 25.1 (a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote

(b) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by the following section of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector

Section 10 That sections twenty-six thirty-two thirty-three thirty-four thirty-six and forty of said act are hereby amended to read as follows

Section 26 Any elector of registration on his own motion or on complaint of any person known to him may and when directed by any commissioner shall

a Investigate all questions relating to the registration of electors and for that purpose shall have power to enter and inspect any dwelling building inn lodging house or hotel within any city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment aforesaid

b Inspect any copy and register of lodgers in lodging houses inns or hotels relating to or affecting the right of any person to vote or to be registered in like manner

c Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

d Call on any police or peace officer of such city or of the county to assist the inspector of registration in the maintenance of peace at any polling-place or in making any arrest as aforesaid

e Leave a notice at the address from which any person is registered when such person shall not be found to reside at the address from which he is registered or who for any other reason shall appear to be not qualified to vote in the election district from which he is registered Such notice shall require such elector to appear personally at the office of the commission on or before a date and hour which the notice shall appoint and which shall be not later than the fifth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector The inspector shall give written report of such cases to the commission which shall cause a confirmation of ecah such notice to be sent by mail promptly to such person at the address from which he is registered

At the expiration of the time specified in the notice the commission shall cancel the registration of each such person who has not personally appeared and proved his qualifications as an elector

Section 32 The two registrars designated to keep the two registers shall obtain at the office of the commissioners before the first registration day in the fall of [each] the year one thousand nine hundred and thirty-four and before the fifth Wednesday preceding the spring primary in the year one thousand nine hundred and thirty-four the blank books forms and other supplies prepared for their use and before

the said fall registration the registration cards and district register and shall have the same at the polling-place on each day when they are or should be in session On such registration days and during the time from one such day to another while the registers affidavits and other records remain in the custody of the said registrars they shall be charged with the safe-keeping of the and the other two registrars shall be charged with the safe-keeping of the lists of names and addresses of persons being registered from which the street lists are subsequently to be prepared as hereinafter provided Before all subsequent registration days the two registrars provided by this act shal lobtain the registration cards the district register containing the names of all persons lawfully registered in the district and such other forms and supplies prepared for their use and shall have the same at the polling place on the day when they should be in session On such days and until lawfully delivered to the commissioners such registrars shall be charged with the safe-keeping of the same

Section 33 At the end of each day when the registrars are in session they shall compare the two [registers] registration cards of each person registered that day and cause any errors in either of them to be corrected if they are explained by the entries in the other so as to make them agree respecting all facts properly recorded If this is impossible the registrars shall report any serious omission or difference to the commissioners by mail who shall cause the same to be properly investigated [In order to prevent further entries in the registers without the direction of the commissioners all of the registrars shall at the end of each day aforesaid sign their initials in the line immediately under the last name registered by them under each letter in each book together with the date]

Section 34 At the end of [the fifth Wednesday preceding the spring primary and at the end of the last day in the fall of ecah year of such registration period when the registrars are in session they] each registration day the registrars shall sign a certificate [the form of which shall be printed on the last page of the register] setting forth the number of persons registered on each day and the number of names which have been stricken out if any and the total nummer of names remaining registered

[At the same time] At the spring registration in the year one thousand nine hundred and thirty-four the two registrars who have not charges of the registers shall prepare two "street lists" of the names and addresses of all persons registered in the order in which their residences appear upon the streets of the election district On of said street lists shall be hung outside of the polling-place and shall remain in that position until the next November election [or spring primary]

Section 36 Thirty days prior to each election or primary the commission shall compare and correct the general and district registers

Three months after each general and municipal election the commission shall prepare for each election district a preliminary street list of the names and addresses of all registered electors as of that date resident in the district arranged in the order in which their residences appear upon the streets of the district

The commissioners shall cause at least fifty and not more than one hundred exact copies of the street list of each election district to be printed in pamphlet form as soon as possible and not later than the first day of March they shall distribute the same as they deem proper among the inspectors of registration and the city and county officials concerned with the conduct of any election or primary and among the parties bodies of electors and candidates interested therein giving at least ten copies of each street list to the central or city committee of each political party or body of electors upon the written application of the chairman thereof and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when their other records are open to public inspection as therein provided

Not later than the fifteenth day prior to each general and municipal election and prior to each spring primary subsequent to the one in one thousand nine hundred and thirty-four and not later than the seventh day prior to each fall primary the commission shall prepare for each election district a corrected street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets or roads and house numbers if any The commission shall cause to be made a like number of exact copies of each list which may be made by correcting and supplementing exact copies of the preliminary street lists Two complete sets of such lists shall be kept on the file at the office of the commission convenient for public inspection during all the hours when the other records of the board are open to public inspection as herein provided and one copy thereof shall be hung outside of the polling place and shall remain in that position until the next election or primary

Section 40 Any person whose claim for registration has been denied by the commissioners or whose name although previously registered has been struck off by the commissioners or by any registrars and not restored by the commissioners upon a petition filed for that purpose as aforesaid or any qualified elector of any city whose rights are impaired by any general order made by the commissioners not including registration of particular names by the commissioners on personal application made to them as aforesaid or refusals to strike off names upon any petition of any kind aforesaid may file an appeal with the proper court of common pleas not later than the fourth day preceding any fall primary or the eighth day preceding any election or spring primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief [provided that such appellant shall pay the prothonotary a fee of three dollars for filing such appeal] and thereupon any judge of the said court may fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the counsel for the commissioners and upon any elector or his attorney who opposed the contention of the appellant before the commissioners at least forty-eight hours before such matter may be reviewed by the court and proof of notice or the waiver thereof must be filed therein Any judge of said court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary and at the time so fixed the court or any judge thereof assigned for the purpose shall hear all the witnesses and other evidence that may be offered de novo unless the issue can be decided in some other manner by agreement of all concerned After such public hearing the said court may reverse affirm or alter the decision of the commissioners and modify any order made by them accordingly and if necessary issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the register of such district The said court may compel [the appellant or] any opposing party other than the commissioners or the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner

Section 11 That section forty-three of said act as amended by section one of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred ninety-four) is hereby further amended to read as follows

Section 43 The commissioners shall have power to appoint a chief clerk (who shall have power to administer oaths) and to fix his compensation at a sum not exceeding thirty-five hundred dollars per annum two assistant clerks at salaries not over eighteen hundred dollars per annum each a stenographer (who may act as a clerk) who shall receive not more than fifteen hundred dollars per annum one or two custodians of the records to guard the same while they are open to the public inspection each of who shall receive not more than twelve hundred dollars per annum a messenger who shall receive not more than one thousand dollars per annum as many clerks as they may deem necessary from time to time at a compensation not exceeding four dollars per diem for the time actually employed such inspectors of registration [as they may deem necessary] from time to time as is hereinbefore provided for at a compensation not exceeding five dollars per diem for the time actually employed except on days when the registrars are in session at the polling places when said inspectors shall be paid at the same rate of compensation as the registrars [and registrars as] aforesaid who shall be paid for their services at the rate of ten dollars for ecah day that they are in session at the polling places (payable after

they deliver the district registers registration cards et cetera to the commission as herein provided) and at the same rate as other witnesses when they are summoned to appear before the commission or the court of common pleas

Section 12 That sections forty-seven and forty-nine of said act are hereby amended to read as follows

Section 47 Not later than noon of the second day preceding each election or primary the commissioners shall deliver to the commissioners of the proper county the [two registers] district register prepared for each election district in order that the same may be delivered to the election officers with other election materials for use on election day in the manner in which the county commissioners now are or hereafter may be required to deliver the same

Section 49 Any person whose name is on the register shall be entitled to vote at any general or municipal election unless it be shown to the classification of the election officers that he has become disqualified since registration Any person who is registered and also enrolled as a member of a political party may vote the ballot of said party at the primary or primaries succeeding such registration [without being subject to any challenge regarding his party membership Provided That] [no] No elector registered and enrolled as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party at any primary election [and that] but any qualified elector registered although not enrolled as aforesaid shall be permitted to vote a non-partisan ballot according to any law providing for same at any primary election [and provided further] Provided That the presence of any person's name on the register shall not be conclusive evidence of his qualifications as to length of residence at the time of any primary or special election which may intervene between the day of his registration and the next general or municipal election but if challenged regarding such qualifications he shall produce such further proof as the law requires before being permitted to vote No one except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by the authority of this Commonwealth shall be entitled to vote at any election or primary [without being registered] unless he has been personally registered and his registration cards appears in the district register of such election district except by order of the court of common pleas as herein provided regarding appealed cases and any person although registered may be challenged at any election or primary as to his identity or as to his party enrollment at a primary If challenged as to identity or residence he shall [sign his name in the register marked "ballot check list" in the place provided for that purpose if able to do so] make and subscribe to an affidavit of his identity or continued residence in the election district and produce such other evidence as is or may be required by law to satisfy the election officers of his identity and residence Any person who is registered and also enrolled as a member of a political party may be challenged at any primary as to his party enrollment and in such case he shall not be allowed to vote unless he makes and subscribe to an affidavit that at last preceding November election at which he voted for a majority of the candidates of that party [The two registers shall be used at elections and primaries by the election officers in the place of the ballot check list and the voting check list One of said registers shall be marked "ballot check list" and the other "voting check list" After the polls are closed the names of all electors in each register checked as having voted shall be immediately counted and the results compared and announced and the cause of any difference ascertain if possible before the ballot box is opened The two registers shall be immediately sealed in an envelope and shall be returned to the custody of the registration commissioners by the majority inspector before four post meridian on the second day following each election or primary] and in such case the group of presidential electors shall be counted as two candidates

At each primary or election one of the election officers shall referred to as the ballot check list and used as such by the inspector in charge of the ballots who shall write or stamp the date of the primary or election and sign his name or initials in the proper space on the registration affidavit of each elector as he is found qualified to vote

At each primary or election one of the election officers shall make a list of persons voting by writing down the name and address of each elector as he is found qualified to vote and as he deposits his ballot or comes out of the voting compartment containing the voting machine as the case may be the election officer shall mark a "V" in front of such name The list of names so taken and marked shall be known and thereafter used as the "voting check list"

After the polls are closed the names of all electors in the district registration used as a ballot check list marked as having voted shall be immediately counted and the names marked on the voting check list of those having voted shall be counted and the respective results compared and the cause of any differences ascertained if possible before the ballot box is opened or canvas made

The district register and the voting check list shall be immediately sealed in separate envelopes and disposed of as follows

The district register shall be returned to the custody of the registration commission by the majority inspector before four post meridian on the second day following each primary or election

The list of persons having voted known as the "voting check list" shall after the votes are counted or canvassed be given to the judge of elections to be delivered to the proper office together with the returns

Section 13 The said act is hereby amended by adding thereto sections forty-nine and one-tenth forty-nine and two-tenth and forty-nine and three-tenths to read as follows

Section 49.1 Immediately following the November election in the year of one thousand nine hundred and thirty-four and each election or primary thereafter the commission shall cause each district register to be examined and shall enter the date of the election or primary in the proper space on the registration affidavits in the general register of each elector whom the district register indicates has voted

In the case of any elector whom the election officers shall have recorded as removed deceased or challenged and prevented from voting the commission shall ascertain the facts and shall correct the general and district registers in accordance therewith

Section 49.2 Immediately after the fall primary held in the year one thousand nine hundred and thirty-five and as soon as possible after ecah general municipal and primary elections thereafter the commission shall cause all of the district registers to be examined and in the case of each registered elector who is recorded as having not voted at any two successive elections (which term for the purpose of this section includes primary elections) the commission shall send to such elector by mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has failed to vote for two successive elections and that his registration is cancelled The commission shall thereupon cancel the registration of such elector but the cancellation of the registration of any such elector shall not affect his right to subsequently re-register by personal application to the proper commission or a member thereof or a registrar in the manner provided by this act

Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration affidavits of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such affidavit shall be kept for five years after which the commission may destroy it

Section 14 This act shall become effective immediately upon final enactment

Section 15 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. SCHWARTZ. Mr. Speaker, this bill is known as the permanent registration bill for the city of Philadelphia. Yesterday the House passed this bill on second reading, and I have offered considerable amendments to this bill. I feel that this is a very important piece of legislation for the tax-

payers of the city of Philadelphia. In order to give everybody an opportunity to understand these amendments to the bill, I now move that House Bill 151, Printer's No. 120, be placed on the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 95, entitled:

An Act to provide for the investigation and study of wages of men women and minors employed in trade and industry in the Commonwealth of Pennsylvania and for the determination and establishment of minimum fair wage standards for such workers and for the purpose of preventing unfair and oppressive exploitation of such workers providing procedure to enforce the payment of such minimum wages and prescribing penalties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158

Andrews,	Hartman,	Melchiorre,	Shreiner,
Baldi,	Heffernan,	Meredith,	Shugarts,
Barnhardt,	Hefferon,	Moore,	Simon,
Bechtel,	Heffner,	Mumford,	Sowers,
Beech,	Hermansen,	Munley,	Spann,
Bennett,	Hester,	Myers,	Stank,
Bernhard,	Hewitt,	Negley,	Steedle,
Boyd,	Himes, L. R.,	Nothnagle,	Sterling, P.,
Brancato,	Hoffman,	O'Connor,	Stevens,
Brennan,	Holmes, J. B.,	O'Keefe,	Stiteler,
Brown, J. E.,	Holmes, J. L.,	O'Neill,	Stone,
Brown, W. E.,	Hoopes,	O'Rourke,	Stott,
Cannon,	Horst,	Pennock,	Terry,
Caputo,	Howard,	Perry, D. R.,	Trout,
Carey,	Jaffe,	Perry, J. J.,	Turner,
Carson,	Jones,	Peters,	Wade,
Chervenak,	Kane, J. J.,	Powell,	Wagner,
Cohen,	Kane, L. P.,	Powers,	Walker, G. E.,
Conner,	King,	Price,	Walker, W. A.,
Cooke,	Kinney,	Quinn,	Wall,
Cordier,	Lane,	Raub,	Wasserman,
Cramer,	Laubach,	Rectenwald,	Way,
Dane,	Lenahan,	Reed,	Weidemann,
DeFrehn,	Lewis,	Reilly,	Welsh,
Denning,	Lose,	Rhodes,	Westrick,
Downey, G. E.,	Lynch, M.,	Rice,	White,
Downey, J. J.,	Male,	Roan,	Wike,
Dunmire,	Malina,	Royle,	Williams, G. W.
Ederer,	Mason,	Ruby,	Wilson, L. M.,
Emhardt,	McBride,	Ruth,	Wilson, T. B.,
Eroe,	McCandless,	Sarig,	Witkin,
Flinchbaugh,	McClure,	Sautter,	Wood,
Gallagher, T. J.,	McCreary,	Schrock,	Woodside,
Gartner,	McGinnis,	Schwab,	Wright,
Gorman,	McGrail,	Schwartz,	Yeakel,
Green,	McGregor,	Sheffer,	Yourishin,
Greenstein,	McHenry,	Shellenberger,	Zimmerman,
Griffith,	McKay,	Shettel,	Talbot,
Habbyshaw,	McKinney,	Shortz,	Speaker.
Hamilton,			

NAYS—1

Flynn, J. M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 200, entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liablty of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule in compensation and providing procedure for the determination of liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190

Andrews,	Haines,	McGrail,	Sheffer,
Baker,	Hamilton,	McGregor,	Shellenberger,
Barnhardt,	Harmuth,	McHenry,	Shettel,
Bechtel,	Harris,	McKay,	Shortz,
Beech,	Hart,	Melchiorre,	Shreiner,
Bennett,	Hartman,	Meredith,	Shugarts
Bernhard,	Heffernan,	Merrell,	Simon,
Blumberg,	Hefferon,	Mohn,	Snyder,
Boyd,	Hermansen,	Moore,	Sowers,
Brancato,	Hester,	Mumford,	Spann,
Brennan,	Hewitt,	Munley,	Stank,
Brown, J. E.,	Himes, H. E.,	Murphy	Steedle,
Brown, W. L.,	Himes, L. R.,	Myers,	Sterling, P.,
Brownfield,	Hoffman	Nothnagle,	Sterling, R. B.,
Cannon,	Holmes, J. B.,	O'Connor,	Stevens,
Caputo,	Holmes, J. L.,	O'Keefe,	Stiteler,
Carson,	Hoopes,	O'Neill,	Stone,
Chervenak,	Horst,	O'Rourke,	Stott,
Cohen,	Hough	Patterson,	Tahl,
Conner,	Howard	Peelor,	Terry,
Cooke,	Hutton,	Pennock,	Trout,
Cordier,	Jaffe,	Perry, D. R.,	Turner,
Cramer,	Jones,	Perry, J. J.,	Wade,
Dane	Kane, J. J.,	Peters,	Wagner,
Davies	Kane, L. P.,	Powell,	Walker, G. E.,
DeFrehn,	King,	Powers,	Walker, W. A.,
Denning,	Kinney,	Price,	Wall,
Downey, G. E.,	Lane,	Quinn	Wasserman,
Downey, J. J.,	Laubach	Raub,	Way,
Dunmire,	Lenahan,	Rectenwald,	Weidemann,
Ederer,	Lewis,	Reed,	Welsh
Emhardt,	Long,	Reilly,	Westrick,
Eroe,	Lord,	Rhodes,	White,
Evans,	Lose,	Rice,	Wike,
Fitzgerald,	Lovett, J. E.,	Roan,	Williams, G. W.,
Flinchbaugh,	Lynch, J. R.,	Roth,	Williams, J. J.,
Flynn, J. M.,	Lynch, M.,	Royle,	Wilson, L. M.,
Flynn, J. W.,	Male,	Ruby,	Wilson, T. B.,
Furman,	Malina,	Ruth,	Witkin,
Gallagher, T. J.	Maloney,	Sarig,	Wood,
Gallagher, W. J.	Mason,	Sautter,	Woodside,
Gartner,	McBride,	Schrock,	Wright,
Gillette,	McCandless,	Schrope,	Yeakel,
Green,	McClure,	Schwab,	Yourishin,
Greenstein,	McCreary,	Schwartz,	Zimmerman,
Griffith,	McElwee,	Scorza,	Talbot,
Habbyshaw,	McGinnis,	Scott,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHORTZ. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SHORTZ. Mr. Speaker, my name has been omitted on the roll call so consistently throughout this session that it is embarrassing to me to have to get up to see if I am re-

corded. My name has been omitted time after time. I have cautioned the reading clerk about it, but we have the same thing here today. I would like the reading clerk to be more careful. I want to be recorded on everything that comes up before this House.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be noted in the Journal, and the clerks will govern themselves accordingly.

BILL ON THIRD READING

Agreeably to order,

The House proceeded on the third reading and consideration of House Bill No. 124, as follows:

An Act to amend the act approved the thirteenth day of May one thousand nine hundred fifteen (Pamphlet Laws two hundred eighty-six) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecution thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by prohibiting employment of minors between fourteen and sixteen years of age except in certain types of work which will not interfere with school attendance further limiting the occupations in which minors between fourteen and eighteen years of age may be employed or permitted to work and the hours of labor further regulating employment certificates and requiring minors under eighteen to procure such certificates imposing on school districts the duty to issue such certificates and repealing certain sections and acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections two four five eight eleven twelve twenty-one and twenty-two of the act approved the thirteenth day of May one thousand nine hundred fifteen (Pamphlet Laws two hundred eighty-six) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumtions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" and section fourteen of the said act as last amended by the act approved the twenty-first day of March one thousand nine hundred twenty-nine (Pamphlet Laws forty-five) are hereby amended to read as follows

Section 2 No minor under [fourteen] sixteen years of age shall be employed or permitted to work in about or in connection with any establishment or in any occupation except that a minor between the ages of fourteen and sixteen years may be employed as hereinafter provided in such work as will not interfere with school attendance

Section 4 No minor under [sixteen] eighteen years of age shall be employed or permitted to work in about or in connection with any establishment or in any other occupation for more than six consecutive days in any one week or more than [fifty-one] forty-four hours in any one week or more than [nine] eight hours in any one day [or]

No minor under sixteen years of age shall be employed or permitted to work in about or in connection with any establishment or in any occupation before [six] seven o'clock in the morning or after [eight] seven o'clock in the evening of any day In computing the maximum number of hours per day or per week permitted under this act the hours spent in school by said minor shall be considered as part of the working day or working week Provided that male minors over the age of fourteen may be employed in the distribution sale exposing or offering for sale of any newspaper magazine periodical or other publication for not more than fifty-one hours in any one week or more than eight hours in any one day and after six o'clock in the morning and before eight o'clock in the evening

No minor under eighteen years of age shall be employed or permitted to work for more than five hours continuously in about or in connection with any establishment without an interval of at least thirty minutes for a lunch period and no period of less than thirty minutes shall be deemed to interrupt a continuous period of work

Section 5 No minor under sixteen years of age shall be employed or permitted to work in [operating or assisting in operating any of the following machines which for the purposes of this act are considered dangerous Paper-lace machines job or cylinder printing-presses operated by power other than foot-power stamping machines used in sheet metal and tinware or in paper or leather manufacturing or in washer and nut factories metal or paper cutting machines corrugating-rolls such as are used in making corrugated paper or in roofing or washboard factories dough-brakes or cracker machinery of any description wire or iron straightening or drawing machinery rolling-mill machinery power punches or shears washing or grinding or mixing machinery calender-rolls in paper and rubber manufacturing or other heavy rolls driven by power laundering machinery upon or in connection with any dangerous electrical machinery or appliances Nor shall any minor under sixteen years of age be employed or permitted to work in any capacity in adjustor assisting in adjusting any belt to any machinery or in proximity to any hazardous or unguarded belts machinery or gearing while the same is in motion nor] about or in connection with any manufacturing or mechanical occupation or process nor on scaffolding nor in heavy work in the building trades nor in stripping or assorting [or manufacturing] tobacco nor in any tunnel [nor in a public bowling-alley nor in a pool or billiard-room nor in the manufacture of paints colors or white-lead nor in any capacity in preparing compositions in which dangerous leads or acids are used nor in the manufacture or use of dangerous or poisonous dyes] nor upon any railroad steam electric or otherwise nor upon any boat engaged in the transportation of passengers or merchandise nor in operating motor-vehicles of any description nor in any anthracite or bituminous coal-mine or in any other mine [nor about blast-furnaces nor in or about any distillery brewery or any establishment where alcoholic liquors are manufactured or bottled]

No minor under eighteen years of age shall be employed or permitted to work in the operation or management of hoisting machines in oiling or cleaning machinery in motion in the operation or use of any polishing or buffing-wheel at switch-tending at gate-tending at track-repairing as a brakeman fireman engineer or motorman or conductor upon a railroad or railway as a pilot fireman or engineer upon any boat or vehicle in the manufacture of paints colors or white lead in any capacity in preparing compositions in which dangerous leads or acids are used in the manufacture or use of dangerous or poisonous dyes in any dangerous occupation in or about any mine in or about establishments wherein gunpowder nitro-glycerine dynamite or other high or dangerous explosive is manufactured or compounded [as a chauffeur of an automobile or an aeroplane]

No minor under eighteen years of age shall be employed or permitted to work in about or in connection with any establishment where alcoholic liquors are distilled rectified compounded brewed manufactured bottled sold or dispensed except that minors between the ageo of sixteen and eighteen may engage in clerical work in the offices of such establishments

No minor shall be employed or permitted to serve or handle alcoholic liquor in any establishment where alcoholic liquors are sold or dispensed nor be employed or permitted to work in violation of the laws relating to the operation of motor vehicles by minors

In addition to the foregoing it shall be unlawful for any minor under eighteen years of age to be employed or permitted to work in any [other] occupation dangerous to the life or limb or injurious to the health or morals of the said minor as such occupations shall from time to time after public hearing thereon be determined and declared by the Industrial Board of the Department of Labor and Industry Provided That if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is for any reason invalid such holding shall not be taken in any case to affect or impair the remaining provisions of this section

Section 8 Before any minor under [sixteen] eighteen years of age shall be employed permitted or suffered to work in about or in connection with any establishment or in any occupation the person employing such minor shall procure and keep on file and accessible to any attendance officer deputy factory inspector or other authorized inspector or officer charged with the enforcement of this act and employment certificate as hereinafter provided issued for said minor

Section 11 Employment certificates shall be of two classes general employment certificates and vacation employment certificates General employment certificates shall entitle [the] a minor [fourteen] sixteen to [sixteen] eighteen years of age to work during the entire year Vacation employment certificates shall entitle [the] a minor fourteen to [sixteen] eighteen years of age to work as herein provided on any day except at times on such days as such minor is required to attenn school under the provisions of the laws now in force or hereafter enacted Provided howeved that male minors over sixteen years of age employed in the distribution sale exposing or offering for sale of any newspaper magazine periodical or other publication shall not be required to procure any employment certificate under this act

Section 12 The official authorized to issue a general or a vacation employment certificate shall not issue such certificate until he has received examination approved and filed the following papers namely

a A statement signed by the prospective employer or by some one duly authorized on his behalf stating that he expects to give such minor present employment and setting forth the character of the same and the number of hours per day and per week which said minor will be employed

b [A school record as herein provided

c] A certificate of physical fitness as hereinafter provided

[d] c Proof of age as hereinafter provided

Section 21 It shall be the duty of every person who shall employ any minor under the age of [sixteen] eighteen years to post and keep posted in a conspicuous place n every establishment wherein said minor is employed permitted or suffered to work a printed abstract of the sections of this act relating to the hours of labor and a list or lists of all minors employed under the age of [sixteen] eighteen years and a schedule of the hours of labor of such minors The schedule of hours of labor herein required shall contain the name of the minor employed or permitted to work the maximum number of hours such minor shall be required or permitted to work on each day of the week with the total for the week the hours for commencing and stopping work and the hours when the time allowed for meals shall begin and end for each day of the week Such minor may begin work after the time for beginning and stop before the time for ending work stated in such schedule but he shall not otherwise be employed or permitted to work in or in connection with an establishment except as stated in such schedule Such copies of the abstracts of this act and blanks for compliance with the provisions shall be prepared by the Department of Labor and Industry and be furnished by it on application of such employer Every person employing minors under [sixteen] eighteen years of age shall furnish the employment certificates and lists provided for in this act for inspection to attendance officers factory inspectors or other authorized inspectors or officers charged with the enforcement of this act

Section 22 Whenever any minor shall be employed or permitted to work in any establishment or at any occupation who in the judgment of any officer charged with the enforcement of this act is under the legal age for such work or is working at a time forbidden by law for such minor or whenever any minor shall be employed or permitted to work in or in connection with any establishment who in the judgment of any officer charged with the enforcement of this act is under [sixteen] eighteen years of age and for whom the person employing or permitting such minor to work shall not have on file an employment certificate such officer may demand from the person employing or permitting such minor to work that he shall either furnish to such officer within ten days evidence of age as defined in section fifteen of this act that such minor is in fact of legal age for the work in which he is engaged or over or [sixteen] eighteen years of age or over as the case shall be or shall cease to employ or permit such minor to work as aforesaid Provided That such person by thus ceasing to employ or permit such minor to work shall not be relieved from any of the fines or penalties provided in this act for the employment or work of a minor contrary to law In case such person shall fail to furnish to said officer within ten days after the making of such demand the required evidence of age and shall thereafter employ such minor or permit him to work as aforesaid proof of the making of such demand and of failure to produce the evidence required shall be prima facie evidence of the illegal employment of such minor in any prosecution therefor

Section 14 The certificate of physical fitness required by this act shall be signed in a district of the first second or third class by a physician employed by the board of school directors of the school district in which said minor resides [and] in a district of the fourth class by a physician appointed by the State Department of Health and shall state that the said minor has been thoroughly examined by the said physician at the time of the application for an employment certificate and is physically qualified for the employment specified in the statement of the prospective employer In any case where the said physician shall deem it advisable he may issue a certificate of physical fitness for a limited time at the expiration of which time the holder shall again appear and submit to a new examination before being permitted to continue at work Provided however That in a school [districts] district of the second or third [and fourth classes] class the physical examination of a minor provided for by this act shall be made by a physician employed by the board of school directors of the school district in which such minor resides [or employed by the Commonwealth as the case may be] and in a district of the fourth class by a physician appointed by the State Department of Health that the certificate of physical fitness provided for by this act shall be signed by said physician and that no fee or other compensation for such service shall be required to be paid by such minor or by his parent or guardian

Section 2 That sections three thirteen sixteen and nineteen of the said act be and the same are hereby repealed

Section 3 That the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (Pamphlet Laws four hundred forty-two) entitled "An act to amend section three of an act approved the thirteenth day of May one thousand nine hundred fifteen (Pamphlet Laws two hundred eighty-six) entitled 'An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expense of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the Enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" be and the same is hereby repealed

Section 4 This act shall go into effect on the first day of July one thousand nine hundred thirty-four

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130

Andrews,	Harmuth,	McElwee,	Sautter,
Bechtel,	Hartman,	McGinnis,	Schrope,
Beech,	Hefferon,	McGrail,	Schwab,
Bernhard,	Heffner,	McKinney,	Schwartz,
Blumberg,	Hermansen,	Melchiorre,	Scott,
Boyd,	Hester,	Merrell,	Sheffer,
Brancato,	Himes, H. E.,	Moore,	Shellenberger,
Brennan,	Himes, L. R.,	Munley,	Shettel,
Brown, J. E.,	Hoffman,	Myers,	Shortz
Brown, W. L.,	Holmes, J. B.,	Negley,	Shugarts,
Cannon,	Hoopes,	O'Connor,	Snyder,
Caputo,	Hough,	O'Keefe,	Sowers,
Carey,	Howard,	O'Neill,	Spann,
Carson,	Jaffe,	Patterson,	Stank,
Chervenak,	Jones,	Peelor,	Steedle,
Conner,	Kane, J. J.,	Pennock,	Sterling, P.,
Cooke,	Kane, L. P.,	Perry, D. R.,	Stevens,
Cordier,	King,	Perry, J. J.,	Stone,
Craig,	Kinney,	Powell,	Tahl,
Dane,	Labar,	Price,	Terry,
Davies,	Lane,	Quinn,	Wade,
Denning,	Laubach,	Raub,	Wagner,
Downey, G. E.,	Lenahan,	Reichenwald,	Walker, W. A.,
Downey, J. J.,	Lewis,	Reed,	Wall,
Dunmire,	Long,	Reilly,	Wasserman,
Ebbe,	Lose,	Rhodes,	Way,
Fitzgerald,	Lovett, J. E.,	Rice,	Welsh,
Flynn, J. W.,	Male,	Roan,	Westrick,
Gallagher, T. J.,	Malina,	Roth,	Williams, G. W
Gartner,	Maloney,	Royle,	Williams, J. J.,
Gorman,	Mason,	Ruby,	Wright,
Green,	McBride,	Ruth,	Yeakel,
Greenstein,	McClure,	Sarig,	Yourishin,
Hamilton,			

NAYS—27

Baker,	Hewitt,	Price,	Wiltse,
Baldt,	Holmes, J. L.,	Schrock,	Wilson, T. B.,
DeFrehn,	Hutton,	Shreiner,	Wood,
Ederer,	McCreary,	Simon,	Woodside,
Evans,	Meredith,	Stiteler,	Zimmerman,
Flynn, J. M.,	Mohn,	Trout,	Talbot,
Griffith,	Peters,	Weidemann,	Speaker.
Habbyshaw,			

The majority required by the Constitution having voted in affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. DeFREHN. Mr. Speaker, I vote "no" on House Bill No. 124, Printer's No. 155 amending an act approved the thirteenth day of May, 1915, entitled "An act to provide for the health, safety and welfare of minors" because it strikes out the provision that minors may not be employed in public bowling alleys nor in a pool or billiard room.

It is my belief that it is not for the welfare of boys to be employed in the positions named.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 98, entitled:

An Act to regulate commerce and prevent unfair competition defining fair prices prescribing remedies to uphold the same and providing penalties

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. RHODES. Mr. Speaker, may I interrogate the sponsor of this bill?

The SPEAKER. Will the gentleman from Allegheny, Mr. Hough, permit himself to be interrogated?

Mr. HOUGH. I will, Mr. Speaker.

Mr. RHODES. Mr. Speaker, I desire to ask if the gentleman from Allegheny will state what he seeks to accomplish by the passage of this legislation.

Mr. HOUGH. This bill is similar in effect to House Bill No. 1233 that we had in the regular session. At that time it was voted down, but after being voted down the National Recovery Act came into existence, and into that National Recovery Act the President saw fit to draft a considerable portion of that bill. Conditions have become such that the big, rich interests are eliminating the small man in business. I am in the brick business. My business is not a big business. Under the provisions of this bill it might stop the big, rich corporation from putting a plant alongside of mine, an organization with unlimited capital, and put me out of business. This is true not only of the brick business, but of many other things, the ice business for instance, and all other kinds. It is possible to do these things, and these things are coming. It is possible we cannot do it this session, but it is coming.

I was a member of this House a long time ago, and my mind goes back to the session of 1911 when we didn't have such things as public utility commissions and other protection for certain kinds of businesses. You will find the day is coming when the little fellows must be protected too. We, as American citizens, all want an equal chance and a square and fair deal, and the day will come when we will get it, or we will see why. If I am alive at that time I want to come down to this body and look into your faces and see how many Mr. Rhodes and how many of these other gentlemen are here who always oppose this kind of legislation.

Mr. RHODES. Will the gentleman from Allegheny state whether or not in his opinion this would not try to regulate interstate commerce?

Mr. HOUGH. No, Mr. Speaker, in my opinion, it would come within the State laws.

Mr. RHODES. Mr. Speaker, I was unable to hear the remarks of the gentleman from Allegheny in explanation of this bill, but from my perusal of it, it certainly is a piece of legislation that would never stand the test of the courts. It certainly is an attempt to regulate interstate commerce and is entirely contrary to the purposes of the National Recovery Act. How it can be operated is beyond me. I think it is absolutely impracticable, and therefore it should be defeated.

Mr. TAHL. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Hough.

The SPEAKER. Will the gentleman from Allegheny permit himself to be further interrogated?

Mr. HOUGH. I will, Mr. Speaker.

Mr. TAHL. Mr. Speaker, I would like the gentleman to explain what he means by the words, "service at a price that is discriminatory and cannot be maintained to all the purchasers in the same purchasing class".

Mr. HOUGH. Will the gentleman state his question again, please.

Mr. TAHL. Mr. Speaker, I desire the gentleman to explain to the members of this House section 2 which reads as follows:

"It shall be unlawful for any reason, copartnership or corporation to sell, barter or trade or offer for sale, barter or trade, any commodity or service at a price that is discriminatory and cannot be maintained to all the purchasers in the same purchasing class."

Mr. HOUGH. Mr. Speaker, ladies and gentlemen of the House, the sentence as presented by the Philadelphia lawyer puts it in the position that where one man works for five dollars and the other works for a hundred dollars you have a difference and I would say that is the same condition that exists in commodities and in manufacture. In this bill I want to put this State in shape so that it is possible for a manufacturer to pay a fair wage to the people and put them in a position to live in a manner that becomes American citizens. In my experience it seems that some of these lawyers come here and only sit to find fault with things and only see things from a lawyer's standpoint. It is a sad thing that in a body like this that instead of giving me the courtesy of coming down and showing me where my idea is wrong, in the ideas of a lawyer, they get up here and try to belittle me. I have been a member of this House back to a point of time when some of you were not born yet. At that time there was more courtesy shown than is now shown by these Philadelphia lawyers.

Mr. TAHL. Mr. Speaker and members of the House, I desire to disclaim any discourtesy to the gentleman from Allegheny. My only purpose was to understand how that section could be explained by any one. I only desired his explanation and I certainly did not desire to belittle the gentleman from Allegheny County.

POINT OF ORDER

Mr. HUTTON. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. HUTTON. Mr. Speaker, before the gentlemen proceed any further in their debate and in an effort to anticipate any further reflections and in view of the various passages at arms between the two gentlemen I desire to call the House's attention to Rule No. 3 which in speaking of the duty of the Speaker says: "He shall preserve order and decorum and in debate shall prevent personal reflection, and confine members to the question under discusison. When two or more members shall rise at the same time, he shall name the one entitled to the floor."

The SPEAKER. The point of order is well taken. The gentlemen in the course of their debate will refrain from personal reflections.

Mr. TAHL. Mr. Speaker, I desire to interrogate the gentleman further.

The SPEAKER. The gentleman will proceed.

Mr. TAHL. Mr. Speaker, I desire to ask the gentleman from Allegheny, referring to Section 3 of the Act, the meaning of the last several lines, which provide as follows: "All sales of goods or service must be free from any form of bribery or coercion special service or privilege loaning money to a purchaser or endorsing a customer's note any form of rebating shall constitute a violation of this act subject to the penalties as hereinafter set forth." Do I understand the gentleman from Allegheny that in the event of any one person selling goods to a buyer, if he should happen to endorse his note, that that would be a violation of this act?

Mr. HOUGH. In my interpretation of the words used there, Mr. Speaker and ladies and gentlemen of the House, I would interpret it that that would be in the form of doing a personal favor. The mere fact of a man going on a commercial paper in the form of a note would be a legitimate transaction. This is not a case of shady practice, where one man says to another, "If you do certain things I will buy your goods."

Furthermore, I want to apologize to you, Mr. Speaker, and Dr. Hutton, for any shortcomings I may have. I am not learned in the law, and therefore you should not expect as much from me as from some others, but I do try to do the best I can and not to be discourteous, but try to defend my case along the line of truth. I did not want to make any discriminating remarks when I used the term "Philadelphia lawyers", but that is a term that is much used back home, and that is why I used the term in the way I did. I respectfully ask the support of the House to this measure.

Mr. TAHL. Mr. Speaker, I desire to ask the gentleman, does not the endorsement of the note mean a violation of the act? Is that not what this act provides?

Mr. HOUGH. Mr. Speaker, it is quite evident that this man has never been in business where he has had to accept a promissory note for thirty, sixty or ninety days, or possibly for six months. It is a regular thing in banking practices, but it is not satisfaction of a bill. It is like a check that is marked "N. S. F." Every other lawyer will tell you that. They would not ask a question as absurd as that.

Mr. TAHL. Mr. Speaker and members of the House, I am very sorry that Mr. Hough took as a personal reflection on him what I said when I asked about the provisions of this bill. I had no such intention then and do not have now. I don't think it is proper for any member of this House when asked by another member, to explain the provisions of the bill which he sponsors, to take personal offense. I had no intention to reflect on him whatever, but I do say that of any bill that ever came up in this House, this is the most vicious bill. Under the provisions of this bill, if I am in business and I happen to endorse a note for a customer of mine, the language in this bill is plain and there is no mis-

take about it. If you endorse a note for any of your customers you are guilty of a violation of this act. I call your attention to Section 3. If there was nothing else objectionable in that bill, that part in itself deserves defeat. In addition to that, the bill provides such a condition of affairs that I do not think any business man in the Commonwealth of Pennsylvania could conduct his business in a right and proper way. I ask you to defeat the bill.

Mr. HOUGH. Mr. Speaker, will the gentleman from Philadelphia permit himself to be interrogated?

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. TAHL. Yes, Mr. Speaker.

Mr. HOUGH. Mr. Speaker, will the gentleman from Philadelphia please tell me what his business is?

Mr. TAHL. Mr. Speaker, I am a member of the bar.

Mr. HOUGH. Mr. Speaker, does he realize that in his capacity he can represent certain interests and his duties to the Legislature? I am asking him that question.

POINT OF ORDER

Mr. HUTTON. Mr. Speaker, I again press the point of order to the effect that no reflection or imputation may be passed by one member upon another.

Mr. HOUGH. Mr. Speaker, there is no reflection or imputation. I just want to bring out the point who this gentleman is.

The SPEAKER. The gentleman is informed that this is a discussion of a bill and not of personalities; therefore, it will be out of order for the gentleman from Allegheny, Mr. Hough, to ask Mr. Tahl anything about his personal relations.

Mr. TAHL. Mr. Speaker, I have no objection.

The SPEAKER. But the Chair does object.

Mr. TAHL. Mr. Speaker, I do not, I am perfectly willing to reply.

Mr. WITKIN. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Baker, Laubach, Ederer, Forrest, Craig, Stiteler, Brennan, Conner, Mumford, Wood, Wilson, Woodside, Cooke, Bennett, Baldi, Peters, Heffernan, Tahl, Nothnagle, Rice, Habbyshaw, Shreiner and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—36

Beech,	Hartman,	McBride,	Schrope,
Brown, W. L.,	Heffner,	McCandless,	Scorza,
Carson,	Hoffman,	O'Connor,	Sparn,
Cordier,	Hough,	Patterson,	Stank,
Dunmire,	Howard,	Quinn,	Stevens,
Flinchbaugh,	Kane, L. P.,	Rectenwald,	Stiteler,
Gallagher, T. J.,	Lovett, J. E.,	Reed,	Terry,
Gallagher, W. J.,	Lynch, J. R.,	Reilly,	Walker, W. A.,
Harris,	Malina,		

NAYS—125

Andrews,	Gartner,	McGinnis,	Shortz,
Baker,	Gillette,	McGrail,	Shreiner,
Baldi,	Green,	McGregor,	Shugarts,
Barnhardt,	Greenstein,	McHenry,	Sowers,
Bechtel,	Griffith,	McKay,	Sterling, P.,
Bennett,	Habbyshaw,	McKinney,	Stone,
Bernhard,	Haines,	Melchiorre,	Stott,
Blumberg,	Hamilton,	Meredith,	Tahl,
Boyd,	Hermansen,	Merrell,	Trout,
Brancato,	Hester,	Mohn,	Wade,
Brennan,	Hewitt,	Moore,	Wagner,
Brown, J. E.,	Himes, H. E.,	Munley,	Wall,
Caputo,	Himes, L. R.,	Myers,	Way,
Carey,	Holmes, J. L.,	Negley,	Weidemann,
Chervanek,	Hoopes,	Nothnagle,	Welsh,
Cohen,	Horst,	O'Keefe,	Westrick,
Conner,	Hutton,	O'Rourke,	White,
Cooke,	Jaffe,	Peelor,	Wike,
Craig,	Jones,	Pennock,	Williams, G. W.,
Cramer,	Kane, J. J.,	Perry, D. R.,	Williams, J. J.,
Davies,	Kinney,	Perry, J. J.,	Wilson, L. M.,
DeFrehn,	Lane,	Peters,	Wilson, T. B.,
Denning,	Laubach,	Powers,	Witkin,
Downey, G. E.,	Lewis,	Rice,	Wood,
Downey, J.,	Long,	Rhodes,	Woodside,
Ederer,	Lose,	Rice,	Wright,
Emhardt,	Lovett, W. S.,	Sautter,	Yeakel,
Eroe,	Lynch, M.,	Schrock,	Yourishin,
Evans,	Male,	Schwab,	Zimmerman,
Flynn, J. M.,	Mason,	Sheffer,	Talbot,
Forrest,	McCreary,	Shellenberger,	Speaker,
Furman,	McElwee,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 171, entitled:

An Act to amend section one of article six of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An act for the government of cities of the second class" as amended by providing for the assessment of a less rate of tax upon buildings than upon land graded over a period of years until the rate upon buildings shall become one-fifth of the rate upon land

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147

Andrews,	Gartner,	Mason,	Schrock,
Baker,	Gillette,	McBride,	Schrope,
Barnhardt,	Green,	McCandless,	Schwab,
Bechtel,	Greenstein,	McClure,	Scorza,
Beech,	Griffith,	McCreary,	Scott,
Bennett,	Habbyshaw,	McElwee,	Sheffer,
Blumberg,	Haines,	McGinnis,	Shellenberger,
Boyd,	Harmuth,	McGrail,	Shortz,
Brancato,	Harris,	McKay,	Shugarts,
Brown, J. E.,	Hart,	McKinney,	Snyder,
Brown, W. L.,	Hartman,	Melchiorre,	Sowers,
Brownfield,	Heffernan,	Meredith,	Spann,
Cannon,	Hefferon,	Merrell,	Steedle,
Caputo,	Heffner,	Moore,	Sterling, R. B.,
Carson,	Hermansen,	Munley,	Stevens,
Cohen,	Hester,	Myers,	Stiteler,
Conner,	Hewitt,	Negley,	Stott,
Cooke,	Himes, H. E.,	O'Connor,	Trout,
Cordier,	Himes, L. R.,	O'Keefe,	Walker, G. E.,
Craig,	Hoopes,	O'Neil,	Walker, W. A.,
Dane,	Hough,	O'Rourke,	Way,
DeFrehn,	Hutton,	Pennock,	Welsh,
Denning,	Jaffe,	Perry, D. R.,	Westrick,
Downey, G. E.,	Jones,	Perry, J. J.,	White,
Downey, J.,	Kane, J. J.,	Peters,	Williams, G. W.,
Dunmire,	Kinney,	Powell,	Williams, J. J.,
Ederer,	Lane,	Powers,	Wilson, L. M.,
Emhardt,	Laubach,	Price,	Wilson, T. B.,
Eroe,	Lewis,	Quinn,	Witkin,
Evans,	Long,	Rectenwald,	Wood,
Fitzgerald,	Lord,	Reed,	Woodside,
Fleisher,	Lose,	Reilly,	Wright,
Flinchbaugh,	Lovett, J. E.,	Rhodes,	Yeakel,
Flynn, J. M.,	Lovett, W. S.,	Rice,	Yourishin,
Flynn, J. W.,	Lynch, M.,	Roan,	Zimmerman,
Forrest,	Male,	Sarig,	Talbot,
Gallagher, T. J.,	Malina,	Sautter,	Speaker.
Gallagher, W. J.,	Maloney,		

NAYS—7

Hoffman,	Murphy,	Turner,	Wike,
McGregor,	Ruby,	Wall,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 199, entitled:

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173

Andrews,	Hamilton,	McKay,	Shortz,
Baker,	Harmuth,	McKinney,	Shreiner,
Baldi,	Hartman,	Meredith,	Shugarts,
Barnhardt,	Heffernan,	Merrell,	Simon,
Bechtel,	Hefferon,	Mohn,	Snyder,
Boyd,	Heffner,	Moore,	Sowers,
Brancato,	Hermansen,	Mumford,	Spann,
Brennan,	Hester,	Munley,	Stank,
Brown, J. E.,	Hewitt,	Murphy,	Steedle,
Brown, W. L.,	Himes, H. E.,	Myers,	Sterling, P.,
Brownfield,	Himes, L. R.,	Negley,	Sterling, R. B.,
Cannon,	Hoffman,	Nothnagle,	Stevens,
Caputo,	Holmes, J. B.,	O'Connor,	Stiteler,
Carey,	Hoopes,	O'Keefe,	Stone,
Chervenak,	Hough,	O'Neill,	Stott,
Cohen,	Hutton,	O'Rourke,	Tahl,
Conner,	Jaffe,	Patterson,	Terry,
Cooke,	Jones,	Pennock,	Trout,
Cordier,	Kane, J. J.,	Perry, D. R.,	Turner,
Craig,	Kane, L. P.,	Perry, J. J.,	Wade,
Cramer,	King,	Peters,	Wagner,
DeFrehn,	Kinney,	Powell,	Walker, G. E.,
Denning,	Labar,	Powers,	Walker, W. A.,
Downey, G. E.,	Lane,	Price,	Wall,
Dunmire,	Laubach,	Quinn,	Wasserman,
Ederer,	Lenahan,	Raub,	Way,
Emhardt,	Lewis,	Rectenwald,	Welsh,
Eroe,	Long,	Reed,	Westrick,
Evans,	Lose,	Reilly,	White,
Fitzgerald,	Lovett, J. E.,	Rhodes,	Wike,
Fleisher,	Lovett, W. S.,	Rice,	Williams, G. W.
Flinchbaugh,	Lynch, J. R.,	Roan,	Williams, J. J.,
Flynn, J. M.,	Male,	Ruby,	Wilson, L. M.,
Flynn, J. W.,	Malina,	Ruth,	Wilson, T. B.,
Forrest,	Mason,	Sarig,	Witkin,
Gallagher, T. J.,	McBride,	Sautter,	Wood,
Gallagher, W. J.,	McCandless,	Schrock,	Woodside,
Gartner,	McClure,	Schrope,	Wright,
Gillette,	McCreary,	Schwab,	Yeakel,
Gorman,	McElwee,	Schwartz,	Yourishin,
Green,	McGinnis,	Scott,	Zimmerman,
Greenstein,	McGrail,	Sheffer,	Talbot,
Griffith,	McGregor,	Shellenberger,	Speaker.
Habbyshaw,	McHenry,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 196, entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188

Andrews,	Gillette,	Mason,	Schwartz,
Baker,	Green,	McBride,	Scorza,
Baldi,	Greenstein,	McCandless,	Scott,
Barnhardt,	Griffith,	McClure,	Sheffer,
Bechtel,	Habbyshaw,	McCreary,	Shellenberger,
Beech,	Haines,	McElwee,	Shettel,
Bennett,	Hamilton,	McGinnis,	Shortz,
Blumberg,	Harmuth,	McGrail,	Shreiner,
Boyd,	Harris,	McGregor,	Shugarts,
Brancato,	Hart,	McHenry,	Snyder,
Brennan,	Hartman,	McKay,	Sowers,
Brown, J. E.,	Heffernan,	McKinney,	Spann,
Brown, W. L.,	Hefferon,	Melchiorre,	Steedle,
Brownfield,	Heffner,	Meredith,	Sterling, P.,
Cannon,	Hermansen,	Merrell,	Sterling, R. B.,
Caputo,	Hester,	Mohn,	Stevens,
Carey,	Hewitt,	Moore,	Stiteler,
Carson,	Himes, H. E.,	Mumford,	Stone,
Chervenak,	Himes, L. R.,	Munley,	Stott,
Cohen,	Hoffman,	Murphy,	Terry,
Conner,	Holmes, J. B.,	Myers,	Trout,
Cooke,	Holmes, J. L.,	Nothnagle,	Turner,
Cordier,	Hoopes,	O'Connor,	Wade,
Craig,	Horst,	O'Keefe,	Wagner,
Cramer,	Hough,	O'Neill,	Walker, G. E.,
Dane,	Howard,	O'Rourke,	Walker, W. A.,
Davies,	Hutton,	Patterson,	Wall,
DeFrehn,	Jaffe,	Peelor,	Wasserman,
Denning,	Jones,	Perry, D. R.,	Way,
Downey, J. J.,	Kane, J. J.,	Perry, J. J.,	Weidemann,
Downey, G. E.,	Kane, L. P.,	Peters,	Welsh,
Dunmire,	King,	Powers,	Westrick,
Ederer,	Kinney,	Price,	White,
Emhardt,	Lane,	Quinn,	Wike,
Eroe,	Laubach,	Rectenwald,	Williams, G. W.,
Evans,	Lenahan,	Reed,	Williams, J. J.,
Fitzgerald,	Lewis,	Reilly,	Wilson, L. M.,
Fleisher,	Long,	Rhodes,	Wilson, T. B.,
Flinchbaugh,	Lord,	Rice,	Witkin,
Flynn, J. M.,	Lose,	Roan,	Wood,
Flynn, J. W.,	Lovett, J. E.,	Ruth,	Woodside,
Forrest,	Lovett, W. S.,	Sarig,	Wright,
Furman,	Lynch, J. R.,	Sautter,	Yeakel,
Gallagher, T. J.,	Lynch, M.,	Schrock,	Yourishin,
Gallagher, W. J.,	Malina,	Schrope,	Zimmerman,
Gartner,	Maloney,	Schwab,	Talbot,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 83, entitled:

An Act to prohibit [illegible] on account of race or color in employment under contracts for public hearings or public works and fixing penalties therefor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188

Andrews,	Greenstein,	McCreary,	Scott,
Baker,	Griffith,	McElwee,	Sheffer,
Baldi,	Habbyshaw,	McGinnis,	Shellenberger,
Barnhardt,	Hamilton,	McGrail,	Shortz,
Bechtel,	Harmuth,	McGregor,	Shreiner,
Beech,	Harris,	McHenry,	Shugarts,
Bennett,	Hart,	McKay,	Simon,
Bernhard,	Hartman,	McKinney,	Snyder,
Boyd,	Heffernan,	Meredith,	Sowers,
Brancato,	Hefferon,	Merrell,	Spann,
Brennan,	Heffner,	Mohn,	Stank,
Brown, J. E.,	Hermansen,	Moore,	Steedle,
Brown, W. L.,	Hester,	Mumford,	Sterling, P.,
Brownfield,	Hewitt,	Munley,	Sterling, R. B.,
Caputo,	Himes, H. E.,	Murphy,	Stevens,
Carey,	Himes, L. R.,	Myers,	Stiteler,
Carson,	Hoffman,	Nothnagle,	Stone,
Chervenak,	Holmes, J. B.,	O'Connor,	Stott,
Cohen,	Holmes, J. L.,	O'Keefe,	Tahl,
Conner,	Hoopes,	O'Neill,	Terry,
Cooke,	Horst,	O'Rourke,	Trout,
Cordier,	Hough,	Patterson,	Turner,
Craig,	Howard,	Peelor,	Wade,
Cramer,	Hutton,	Pennock,	Wagner,
Davies,	Jaffe,	Perry, D. R.,	Walker, G. E.,
DeFrehn,	Jones,	Perry, J. J.,	Walker, W. A.,
Denning,	Kane, J. J.,	Peters,	Wall,
Downey, G. E.,	Kane, J. P.,	Powell,	Wasserman,
Downey, J. J.,	King,	Powers,	Way,
Duffy,	Kinney,	Price,	Weidemann,
Dunmire,	Labar,	Quinn,	Welsh,
Ederer,	Laubach,	Raub,	Westrick,
Emhardt,	Lenahan,	Rectenwald,	White,
Eroe,	Lewis,	Reed,	Wike,
Evans,	Long,	Reilly,	Williams, G. W.,
Fitzgerald,	Lord,	Rhodes,	Williams, J. J.,
Flinchbaugh,	Lose,	Rice,	Wilson, L. M.,
Flynn, J. M.,	Lovett, J. E.,	Roan,	Wilson, T. B.,
Flynn, J. W.,	Lovett, W. S.,	Ruby,	Witkin,
Forrest,	Lynch, J. R.,	Ruth,	Wood,
Furman,	Lynch, M.,	Sarig,	Woodside,
Gallagher, T. J.,	Malina,	Sautter,	Wright,
Gallagher, W. J.,	Maloney,	Schrock,	Yeakel,
Gartner,	Mason,	Schrope,	Yourishin,
Gillette,	McBride,	Schwab,	Zimmerman,
Gorman,	McCandless,	Schwartz,	Talbot,
Green,	McClure,	Scorza,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

MOTION TO RECONSIDER VOTE

Mr. WAGNER. Mr. Speaker, I move that the vote by which House Bill No. 121, Printer's No. 118, entitled:

"An act requiring wages to be paid in cash, check or other evidence of indebtedness redeemable in lawful money of the United States" was defeated on final passage Wednesday, December 13, 1933, be reconsidered.

Mr. CARSON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Washington, Mr. Wagner, vote on the final passage of this bill?

Mr. WAGNER. In the majority, Mr. Speaker.

The SPEAKER. How did the gentleman from Washington, Mr. Carson, vote?

Mr. CARSON. I voted in the majority, Mr. Speaker.

On the question, will the House agree to the motion?

Mr. JOHN E. BROWN. Mr. Speaker and members of the House, yesterday when we voted on this measure forty members of the House were absent, therefore, I was not entirely satisfied with the vote, although we had the majority of the members elect, the vote was ninety-six to seventy-two, and for that reason I ask that the vote be reconsidered.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WILSON. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from McKean, Mr. Wilson, will state his question of parliamentary inquiry.

Mr. WILSON. Mr. Speaker, I understand the gentlemen who are moving for the reconsideration of the vote after the passage of the bill voted with the majority of the votes cast. The bill did not receive one hundred and five votes, but received more votes than the negative vote.

The SPEAKER. That is true.

Mr. WILSON. Mr. Speaker, are they now qualified to move to reconsider after having voted for the bill.

The SPEAKER. The Chair, in answer to the gentleman from McKean, on a question of parliamentary inquiry, states that only two gentlemen voting in the negative can ask for a reconsideration of the vote.

How did the gentleman from Washington, Mr. Wagner, vote when the bill was before the body.

Mr. WAGNER. Mr. Speaker, in the affirmative.

The SPEAKER. Then the Chair desires to inform the gentleman from Washington, Mr. Wagner, that he did not vote with the majority, because the bill failed to pass.

Mr. JOHN E. BROWN. Mr. Speaker, our authority for this motion is found in the book of rules on page 62, Rule No. 81 where it states: "A motion for reconsideration shall be permitted when made and seconded by members who were in the majority on the original question—"

The SPEAKER. In answer to the question propounded under Rule No. 81, if the affirmative had been in the majority, then the bill would have passed. Therefore, in this case, although the majority voted in the affirmative, due to the failure to cast the required number of votes to pass the bill finally, the bill was lost. Therefore, it is necessary on this motion now to say that it is out of order and that it is necessary for two members having voted in the negative to offer such a motion.

The Chair rules the motion out of order.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 60, entitled:

An Act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotives trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains and other self propelled engines or machines to provide the qualification of certain employes and to provide a penalty for violation thereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SOWERS. Mr. Speaker and members of the House, you have before you a bill that has been known for years to be a full crew bill and which has lately become known as the short hours or the long train bill.

When I came to this legislature in 1919 we had full crew bills then, they were repeal bills at that time. In 1921 we had full crew bills to extend the number of trainmen on trains, and also bills to reduce the number that were required, before the railroad committee. The railroad committee in 1921 listened long and patiently to many debates on the subject and after the subject had been fully debated that railroad committee, briefly, came to this conclusion. In some places extra trainmen were needed and in some places they were not needed, and that the full crew bill was in fact an effort to make the railroad company employ more trainmen than were necessary; so the committee at that time came to the conclusion that the railroads should be placed under the Public Service Commission with reference to the number of trainmen on the trains. We then reported out the bill which was passed, and the substance of that bill is this; that the Public Service Commission shall have power by hearing, upon notice in writing, to require any railroad corporation to employ such a number of men upon any of its trains as in the judgment of the Commission is necessary for safe and convenient operation.

That bill has been in force now over ten years and during the ten years approximately twenty-one complaints have been made to the Public Service Commission. Of all of these cases that were presented to the Public Service Commission, five were sustained, two were withdrawn, five were dismissed, and in three cases the railroad company immediately complied with the request. In six of the cases the complaints were abandoned on the answer of the railroad company and they ceased to prosecute their complaints.

Now, the bill before you says that it is an act to promote safety. If unsafe conditions have existed in Pennsylvania during the past ten years it is impossible to conceive that only twenty-one complaints would have been filed with the Public Service Commission, about two a year. I think, and I think the members of this House can well conclude, that the title saying that this is a bill to promote the public safety is merely a false-face and a sham; that the purpose of the bill is not to promote safety, because we have plenty of law today to accomplish that purpose, but the purpose of the bill is to create additional employment. In other words, to force the railroads to employ help that is not needed.

These are not days in which we can tell other people how to run their business, especially with making them hire unnecessary employes. The bill before you would try to create the impression that it was for a great public benefit and protection. It is in fact a most dangerous proposition.

If we are to grant old age pensions, if we are to promote social legislation, then we must conserve our resources to apply to those purposes. If we are to squander our resources, we cannot promote old age pensions and promote social legislation. In the period of a year a community with its labor and its machinery can only produce so much profit, and the question that this bill raises is, shall a portion of these profits be applied to luxury employes or shall they be rather diverted to the benefit of old age pensions and social legislation. They must be made to produce profits to keep the aged and to keep the young from laboring. If we put men to work where they are not needed, then who will produce the things that old age needs, and who will produce the things that youth needs in order to be supported adequately.

The old full crew bills really originated in days when trains lacked safety devices; they originated in the days when hand couplers and other late inventions and improvements did not exist. In those days there were very plausible arguments for full crews, but today invention has so added to and assisted railroad transportation that the additional men as provided for in this bill are not needed on the trains. I think I have already explained that in order to regulate conditions amongst labor and to give preference to the old and to the young, we must not waste our resources, we must do all in our power to not waste the efforts of the people but protect the industrial worker that is able to work and is willing to work and produce, so as to keep the young in school and the aged at home.

Now, members of the House, if this bill presented to you, it pretends to present to you, a remedy for some evil condition, then the proponents of the bill would have some argument or justification for presenting it. I have followed the press for the last ten years and I have made inquiries as to accidents, and the facts as they are presented to me, and which I believe, are that there have been no accidents of any consequence in Pennsylvania, or anywhere, that are due to the short number of trainmen, or the lack of the additional trainmen which this bill requires your roads to have.

There is still another important reason why we should not at this time ask the nation to consider this bill. That reason is this: Our good President has taken the situation into his hands, under NRA legislation, and under the program he has adopted to bring about a new deal and to bring about a remedy and to bring about the end of the depression. He has appointed Mr. Eastman I think his name is, as Director General of all railroads. I submit to this House that we can well trust the experiment to Washington, and that we should go along with it, and we should not by legislation in this State tie the hands of the officials at Washington in an endeavor to bring about a remedy and to procure what Washington wants to bring about. If you pass this bill you will interfere with that new deal program and with its objectives, and I would ask you, under these circumstances, not to interfere with their plans, but to vote this bill down.

Mr. FITZGERALD. Mr. Speaker and members of the House, I could not idly sit by and see one false impression after another being made. In other words, the case is being built up to make it seem that the working man of Pennsylvania was soliciting something from the Legislature that they are not entitled to under the title of safety to the public. I believe I am as well qualified as the previous speaker to call to the attention of this House several of the discrepancies that exist in his plea for the railroad company. When he said that we were about to squander money that we cannot use for old age pensions, I am wondering whether he desires to leave with this House the impression that if this bill is not enacted into law that the railroad company will graciously turn over to the old age pensions the funds and the enormous earnings they are earning now.

I wish to call your attention to the statement of my friend, Mr. Sowers, that men are not necessary. That perhaps, in a sense, is true. But take your city police department. If nothing happens you could easily get along with one policeman. This bill is designated to have effect when things do happen on the railroad. Take the city fire department. You see them sitting around the fire houses all day long. Why not send them all home, and only keep one of them on duty. You could easily get along with one when nothing happens. That same thing applies to your railroads. If trouble was left out of the picture they could perhaps get along without any additional men on a train, but to provide protection against trouble and to promote safety as a whole, I say that you must have these men. A further proof of the fact is that the State of New York and the State of Arkansas both now have laws that twenty-five to thirty cars is the limit

for the crew. This bill calls for fifty cars. In both of those states the laws were appealed to the Supreme Court and the Supreme Court upheld the lower courts and the legislatures and declared the bills constitutional. I might also say that we could produce, if we wanted to burden you with the time, documents or cases. For instance when a train stops on a four track system, railroad law requires a flag man to go out in both directions. We don't have the flagmen and necessarily somebody must do the work. If that is promoting safety then I don't know what we are talking about.

Getting down to the question of Mr. Eastman, the Federal Co-ordinator of Labor, I don't think that this is matter that Mr. Eastman could step into if he should so desire. The railroad set-up is peculiar, particularly wherein we have certain boards known as train service boards to handle grievances and discrepancies that exist between the agreeing parties. I believe that the railroad brotherhoods are the only organizations that deal directly with the government.

In closing I want to say to you that it is necessary for both safety, and I might go on hour after hour, telling you cases and explaining what they mean, explaining the use of the emergency air brakes and automatic train control, as they exist today. I might ask the gentleman who spoke ahead of me what he knows about lifting up extractor draw bars from the tracks, whether he knows of any three members of this House who could do it, when the weight of this draw bar is anywhere from two to three hundred pounds. I could tell you of many instances, but I will ask you to believe me when I say it is necessary and essential for this bill to be passed to promote safety.

Mr. BERNHARD. Mr. Speaker and members of the House, we have on the head end of a train what is called the automatic train control that is put on there for the purpose of the protection of the incapacitated man on the engine. We have on the engine two men, a locomotive engineer and a locomotive fireman, and in addition we are protected by the automatic train control. That control was considered necessary or it would not have been put on. We have on the rear end of the train, in the caboose, two men, a conductor and a flagman. On a number of railroads in this country they have a rule that states that one of these men must advance on the train while enroute to perform certain duties leaving but one man on the rear of the train. Now that man on the rear end of the train might become incapacitated and there would be nobody to protect the train. I wonder if that is not a safety move; I just wonder. You know what happened in the last year, the Erie wreck in the upper end of the state. I could recite to you numerous cases. This is an absolute necessity.

Mr. DAVID PERRY. Mr. Speaker and members of the House, I realize that perhaps the most vicious part of legislation is your necessity to have to listen to a lot of oratory that accompanies the passage or the defeat of that legislation, and I bear that in mind.

We have come down here in pursuance of a proclamation issued by the Chief Executive of this State to solve certain problems of a constructive nature for the good of the people. We have been sitting here, and we have been earnestly engaged under all sorts of handicaps in reaching a solution. Constantly there has been dangled before our eyes, both by inference and directly, a sword of Damocles that will fall upon our political necks unless we vote as we think the folks want us to vote, and I am afraid, members of the Assembly, that many times we are mistaking the loud noise of a few for the voice of the people that is quiet.

I have tried to sit here regardless of political affiliation to consider the need of the people, and I realize that in my own humble opinion there are many things upon which I cannot decide. I have admiration for any men or for any women in this assembly who in sincerity are promoting measures which in their honest opinions will bring about that result and so there is no thought of personal reflection in my mind towards the sponsors or the promoters of this bill, if they honestly believe that this bill will correct an evil which exists in the State of Pensylvania, but I personally cannot come to that viewpoint. I personally feel that during the hysteria of the present times they are being guided, perhaps blindly, by what they think is the voice of the people but which in my opinion only amounts to the loud cries and the loud charges of the few, and we may return to find a sword of Damocles hanging over our heads by those back home who are expecting us to keep our head when others are losing theirs. We must not forget the people back home who do not talk, who are expecting us not only to bring relief to this situation for the next year at the price of the future, but are expecting us to give them constructive legislation that will keep America, and will keep the State of Pennsylvania, from continuing to travel through the black years through which she has just travelled.

I think that this is one of the measures that is not a constructive measure; I think it is special legislation. I come from a community in which the shops of the Pennsylvania Railroad are located. Our people are dependent on those shops for a living. They employ possibly anywhere from twelve to fifteen thousand men. Approximately fifteen percent of those men are on the road. This bill is giving an absolutely special preference to a very small percentage. And it means this, we cannot meddle with certain economic laws and think we will cure them by laying down rigid rules that they must employ a certain number of men. It does not work that way in every day life and in my own humble opinion it is impossible to lead them out of the blackness through which we have just passed and it is insane to try to meddle with things that are too big for us. What about that seventy-five to eight-five percent of the men? Would I be honest to those men, if I say in order to give twenty-five hundred jobs, which this bill will call for, they must come from you. You are the seventy-five percent and there is only a certain amount of work than can be done, only a certain amount of business that can be handled, and where it goes on one side of the scale it has got to come off the other. I am thinking of the seventy-five to eighty percent of my own men who are working in the shops, I am thinking of those men when I am voting no on this bill.

I am not seeking to retard any legislation, any social legislation. I, however, feel, in my humble opinion, that under the term of social legislation many evils have been committed when certain individuals and certain groups begin playing on the heart strings of the human emotions, forgetting all the time that the sword is hovering over our heads at the spring primaries in the reaction of the majority of the thinking people who go out and cast their votes.

I want to say, perhaps it is slightly off of the question, but I want to say this to clarify a situation that has been in my mind. I know how hard it is to ignore the nods and the winks and the various motions of those from off this floor. I know that this is poor legislation and I know that it will be political suicide for me if I do not support it. I do not

ask and do not encourage any individual but I throw this challenge to every man in this room right now; how many of your think that this is bad legislation and yet feel that you must support it because there is going to be another blacklist out; because there is going to be another sword hanging over your heads at the spring primaries. I know it is political suicide for me to make this speech. I have no personal interest in the measure. I know, under the hysteria of the moment that they will turn out pamphlets and distribute them up and down the state. I realize as well as any man in this room that it means that I don't return next next session.

My Dad worked for the Pennsylvania Railroad, in the shops, at twelve cents an hour, and he didn't ask any Legislature to pass rigid rules; all he wanted was a chance to keep his chin up in the air and a chance to keep plugging along. I don't like to see class legislation brought in on the harp strings of bad times.

If this is a safety measure, then what about your trucks on the road; what about the buses that are hauling all these people; what about the men on those trucks that are endangering the lives of our citizens every way. Why were they not included? If this is a safety measure why were they specifically excluded from the terms of this bill? If it be a safety measure let us be consistent; let us go all the way. You have passed, and been passed, by these large trucks and passenger buses travelling sixty and seventy miles an hour. You could not drive to Harrisburg without seeing them. Now, let us be consistent.

There is only this one thought; I realize, and I pay special tribute to the men who are sincere in this group, who are supporting this measure. More power to you. If you are right I hope you will win. Personally, I cannot agree with you. My own view is that this is poor legislation and it will offset the very purpose for which you have presented it.

We have this situation, that the railroads have been so meddled with in the last fifteen years that the President of the United States felt that for the safety of the entire system of railroads he should put it in the hands of a coordinator and it is now in that man's hands. I have heard no statement from the sponsors of this bill that the man entrusted by the President of the United States with this duty has been consulted about its terms. I have heard no statement, other than coming from that group in this House who are familiar with only a few miles of railroad, when down in Washington—perhaps opposed to this very plan—for all I know—is a commission or a body that is trying to formulate some system or policy out of the chaos that has prevailed.

I am sorry that this bill has come up at a special session, because at a special session there is always the hysteria of the times. It has been coming up from year to year, being defeated and then sometimes passed and then repealed. It is one of those problems that must be solved by men who are free of all interest in next year's primaries.

With all of the business failures and all the wild hysteria at this time, I do not believe we should attempt to legislate jobs. If we could do that I would vote for a bill tomorrow compelling every industry to employ every man in the State of Pennsylvania, and that would be just as consistent as this bill is.

The gentleman from Philadelphia, Mr. Sowers, has given you the history of the bill, or the Act of Assembly, as passed on the 5th of May, 1921, on which day it became the law, and that law is still in operation. They have still an option, which I feel adequately meets and situation as to the promotion of safety, and I will read to you its terms. It authorizes the Public Service Commission created in 1913 to have the power or requiring any railroad corporation to employ such number of men upon any of its trains as in the judgment of the commission is requisite for the safe and efficient operation thereof and giving to that body power to enforce those orders. If there is a need for more men on the railroads, I say to you that it is costing plenty of money to support a Commission to enforce that particular provision.

So I suggest, Mr. Speaker, and members of the Assembly, when we are voting on this legislation, and I say this without a thought of criticism, let us forget that next spring there is a primary. Let us remember that we are away from home and not only bring relief for the present but hold our heads up and see that we do the best for the future. Don't forget that in the spring primaries there is going to be a lot of men and women who have felt the stress just as even you and I have felt it, who are going to say "if you wipe away from me all desire of initiative you have not truly represented my interests."

So, Mr. Speaker, just as I have said, I know this means political suicide, I know that it means perhaps the abandoning of all hope of coming back here to the next session. I am not representing any utility, I am not interested in any railroad, I have no big clients as a lawyer. My clients are the little fellow who works for the railroad. When he starves, as they have been doing lately, because there has not been enough work to go around, I starve with them.

So I say, Mr. Speaker and members of the House, cast aside all the accusations that have been brought before you by the newspaper publications, that have harangued and threatened this legislature, all these little side nods, all these little winks or taps on the shoulder "Well, you had better do it or we will remember it next spring," and once in our lives vote intelligently, vote fairly and forget all the things that are going to happen next spring.

As I have said, and I say again to the different sponsors of this measure, if you think you are right vote for it, but don't vote for it because of the fear of next spring.

Mr. NOTHNAGLE. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Weidemann, Price, Wike, Habbyshaw, DeFrehn, Wood, George W. Williams, John L. Holmes, Wilson, Snyder, Harry E. Himes, McGregor, Ederer, Forrest, Craig, Peters, White, Heffernan, Mohn, Rice, Woodside and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. BECHTEL. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—125

Andrews,	Griffith,	McBride,	Roan,
Baker,	Habbyshaw,	McCandless,	Roth,
Barnhardt,	Harmuth,	McClure,	Ruby,
Bechtel,	Hartman,	McCreary,	Ruth,
Beech,	Hefferon,	McElwee,	Sautter,
Bernhard,	Heffner,	McGinnis,	Schrock,
Boyd,	Hermansen,	McGrail,	Schrope,
Brancato,	Hester,	McGregor,	Schwab,
Brennan,	Himes, H. E.,	McKay,	Scorza,
Brown, J. E.,	Himes, L. R.,	McKinney,	Scott,

Brown, W. L.,	Hoffman,	Melchiorre	Shellenberger,
Brownfield,	Holmes, J. B.	Merrell,	Shortz,
Cannon,	Hoopes,	Moore,	Shreiner,
Caputo,	Hough,	Mumford,	Shugarts,
Carson,	Howard,	Munley,	Simon,
Chervenak,	Jones,	Murphy,	Snyder,
Cohen,	Kane, J. J.,	Negley,	Spann,
Cordier,	Kane, L. P.,	O'Connor,	Stank,
Cramer,	Kinney,	O'Keefe,	Steedle,
Dane,	Lane,	O'Neill,	Stevens,
Davies,	Laubach,	O'Rourke,	Stone,
Downey, G. E.,	Lenahan,	Pennock,	Wade,
Downey, J.,	Lewis,	Perry, J. J.,	Wagner,
Dunmire,	Lord,	Powell,	Walker, W. A.,
Eroe,	Lovett, J. E.,	Powers,	Wall,
Fitzgerald,	Lovett, W. S.,	Quinn,	Way,
Flynn, J. W.,	Lynch, J. B.,	Raub,	Welsh,
Furman,	Lynch, M.,	Rectenwald,	Westrick,
Gallagher, T. J.,	Male,	Reed,	Williams, J. J.,
Gallagher, W. J.	Malina,	Reilly,	Wilson, L. M.,
Gorman,	Maloney,	Rhodes,	Woodside,
Green,	Mason,	Rice,	Yourishin,

NAYS—60

Baldi,	Gartner,	Lose,	Tahl,
Bennett,	Gillette,	McHenry,	Terry,
Blumberg,	Greenstein,	Mohn,	Trout,
Carey,	Haines,	Myers,	Turner,
Conner,	Hamilton,	Patterson,	Weidemann,
Cooke,	Harris,	Peelor,	White,
Craig,	Hart,	Perry, D. R.,	Wike,
DeFrehn,	Heffernan,	Peters,	Williams, G. W.,
Denning,	Hewitt,	Price,	Wilson, T. B.,
Ederer,	Holmes, J. L.	Sarig,	Witkin,
Emhardt,	Horst,	Schwartz,	Wood,
Evans,	Hutton,	Sheffer,	Wright,
Flinchbaugh,	Jaffe,	Sowers,	Zimmerman,
Flynn, J. M.,	King,	Sterling, P.,	Talbot,
Forrest,	Long,	Stott,	Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 34, entitled:

An Act to repal the act approved the eighteenth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-six), entitled: "An Act authorizing the appointment by the Governor, of industrial police upon application of certain corporations companies associations and individuals prescribing the powers of such police authorizing the Governor to investigate their work and require periodical reports from them imposing duties upon the Secretary of the Commonwealth and recorders of deeds and imposing penalties."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WAY. Mr. Speaker and members of the Assembly, I feel that just a little explanation is due you in regard to the bill that is now before you. Prior to the meeting of the Corporations Committee, of which I am Chairman, the question was brought to my attention as to whether this bill came within the call of the Governor, and in order to present it to the Committee for their full information, I ask Mr. Fertig to give me an opinion, which I will have presented to the House.

I just want you to understand for fear that I might be misinterpreted as Chairman of the Committee as being against the bill that that was not the case in asking Mr. Fertig for an opinion.

In the 1929 session and also in the 1931 session a bill much of the same kind either amended or a new bill was introduced by Mr. Musmanno for which I voted on both occasions. I think you are entitled to know this and I will ask the reading clerk to read this communication from Mr. Fertig.

The SPEAKER. The gentleman from Clearfield will send the opinion to the desk so that the clerk may read the same for the information of the House.

The communication was read by the Clerk as follows:

12 December 1933

Honorable A. P. Way, House of Representatives, Harrisburg, Pennsylvania.

Dear Mr. Way:

I have your request to be informed whether House Bill No. 34 is on a subject within the Governor's call.

This bill proposes to repeal the Act of April 18, 1929, P. L. 546, which provides for the appointment by the Governor of industrial police on the application of corporations and companies.

There is only one possible item in the Governor's proclamation in connection with which this bill may be considered. This is Item No. 4, which, among other subjects, allows legislation regulating hours, wages, payment and conditions of labor. It also appears that if the bill were to be sustained, it would have to be on the theory that the bill has to do with conditions of labor, since it plainly does not have anything to do with hours or wages.

It seems to me that the term "conditions of labor" comprehends such matters as hours, payment and rate of wages, protection of labor from unsafe machinery and unsanitary conditions, the rights of collective bargaining, etc., but does not comprehend the employment of policemen commissioned by the Governor for the protection of private property. It may be that such police play an important part during the periods of labor controversy, but they are not the cause producing the conditions of labor which bring about the controversy. In my opinion the term "conditions of labor" as used in the Governor's proclamation does not include this bill, and that it is not within the call.

Sincerely yours,
J. H. FERTIG.

JHF:A

Mr. WAY. Mr. Speaker, in my previous remarks I overlooked saying that when the bill was voted on in committee it was voted on with the understanding this this communication should be presented to the House.

MOTION TO DROP BILL FROM CALENDAR

Mr. TURNER. Mr. Speaker, the bill not being within the call, I move that it be dropped from the calendar.

The SPEAKER. The Chair is of the opinion that the House itself will have to determine the constitutionality of the bill, as to whether it comes within the call.

POINT OF ORDER

Mr. HUTTON. Mr. Speaker and members of the House, there has just been read within your hearing an opinion of the Director of Legislative Reference Bureau, Mr. Fertig.

I want to call your attention specifically to the provisions of the Pennsylvania Constitution relative to this matter. You will find in Article III, section 25 of the Constitution this provision:

"When the General Assembly shall be convened in special session, there shall be no legislation upon subjects other than those designated in the proclamation of the Governor calling such session."

We have had in previous special sessions a number of cases which have gone to the higher courts, and in all of those cases the courts have ruled that where the proposed bill is not clearly within the terms of the call, it is not within the

terms of the Constitution, and, therefore, cannot be considered. Among the cases to which reference might be made is the well known in re Lykens, 223 Pa. 456. That case is considered by lawyers the leading case upon that subject.

As regards the particular matter under consideration it seems to me clearly, and I am in entire accord with the opinion of Mr. Fertig, that this particular bill doesn't come within the call.

Therefore, Mr. Speaker, I rise to the point of order that this bill is not property upon the calendar, because it is unconstitutional, in that it does not come within the call of the Governor.

The SPEAKER. The gentleman from Franklin, Mr. Hutton, has raised a point of order.

The Chair desires to read Article III, section 25:

"LEGISLATION AT SPECIAL SESSION

"Section 25. When the General Assembly shall be convened in special session, there shall be no legislation upon subjects other than those designated in the proclamation of the Governor calling such session."

The question has been raised and the Chair finds itself in the same position as in the session of yesterday. Therefore, it does not deem it necessary to repeat its opinion and the ruling then made by the Chair, and now lays before the House the question of the constitutionality of House Bill No. 34, Printer's No. 136, as to whether it comes within the call of the Governor.

Mr. JOHN J. KANE. Mr. Speaker, for the information of the House, I desire to state that prior to the introduction of this bill I had occasion to interview the Governor with the committee on another matter. Under section 4 of the call we asked the Governor whether in his opinion this bill to repeal the coal and iron police would come within his call, and he said it would, in the presence of John Phillips, the president of the Pennsylvania Federation of Labor, and acting on that statement I presented the bill to this House and it is now before you.

I do not desire to discuss the bill further at this time other than to answer the point that has been raised, that it was presented on the statement of the Governor, that was made in the presence of John Phillips and I then prepared the bill and presented it at this session.

Mr. COHEN. Mr. Speaker and members of the House, it is with some defference that I rise to oppose the motion, due to the fact that the eminent professor has advocated the thought that this bill is unconstitutional.

I think we all well realize, constitution or no constitution, that the foundation of this Commonwealth and of the United States stands on the basis of diversified powers and functions. We have the legislative, the judicial and the executive functions to be performed by each and every individual in his separate capacity. If we are to assume such a group as this delegation is to pass upon the constitutionality of the proposed measure, we are in effect assuming part of the judicial function.

Now, in the letter from Mr. Fertig, in section 4, he intimates that there is a possibility of this bill being declared constitutional under item 4 of the Governor's call relative to the condition of labor.

If we are to decide whether or not the presence of armed guards employed by private enterprises to enforce their own private orders affects the condition of labor then it must undoubtedly come within the call of the Governor and it most undoubtedly is a constitutional measure. On the other hand if we feel that the condition of labor is not affected by the presence of armed guards or affecting private employers, then possibly it might be unconstitutional, but I say to you, members of the House, that by no stretch of the imagination could lead me to believe that the right of collective bargaining, the inherent right of labor, is not molested by the presence of armed guards enforcing dictates of employers, I present to you the thought that the question of the constitutionality that has been raised is merely being raised to throw some dust in the eyes. It is an easy matter, it is an easy way to get out of unpleasant circumstances to declare the bill unconstitutional.

You have heard from the rostrum of this very House the Governor admonish us to pass the old age pension bill and place it upon the lap of the Supreme Court on the question of whether or not that bill is constitutional, and I say to you members of this House, that it is our duty to vote down this question of constitutionality and allow this bill to be passed upon as to its constitutionality by the judiciary in which group that power rightfully belongs.

The SPEAKER. In view of the ruling of the Chair yesterday, the Chair must of necessity take issue with the gentleman from York, Mr. Cohen. The rules of this body and our constitution are full of mandate along that line, providing that this body shall determine the constitutionality of legislation before it votes upon it. If and when the legislation becomes a law and is written into our statute books, then and not until then does it become a judicial matter. The Chair has ruled so before and again so rules.

Mr. HUTTON. Mr. Speaker and members of the House, I had not expected to return and address you again on this subject, but I do desire to state that it is a matter of very keen regret to me that my good friend the gentleman from York has not had the benefit of some of my instruction at the Dickinson School of Law. If he had had that benefit I am quite certain that he would not have fallen into the grievous legal errors which he has perpetrated upon this House.

As has been well stated by the Speaker, this question is not a judicial question at this time. It is a question for this House, and I just want to call the attention of the members of this House to a very solemn ceremony in which we all participated on the assembling day, when we all came forward here before the rostrum and took an oath to support not only the Constitution of the United States, but the Constitution of the Commonwealth, and all well versed lawyers know that the rule of law is that a legislative body is not to pass a bill in which there is any reasonable doubt as to its constitutionality and on the other hand no court will declare an act unconstitutional if there is any reasonable support to be given to it. Those are the simple elementary black letter rules of the law.

Mr. WILSON. Mr. Speaker, ladies and gentlemen of the House, I think there is one other reason why the ladies and gentlemen of this House should not pass upon this measure if we have any doubt at all about its constitutionality.

There is none of these police now in office. Not one. Governor Pinchot allowed every one of their commissions to expire. There will be none during his term of office, and before that expires there will be a regular session when they will have the privilege to pass upon it, a constitutional opportunity to pass upon it, and to rush in at a special session and pass a bill of doubtful constitutionality is a very grave mistake when there is not a single man in office, not one. He has allowed every one of them to go out of office.

Mr. J. J. KANE. Mr. Speaker and members of the House, the question now before the House as I understand it is whether or not this bill is within the call of the Governor.

The SPEAKER. As to whether it is unconstitutional in so far as it is not within the call of the Governor calling for the extraordinary session.

Mr. J. J. KANE. Mr. Speaker and members of the House, statements have been made that the bill is intended for the relief of labor. We are basing our argument on section 4 where the Governor has very definitely said he desired legislation to prohibit the private employment of deputy sheriffs. It is true as the representative Mr. Wilson has said, that at the present time, since the Governor has assumed office there are no coal and iron police commissioned, but there is established in the state a private deputy sheriff police force, and the Governor has asked the assembly to abolish that force, and we advance the claim that the coal and iron police are in the same catagory as the deputy sheriffs only under another name.

Mr. McELWEE. Mr. Speaker and members of the House, I think in the light of the remarks just made by the gentleman from Allegheny, Mr. Kane, this bill is clearly and most unmistakedly not within the call, because the part of the call to which he now refers and on which he bases his claim for the constitutionality of this bill has to do with deputy sheriffs, which even it seems to me the most unlearned in the law would know did not apply to this particular line of offices.

I might say that I have no personal interest in having this bill declared unconstitutional. Personally I am opposed to the coal and iron police, and if I had an opportunity to vote against them I would do so, but this bill to my mind does not come within the call under any circumstances and certainly does not come within the call insofar as the call relates to deputy sheriffs.

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Franklin, Mr. Hutton.

The SPEAKER. Will the gentleman from Franklin, Mr. Hutton, permit himself to be interrogated?

Mr. HUTTON. I will, Mr. Speaker.

Mr. WASSERMAN. Mr. Speaker, I move the previous question.

The SPEAKER. The motion is not in order because permission has been given the gentleman from York to interrogate the gentleman from Franklin.

Mr. COHEN. Mr. Speaker, I desire to ask the gentleman from Franklin as to whether I understood him correctly when I understood him to say that the Supreme Court of Pennsylvania would declare the bill unconstitutional if there was the least indication that it was so.

Mr. HUTTON. Mr. Speaker, in response to the interrogation of my friend, the gentleman from York, Mr. Cohen, I again recite the proposition, that after a bill has been enacted into law there is a presumption that it is constitutional, for the reason that the Supreme Court will assume that the members of the House and the General Assembly performed their duties in observing that if a measure was presented to them in which there was any reasonable doubt as to its constitutionality, they would not adopt the measure.

Mr. COHEN. Mr. Hutton, may I ask you if the rules that are laid down by the Supreme Court for ascertaining the constitutionality of a measure are any different than those which we as members of the General Assembly should lay down.

Mr. HUTTON. Mr. Speaker, I cannot do more than reiterate the two rules, and it seems to me they are sufficiently clear, and I hope they are clear to my friend, the gentleman from York, Mr. Cohen, but in order that there be no misunderstanding I will again repeat that the rule is, that the General Assembly is not to consider favorably any measure in which there is a reasonable doubt arising in their minds concerning its constitutionality.

On the other hand when the General Assembly has enacted a bill into law then there is a presumption of constitutionality arising and the courts take cognizance of that, because the courts are treating with one of the co-ordinate branches of the government, which are, as my friend from York has well stated, the legislative, judicial and executive branches and they are under our scheme of constitutional law supposed to be co-ordinate in their powers.

Mr. COHEN. Mr. Speaker, will the gentleman please answer the question that I proposed; are the rules of the Supreme Court of the Commonwealth of Pennsylvania the rules they use for ascertaining the constitutionality of a measure any different than what we as members of the General Assembly should use in arriving at the constitutionality?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WILSON. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from McKean, will state his question of parliamentary inquiry.

Mr. WILSON. Mr. Speaker, at what stage can we move the previous question?

The SPEAKER. Will the gentleman permit the Chair to ask the gentleman from York a question?

Will the gentleman, if it is possible, inform the Chair how many more interrogations he desires to make?

Mr. COHEN. Mr. Speaker, if the gentleman from Franklin will answer the question I have just asked him, I will only have one more question to ask.

The SPEAKER. After this one?

Mr. COHEN. Yes, Mr. Speaker.

The SPEAKER. Will the gentleman suspend for the time being.

Mr. WILSON. Mr. Speaker, some of us have two hundred or two hundred and fifty miles to ride on the ice and would like to get away some time.

Mr. HUTTON. Mr. Speaker, in answer to the last interrogation, I can do no more than repeat what I have already stated.

Mr. COHEN. Mr. Speaker, since the gentleman from Franklin has not answered my question, I do not want to ask him the other question.

The SPEAKER. The question before the House involves House Bill No. 34, Printer's No. 136, as to whether this bill comes within the call of the Governor. A vote "aye" is that the bill does come within the call of the Governor, and a vote "no" does not come within the call of the Governor.

The yeas and nays were required by Mr. J. E. Brown and Mr. Lane and were as follows:

YEAS—93

Andrews,	Gallagher, T. J.,	McCandless,	Ruth,
Barnhardt,	Gallagher, W. J.,	McClure,	Sarig,
Bechtel,	Gartner,	McCreary,	Schrope,
Beech,	Green,	McGinnis,	Schwab,
Bernhard,	Habbyshaw,	McGrail,	Scorza,
Boyd,	Harmuth,	McHenry,	Scott,
Brancato,	Hermansen,	McKinney,	Shellenberger,
Brown, W. L.,	Hewitt,	Melchiorre,	Shortz,
Brownfield,	Himes, L. R.,	Munley,	Shugarts,
Caputo,	Hoffman,	Murphy,	Snyder,
Carson,	Hoopes,	Negley,	Spann,
Chervenak,	Hough,	O'Connor,	Stank,
Cohen,	Howard,	O'Keefe,	Steedle,
Cordier,	Jones,	O'Rourke,	Sterling, P.,
Dane,	Kane, J. J.,	Powell,	Stevens,

Davies,	Kane, L. P.,	Powers,	Wagner,
Downey, G. E.,	Lane,	Quinn,	Walker, W. A.,
Downey, J.,	Lovett, J. E.,	Raub,	Way,
Dunmire,	Lovett, W. S.,	Rectenwald,	Welsh,
Eroe,	Lynch, J. R.,	Reed,	Westrick,
Fitzgerald,	Lynch, M.,	Reilly,	Williams, J. J.,
Flinchbaugh,	Male,	Roan,	Wilson, L. M.,
Flynn, J. W.	Malina,	Ruby,	Yourishin,
Furman,	Maloney,		

NAYS—66

Baker,	Hart,	Pennock,	Turner,
Baldi,	Heffernan,	Perry, D. R.,	Wade,
Bennett,	Hutton,	Perry, J. J.,	Wall,
Blumberg,	Jaffe,	Peters,	Wasserman,
Carey,	King,	Price,	Weidemann,
Conner,	Long,	Rhodes,	White,
Cooke,	Lord,	Rice,	Wike,
Craig,	Lose,	Roth,	Williams, G. W.,
DeFrehn,	McElwee,	Sautter,	Wilson, T. B.,
Ederer,	McKay,	Schwartz,	Witkin,
Emhardt,	Merrell,	Shreiner,	Wood,
Evans,	Mohn,	Sowers,	Woodside,
Flynn, J. M.,	Moore,	Stiteler,	Wright,
Forrest,	Mumford,	Stott,	Zimmerman,
Gillette,	Myers,	Tahl,	Talbot,
Griffith,	Patterson,	Trout,	Speaker.
Haines,			

So the question was determined in the affirmative and the bill was declared within the call of the Governor.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—127

Andrews,	Gartner,	Mason,	Ruth,
Baldi,	Green,	McBride,	Sarig,
Barnhardt,	Griffith,	McCandless,	Sautter,
Bechtel,	Habbyshaw,	McClure,	Schrock,
Beech,	Harmuth,	McCreary,	Schrope,
Bennett,	Harris,	McGinnis,	Schwab,
Bernhard,	Hermansen,	McGrail,	Scott,
Blumberg,	Hester,	McGregor,	Shellenberger,
Boyd,	Himes, H. E.,	McKay,	Shugarts,
Brancato,	Himes, L. R.,	McKinney,	Shettel,
Brown, J. E.,	Hoffman,	Merrell,	Snyder,
Brown, W. L.,	Holmes, J. B.,	Moore,	Spann,
Brownfield,	Hoopes,	Munley,	Stank,
Cannon,	Horst,	Murphy,	Steedle,
Caputo,	Hough,	O'Connor,	Sterling, P.
Carson,	Howard,	O'Keefe,	Stevens,
Chervenak,	Jones,	O'Neill,	Stone,
Cohen,	Kane, J. J.,	O'Rourke,	Trout,
Cooke,	Kane, L. P.,	Pennock,	Walker, W. A.,
Cordier,	Kinney,	Perry, D. R.,	Wasserman,
Cramer,	Lane,	Perry, J. J.,	Way,
Davies,	Lenahan,	Powell,	Welsh,
Downey, G. E.,	Lewis,	Powers,	Westrick,
Downey, J.,	Long,	Quinn,	Williams, G. W.
Dunmire,	Lose,	Raub,	Williams, J. J.,
Eroe,	Lovett, J. E.,	Rectenwald,	Wilson, L. M.,
Evans,	Lovett, W. S.,	Reed,	Witkin,
Flinchbaugh,	Lynch, J. R.,	Reilly,	Wood,
Flynn, J. W.,	Lynch, M.,	Rhodes,	Woodside,
Furman,	Male,	Roan,	Wright,
Gallagher, T. J.,	Malina,	Ruby,	Yourishin,
Gallagher, W. J.,	Maloney,		

NAYS—34

Baker,	Hewitt,	Peelor,	Wade,
Conner,	Holmes, J. L.,	Peters,	Wall,
Craig,	Hutton,	Price,	White,
Ederer,	Jaffe,	Rice,	Wike,
Emhardt,	King,	Roth,	Wilson, T. B.,
Flynn, J. M.,	Labar,	Shreiner,	Yeakel,
Forrest,	Laubach,	Stiteler,	Zimmerman,
Gillette,	McElwee,	Stott,	Talbot,
Gorman,	Mohn,	Turner,	Speaker.
Haines,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

CONSENT GRANTED TO INTRODUCE BILLS

Mr. WITKIN. Mr. Speaker, I ask unanimous consent to make a statement at this time.

The SPEAKER. The gentleman will proceed.

Mr. WITKIN. Mr. Speaker and members of the House, there have just been handed to me by the Attorney General two bills for the purpose of having them introduced. These two bills are really amendments necessary to House Bills Nos. 8 and 9, which are laws having been passed by the Senate and House and signed by the Governor. One bill provides for the State of Pennsylvania to be able to take advantage of the situation with respect to taxes on liquors if the Federal Government passes a tax in which Pennsylvania may participate. Under the present act there is no such provision. The other bill merely gives the Department of Revenue the right to grant extensions of time, subject to certain restrictions. In order that these bills may be considered, and because of the number of legislative days that remain, I will ask the unanimous consent of the House be given an opportunity to introduce these bills so you may have an opportunity to pass upon them.

The SPEAKER. The gentleman from Philadelphia, Mr. Witkin, asks unanimous consent of the House to introduce two bills at this time. Are there objections? The Chair hears none, and the gentleman will send the bills to the desk.

BILLS INTRODUCED AND REFERRED

By Mr. WITKIN. HOUSE BILL No. 245.

An act to amend section three clause (b) and sections nineteen and twenty-three of the act approved the fifth day of December one thousand nine hundred thirty-three (Act Number six) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties".

Referred to the Committee on Ways and Means.

By Mr. WITKIN. HOUSE BILL No. 246.

An act to amend act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" by providing for an extension of time for payment in certain cases.

Referred to the Committee on Ways and Means.

PERMISSION FOR COMMITTEE TO SIT DURING SESSION OF HOUSE

Mr. WITKIN. Mr. Speaker, I ask the consent of the House for the Committee on Ways and Means to meet to consider the two bills just referred during the Session of the House. I would like them to meet at the left of the rostrum.

The SPEAKER. If there are no objections permission will be granted the Committee on Ways and Means to meet immediately at the left of the rostrum. Are there objections? The Chair hears none, and permission is granted.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 27, as follows:

An Act relating to limited dividend housing companies defining and providing for the formation of such corporations for the purpose of eliminating unsanitary and dangerous housing conditions and constructing and operating safe and sanitary dwellings and apartments to be let at reasonable rentals extending to such corporations certain existing laws relating generally to business corporations providing for the supervision and regulation of the activities of such corporations by the State Board of Housing in the Department of Property and Supplies providing for the protection of such corporations and the parties dealing with them prescribing defining and limiting the powers and duties of such corporations conferring upon certain of such corporations and limiting their use of the power of eminent domain exempting such corporations from the payment of the capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and savings institutions and authorizing certain existing companies to accept the provisions of this act

Whereas It is hereby declared that bad housing conditions which exist in certain localities of the Commonwealth are a menance to the health safety morals welfare and reasonable comfort of the citizens of the Commonwealth and

Whereas the correction of these conditions in such areas being now otherwise impossible it is essential that provisions be made for the investment of private funds at low interest rates the acquisition at fair prices of adequate parcels of land the gradual demolition of existing unsanitary and unsafe housing and the construction of new housing facilities under public supervision in accord with proper standards of sanitation and safety and at a cost which will permit monthly rentals which families of low income can afford to pay

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Limited Dividend Housing Company Law"

Section 2 Definitions The following words and phrases when used in this act shall have the meanings respectively ascribed to them in this section

"Board" shall mean the State Board of Housing in the Department of Property and Supplies of this Commonwealth

"Municipality" shall include only cities boroughs and townships

"A public limited dividend housing company" referred to hereafter as a class A company shall be a company (a) to which shall apply the provisions of the general corporation laws relating to business corporations as hereafter from time to time amended or revised except where such provisions are in conflict herewith (b) incorporated by three or more persons who declare as a public purpose the intention to build and operate or to op rate a housing project to be rented at rates not exceeding those prescribed by the board as chargeable by limited dividend housing companies (c) in which no shareholder or debenture holder shall receive on his investment a greater dividend or interest return than seven per centum per annum except as otherwise provided herein (d) which may exercise the power of eminent domain in the acquistion of land as provided in this act and (e) which meets all the requirements for class A companies prescribed in this act

"A semi-public limited dividend housing company" referred to hereinafter as a class B company shall be a company similar to a class A company except that (a) it may with the consent of the board sell assign or convey or dispose of real property or any interest therein owned by it and (b) it may under no circumstances acquire property otherwise than by purchase exchange bequest or gift or subject to the approval of the board by lease for a term of years not less than thirty years nor less than the time required to amortize the cost of the housing project

Section 3 Formation of Public (Class A) Limited Dividend Housing Companies Three or more persons may in the manner prescribed in the Business Corporation Law approved the fifth day of May one thousand nine hundred thirty-three (Pamphlet Laws three hundred sixty-four) except where the provisions of this act are in conflict therewith become a class A company for the purpose of acquiring constructing maintaining and operating housing projects when authorized by and subject to the supervision of the board The term for which any such corporation is organized shall be not less than thirty years The articles of incorporation to be filed with the Department of State by the incorporators shall set forth in addition to the information required by the aforementioned Business Corporation Law

(a) A declaration that the corporation has been organized to serve a public purpose and that it shall remain at all times subject to the supervision and control of the board or of other appropriate State authority that all real estate acquired by it and all structures erected by it shall be deemed to be acquired for the purpose of promoting the public health safety morals and general welfare and that its shareholders shall be deemed when they subscribe to and receive the shares thereof to have agreed that they shall at no time receive or accept from the company in repayment of their investment in its shares any sums in excess of the par value of the shares together with cumulative dividends at the rate of seven per centum per annum and that any surplus earnings in excess of such amount if such company shall be dissolved shall revert to the Commonwealth

(b) A stipulation that the real property of the corporation shall not be sold transferred or assigned except under and pursuant to the terms and provisions of this act

(c) That all the shares of the corporation shall have a par value

The articles of incorporation may provide that in the event that income debenture certificates are issued by the corporation the owners thereof may be given the same right to vote as they would have if possessed of share certificates of the amount and par value of the income debenture certificates held by them If provision is made for the issuance of income debenture certificates interest shall be paid by the company on income debenture certificates only out of net earnings of the company that would be applicable to payment of dividends if there were no income debentures

The articles of incorporation may permit the retirement of income debenture certificates and shares of the company if as and when there shall be funds available in the treasury of the company from the receipt of amortization or sinking fund installments for that purpose as provided by this act but the amount so retired shall not exceed ninety per centum of the par value of all classes of shares or of shares and income debentures issued and outstanding at the time of the final completion of the building or buildings embraced in the project

Section 4 Consent of Board to Incorporation of Limited Dividend Housing Companies Before any articles of inporation are filed with the Department of State under this act the incorporators shall apply to and receive from the board a certificate that it approves the project for which the proposed limited dividend housing company is to be formed and that it consents to the formation of such corporation The certificate from the board shall be presented to the Governor together with the certificate of incorporation The Department of State shall not issue a certificate of incorporation evidencing the incorporation of any limited dividend housing company unless and until a certificate from the board as aforesaid is presented to it

Section 5 Restrictions on Public (Class A) Companies No public limited dividend housing company shall

(a) Acquire any real property or interest therein unless it shall first have obtained from the board a certificate that such acquisition is necessary or convenient for carrying out a housing project approved the board

(b) Sell transfer or assign any real property except (1) to another public limited dividend housing company formed under this act and (2) without first having obtained the consent of the board and (3) for a price in exces of the cost of such property less any amounts paid in amortization of the first lien and the retirement or redemption of shares plus so much of the limited dividends on the shares of the company from the date of issue as shall have been unpaid

and accrued interest on the mortgage indebtednes and income debenture certificates

(c) Pay interest returns (1) on its mortgage indebtedness at a higher rate than deemed necessary by the board but the rate shall not exceed six per centum per annum or (2) upon its income debenture certificates at a rate higher than seven per centum per annum

(d) Issue its shares debentures and bonds covering any project undertaken by it in an amount greater in the aggregate than the total actual final cost of such project including the lands improvements charges for financing and supervision approved by the board and interest and other carrying charges during construction and an allowance for working capital to be approved by the board but not exceeding three per centum of the estimated cost or of the total actual final cost of the project if that shall be greater than the estimated cost

(e) Mortgage any real property without first having obtained the consent of the board

(f) Issue any securties or evidences of indebtedness without first having obtained the approval of the board

(g) Use any building erected or acquired by it for other than housing purposes except that upon approval of the board it may in the first story of a two-family or multiple dwelling above the cellar or basement and the space below such story or in the case of a group of one-family or two-family houses in a reasonable proportion of such buildings provide for stores professional offices commercial cooperative or recreational purposes and when permitted by law the roof of multiple dwellings may be used for cooperative or community purposes

(h) Charge or accept any rental for housing accomodations in any building constructed acquired operated or managed by it in excess of the prices prescribed by the board

(i) Make other than authorized payments which shall be limited to (1) all fixed charges and all operating and maintenance charges and expenses including taxes assessments insurance amortization charges in amounts approved by the board to amortize the mortgage indebtedness in whole or in part depreciation charges if when and to the extent deemed necessary by the board reserves sinking funds and corporate expenses essential to operation and management of the project in amounts approved by the board (2) a dividend not exceeding the maximum fixed by this act upon the shares of the corporation allotted to the project by the board (3) where feasible in the discretion of the board a sinking fund in an amount to be fixed by the board for the gradual retirement of the shares and income debentures of the corporation When tenants own shares or income debentures in a limited dividend housing company incorporated under this act a sinking fund may with the approval and subject to the regulations of the board be set up and maintained out of the net profits applicable to surplus and used subject to the regulations of the board for the purchase at not to exceed par and accrued interest of the shares and income debentures held by tenants ceasing to be occupants of the buildings Shares so purchased may be resold by the corporation

(j) Enter into contracts for the construction of housing projects or for the payment of salaries to officers or employes except subject to the inspection and revision of the board and under such regulations as the board may from time to time prescribe

(k) Voluntarily dissolve without first having obtained the consent of the board

(l) Make any guaranty without the approval of the board

Section 6 Formation of Semi-public (Class B) Limited Dividend Housing Companies Three or more persons may in the manner prescribed in the Business Corporation Law approved the fifth day of May one thousand nine hundred thirty-three (Pamphlet Laws three hundred sixty four) except where the provisions of this act are in conflict therewith become a class B company for the purpose of acquiring constructing reconditioning maintaining and operating housing projects when authorized by and subject to the supervision of the board The articles of incorporation to be filed with the Department of State shall set forth in addition to the information required by the aforementioned Business Corporation Law all of the provisions required or permitted under Section three of this act Before the articles of incorporation are filed with the Department of State the incorporators shall procure the approval of the board in the manner prescribed by Section four of this act

Class B companies shall be subject to all the provisions of Section five except paragraphs (a) and (b) thereof Class B companies are hereby authorized to sell assign convey and otherwise dispose of real property owned by them to any person copartnership or corporation but no class B company shall sell assign or convey any real property owned operated or managed by it or any right title or interest therein except upon notice to the board of the terms of such sale transfer or assignment and unless and until the board shall consent thereto and any sale transfer or assignment in violation of the terms hereof shall be void Class B companies shall not under any circumstances have or exercise the power of eminent domain or acquire property otherwise than by purchase exchange bequest or gift or subject to the approval of the board by lease for a term of years not less than thirty years nor less than the time required to amortize the cost of the housing project

Section 7 Application of Other Corporation laws Tax Exemptions The provision of the general corporation laws relating generally to business corporations as hereafter from time to time amended or revised shall apply to limited dividend housing companies incorporated under this act except where such provisions are in conflict herewith but the capital stock of limited dividend housing companies incorporated under the provisions of this act shall not be taxed for State purposes under the provisions of existing laws

Section 8 Changes of Class of Corporation With the consent of the board a class B company may amend its articles and become a class A company and a class A company which has not obtained lands through the exercise of the power of eminent domain may with the approval of the board amend its articles and become a class B company

Any limited dividend housing corporation incorporated under existing laws prior to the passage of this act may with the approval of the board accept the provisions of this act by amending its articles in conformity herewith and thereupon become subject to the terms and provisions of this act

Section 9 Reorganization of Companies Reorganization of limited dividend housing companies shall be subject to the supervision and control of the board and no such reorganization shall be had without the authorization of the board Upon all such reorganizations the amount of capitalization including all shares income debentures bonds and other evidence of indebtedness shall be such as is authorized by the board not exceeding the fair value of the property involved

Section 10 Limited Return on Shares and Debentures No shareholder in any company formed hereunder shall receive any dividend in any one year in excess of seven per centum per annum except that when in any year dividends in the amount prescribed in its articles shall not have been paid in the shares of such company the shareholders may be paid the deficiency without interest out of any surplus earned in succeeding years This provision shall likewise be applicable to income debenture certificates and interest thereon at the rate specified in such certificates shall be cumulative

Section 11 Time of Payment of Subscriptions Subscriptions to the shares or income debentures of a corporation formed hereunder shall be paid at such times and in such installments as the corporation may require with the approval of the board If any default shall be made in the payment of any installment as so required the corporation may enforce the subscription by appropriate action and upon its failure so to do such subscription may be enforced by the board acting through the Department of Justice

Section 12 Consideration for Issuance of Shares and Bonds no limited dividend housing company shall issue shares bonds or income debentures except for money or property actually received for the use and lawful purposes of the corporation No shares bonds or income debentures shall be issued for property except upon a valuation approved by the board and such valuation shall be used in computing actual or estimated costs In no event shall the shares and income debentures issued by the corporation be less than the total of one-third of the actual cost as defined by law of any approved housing project or projects undertaken by it The board may however permit shares or income debentures to be issued to an amount not exceeding three per centum of the estimated total cost of three per centum of the actual

cost if the actual cost should exceed estimated cost of a project for working capital to be used in connection with such project

Section 13 Minimum Amount of Shares and Debentures The entire amount to be paid in cash or property by the shareholders and income debenture holders of a limited dividend housing company shall be equivalent to at least one-third of the total cost of the project or projects which it operates

Section 14 Surplus A surplus of an amount approved by the board shall be permitted limited dividend housing companies but the amount of the net earnings transferable to surplus in any year shall be subject to the approval of the board On dissolution of any limited dividend housing company the shareholders shall in no event receive more than the par value of their shares plus accumulated accrued or unpaid didivends and any remaining surplus shall revert to the Commonwealth

Section 15 Income Debentures With the approval of the board the articles of a limited dividend housing company may authorize the issuance of income debenture certificates bearing no greater interest than seven per centum per annum After the incorporation of a limited dividend housing company the directors thereof may with the consent of two-thirds of the holders of the preferred shares issued and outstanding offer to the shareholders of the company the privilege of exchanging their shares in such quantities and at such times as may be approved by the board for such income debenture certificates In no event shall the stated capital of the corporation be less than ten per centum of the total amount of stated capital and income debentures

Section 16 Mortgages and Mortgage Bonds Any corporation formed under this act may subject to the approval of the board borrow funds and secure the repayment thereof by bond and mortgage or by an issue of bonds under trust indenture Each mortgage or issue of bonds by a company formed hereunder shall relate only to a single specified project and no other and such bonds shall be secured by first mortgage upon all of the real property of which such project consists The bonds so issued and secured and the mortgage or trust indentures relating thereto may be so drawn that a first or senior interest and a second or junior interest therein may be acquired by different investors or classes of investors In such event only the first or senior interest therein shall be deemed securities in which the officers bodies corporations and associations heretofore specified may legally invest funds within their control Such bonds and mortgages may contain such other clauses and provisions as shall be approved by the board including the right to assignment of rents and entry into possession in case of default but the operation of the housing projects in the event of such entry by mortgagee or receiver shall be subject to the regulations of the board under this act Provisions for the amortization of the bonded indebtedness of companies formed under this act shall be subject to the approval of the Board

Section 17 Acquisition of Land Construction of Buildings When a limited dividend housing company shall have received from the board an approval of a project for the construction or acquisition of housing accommodations such company may undertake the acquisition of the property needed for such project Such property may be acquired by purchase gift bequest exchange or subject to the approval of the board by lease for a term of years not less than thirty years nor less than the time required to amortize the cost of the housing project and in the case of class A companies also by the exercise of the power of eminent domain The procedure in the latter case shall be in accordance with the procedure prescribed in section forty-one of the Corporation Act of one thousand eight hundred seventy-four (Act of April twenty-nine one thousand eight hundred seventy-four Pamphlet Laws seventy-three) as amended or supplemented Property adjoining or surrounding approved or acquired sites for low rental housing may be acquired by condemnation by class A companies if such property is to be used for public play or recreation grounds or parks The power of eminent domain shall in no case be exercised by a class A company except in areas of bad housing designated by the board in the manner provided by law and except with the consent of the court of common pleas of the county in which the area is located which may be granted on petition if the court deems such acquisition to be in the public interest and necessary for public uses The court shall not authorize any such acquisition by eminent domain until the class A company has first acquired either by purchase gift bequest exchange or duly authenticated option to purchase by such class A company of at least 50 per centum of the net land area needed for such housing project and for such purpose the board shall find as a fact that such percentage of the property has been acquired and that the construction of the particular housing accommodations in connection with which such power from the court is requested has been determined by the board after a public hearing to be in the public interest Such grant of power to exercise the right of eminent domain shall permit the immediate taking possession of the property either by filing an adequate bond with the Court of Common Pleas having jurisdiction of the proceeding or by paying to such Court a sum deemed sufficient by said Court to cover a possible award The hearing shall be held at a time and place appointed by the board and notice of such hearing shall be given by the board by publication in a newspaper published and circulated in the locality wherein the property is stiuated at least ten days prior to such hearing The board may expressly except from its certificate hereunder any part of the property proposed to be acquired as unnecessary to the plan A duly certified copy of such certificate shall be conclusive evidence as to the matters lawfully certified therein in any condemnation proceedings to acquire property or any part thereof set forth in such certificate

Section 18 Purchase of Other Companies' Property Before any limited dividend housing corporation shall purchase the property of any other limited dividend housing corporation it shall file an application with the board in the manner hereinbefore provided as for a new project and shall obtain the consent of the board as to the purchase and agree to be bound by the provisions of this act and the board shall not give its consent unless it is shown to the satisfaction of the board that the project is one that can be successfully operated according to law

Section 19 Transfer of Buildings and Structures No limited dividend housing company shall convey encumber or lease all or any part of its real property to any other person copartnership association or corporation without the written consent of the board Provided however That leases conforming to the regulations and rules of the board and for actual occupancy by the lessees may be made without the consent of the board Any conveyance encumbrance lease or sublease made in violation of the provisions of this section and any transfer or assignment thereof shall be void

Section 20 Authority to Borrow Money From Agencies of the United States Government Any corporation formed under or accepting the provisions of this act may borrow money from the Reconstruction Finance Corporation or any other agency of the United States Government on such terms and conditions as the Reconstruction Finance Corporation or other agency of the United States Government may prescribe Any such corporation may pledge as security for money so borrowed any personal or real property or both of such corporation including its shares income debenture certificates or bonds Every approved project financed wholly or in part by funds borrowed from the Reconstruction Finance Corporation or other agency of the United States Government shall be subject to such rules and regulations pertaining to the security of any money borrowed hereunder to finance such project as may be prescribed by the Reconstruction Finance Corporation or other agency of the United States Government It shall be the duty of the board to facilitate the procurement of such loans by such corporations by giving its prompt approval to all matters in connection thereto which this act requires the board to approve and to co-operate with the Reconstruction Finance Corporation or any other agency of the United States Government in the procurement and repayment of such money

Section 21 Constitutional Construction The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision so holding shall not be construed to affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 22 When to Take Effect This act shall become effective immediately upon its passage and approval by the Governor

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136

Andrews,	Furman,	McCreary,	Sheffer,
Baker,	Gallagher, T. J.	McElwee,	Shellenberger,
Baldi,	Gallagher, W. J.,	McGinnis,	Snyder,
Barnhardt,	Gartner,	McGregor,	Sowers,
Bechtel,	Hamilton,	McKay,	Spann,
Beech,	Harris,	McKinney,	Stank,
Bennett,	Hart,	Melchiorre,	Steedle,
Blumberg,	Hefferon,	Nothnagle,	Sterling, P.,
Boyd,	Heffner,	O'Connor,	Stevens,
Brancato,	Hermansen,	O'Keefe,	Stone,
Brown, J. E.,	Hewitt,	O'Neill,	Tahl,
Brown, W. L.,	Himes, H. E.,	O'Rourke,	Terry,
Cannon,	Himes, L. R.,	Patterson,	Trout,
Caputo,	Hoffman,	Pennock,	Turner,
Carey,	Holmes, J. L.,	Perry, D. R.,	Wade,
Carson,	Hoopes,	Perry, J. J.,	Wagner,
Chervenak,	Hutton,	Peters,	Walker, W. A.,
Cohen,	Kane, L. P.,	Powell,	Way,
Cooke,	King,	Quinn,	Welsh,
Craig,	Kinney,	Raub,	Westrick,
Cramer,	Lane,	Rectenwald,	Williams, G. W.,
Davies,	Laubach,	Reed,	Williams, J. J.,
DeFrehn,	Lenahan,	Reilly,	Wilson, L. M.,
Denning,	Long,	Rhodes,	Wilson, T. B.,
Downey, G. E.,	Lovett, J. E.,	Roan,	Witkin,
Dunmire,	Lovett, W. S.,	Roth,	Woodside,
Ederer,	Lynch, J. R.,	Sarig,	Wright,
Emhardt,	Male,	Sautter,	Yeakel,
Eroe,	Malina,	Schrock,	Yourishin,
Evans,	Mason,	Schwab,	Talbot,
Flynn, J. W.,	McCandless,	Schwartz,	Speaker.
Forrest,	McClure,	Scott,	

NAYS—3

Flynn, J. M., Griffith,	Rice,	Shreiner,	Weidemann,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES

Mr. WILSON, from the Committee on Ways and Means, reported as committed, House Bill No. 245, entitled:

An Act to amend section three clause (b) and sections nineteen and twenty-three of the act approved the fifth day of December one thousand nine hundred thirty-three (Act Number Six) entitled: "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spitituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties"

Mr. WILSON, from the Committee on Ways and Means, reported as committed, House Bill No. 246, entitled:

An Act to amend act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" by providing for an extension of time for payment in certain cases.

BILLS ON FIRST READING

Mr. WILSON asked and obtained unanimous consent for House Bill No. 245 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 245, entitled:

An Act to amend section three claus (b) and sections nineteen and twenty-three of the act approved the fifth day of December one thousand nine hundred thirty-three (Act Number six) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. WILSON asked and obtained unanimous consent for House Bill No. 246 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 246, entitled:

An Act to amend act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" by providing for an extension of time for payment in certain cases.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 28, as follows:

An Act relating to limited dividend reconstruction corporations defining and providing for the formation of such corporations for the purpose of reconstructing slum areas extending to such corporations certain existing laws relating generally to business corporations providing for the supervision and regulation of the activities of such corporations by the State Board of Housing in the Department of Property and Supplies providing for the protection of such corporations and the parties dealing with them prescribing defining and limiting the powers and duties of such corporations conferring upon such corporations and limiting their use of the power of eminent domain exempting such corporations from the payment of the capital stock tax conferring certain powers upon municipalities making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and saving institutions

Whereas It is hereby declared that bad housing conditions

areas occupied in whole or in part by dwellings which exist in certain localities of the Commonwealth are a menace to the health safety morals welfare and reasonable comfort of the citizens of the Commonwealth and

Whereas The correction of these conditions in such areas being now otherwise impossible it is essential that provisions be made for the investment of private funds at low interest rates the acquisition at fair prices of adequate parcels of land the general demolition of existing unsanitary and unsafe buildings and the reconstruction of those areas under public supervision in accord with proper standards of sanitation and safety in the public interest and without private profit except as herein expressly provided

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Limited Dividend Reconstruction Corporation Law"

Section 2 Definitions The following words and phrases when used in this act shall have the meanings respectively ascribed to them in this section

"Board" shall mean the State Board of Housing in the Department of Property and Supplies of this Commonwealth

"Slum areas" shall mean areas containing in the opinion of the board congested deteriorated unsanitary unfit or unsafe housing

"Net areas" shall include only cities boroughs and townships

"A limited dividend reconstruction corporation" shall be a corporation (a) to which shall apply the provisions of the general corporation laws relating to business corporations as hereafter from time to time amended or revised except where such provisions are in conflict herewith

(b) incorporated by three or more persons who declare as a public purpose the intention to acquire build and operate or to operate a slum reconstruction project to be rented at rates not exceeding those prescribed by the State Board of Housing

(c) in which no shareholder or debenture holder shall receive on his investment a greater dividend or interest return than seven per centum per annum except as otherwise provided herein (d) which may exercise the power of eminent domain in the acquisition of real property as provided in this act and (e) which meets all the requirements for limited dividend reconstruction corporations prescribed in this act

Section 3 Formation of Limited Dividend Reconstruction Corporations Three or more persons may in the manner prescribed in the Business Corporation Law approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws three hundred sixty-four) except where the provisions of this act are in conflict therewith become a limited dividend reconstruction corporation for the purpose of acquiring constructing or reconditioning maintaining and operating reconstruction projects in slum areas of any municipalities that have legally adopted a zoning ordinance enforced by an official agency constituted for that purpose and when authorized by and subject to the regulation and supervision of the State Board of Housing whose powers are hereby extended for this purpose to apply to limited dividend reconstruction corporations No reconstruction project shall be approved in contravention of any building or zoning ordinance in effect in the municipalities in which a designated area is located The term for which any such corporation is organized shall be not less than thirty years The articles of incorporation to be filed with the Department of State by the incorporators shall set forth in addition to the information required by the aforementioned Business Corportion Law

(a) A declaration that the corporation has been organized to serve a public purpose and that it shall remain at all times subject to the supervision and control of the board or of other appropriate State authority that all real estate acquired by it and all structures erected by it shall be deemed to be acquired for the purpose of promoting the public health safety morals and general welfare and that its shareholders shall be deemed when they subscribe to and receive the shares thereof to have agreed that they shall at no time receive or accept from the corporation in repayment of their investment in its shares any sums in excess of the par value of the shares together with cumulative dividends at the rate of seven per centum per annum and that any surplus earnings in excess of such amount if such corporation shall be dissolved shall revert to the Commonwealth

(b) A stipulation that the real property of the corporation shall not be sold transferred or assigned except under and pursuant to the terms and provisions of this act

(c) That all the shares of the corporation shall have a par value

The articles of incorporation may provide that in the event that income debenture certificates are issued by the corporation the owners thereof may be given the same right to vote as they would have if possessed of share certificates of the amount and par value of the income debenture certificates held by them If provision is made for the issuance of income debenture certificates interest shall be paid by the corporation on income debenture certificates only out of net earnings of the corporation that would be applicable to payment of dividends if there were no income debentures

The articles of incorporation may permit the retirement of income debenture certificate and shares of the corporation if as and when there shall be funds available in the treasury of the corporation from the receipt of amortization or sinking fund installments for that purpose as provided by this act but the amount so retired shall not exceed ninety per centum of the par value of all classes of shares or of shares and income debentures issued and outstanding at the time of the final completion of the buildings or structures embraced in the project

Section 4 Consent of Board to Incorporation of Limited Dividend Reconstruction Corporations Before any articles of incorporation are filed with the Department of State under this act the incorporators shall apply to and receive from the board a certificate that it approves the projects for which the proposed limited dividend reconstruction corporation is to be formed and that it consents to the formation of such corporation The certificate from the board shall be presented to the Department of State together with the articles of incorporation The Department of State shall not issue a certificate of incorporation evidencing the incorporation of any limited dividend reconstruction corporation unless and until a certificate from the board as aforesaid is presented to it

Section 5 Restrictions on Limited Dividend Reconstruction Corporations No limited dividend reconstruction corporation shall (a) acquire any real property or interest therein except options unless it shall first have obtained from the board a certificate that such acquisition is necessary or convenient for the public purpose defined in this act

(b) Sell transfer or assign any real property except (1) to another limited dividend reconstruction corporation formed under this act and (2) without first having obtained the consent of the board and (3) for a price in excess of the cost of such property less any amounts paid in amortization of the first lien and the retirement or redemption of shares plus so much of the limited dividends on the shares of the corporation from the date of issue as shall have been unpaid and accrued interest on the mortgage indebtedness and income debenture certificate

(c) Pay interest returns (1) on its mortgage indebtedness at a higher rate than deemed necessary by the board but the rate shall not exceed six per centum per annum or (2) upon its income debenture certificates at a rate higher than seven per centum per annum

(d) Issue its shares debentures and bonds covering any project undertaken by it in an amount greater in the aggregate than the total actual final cost of such project including the lands improvements charges for engineering and architectural services financing and supervision approved by the board and interest and other carrying charges during construction and an allowance for working capital to be approved by the board but not exceeding three per centum of the estimated cost or of the total actual final cost of the project if that shall be greater than the estimated cost

(e) Mortgage any real property without first having obtained the consent of the board

(f) Issue any securities or evidences of indebtedness without first having obtained the approval of the board

(g) Use any buildings erected or acquired by it for purposes other than those permitted by the board for that building or project

(h) Charge or accept any rental in any building constructed acquired operated or managed by it in excess of the prices prescribed by the board

(i) Make other than authorized payments which shall be limited to (1) all fixed charges and all development operating and maintenance charges and expenses including taxes assessments insurance chargs in amounts approved by the board to amortize the mortgage indebtedness in whole or in part and charges for depreciation of land and improvements if when and to the extent deemed necessary by the board reserves sinking funds and corporate expenses essential to operation and management of the project in amounts approved by the board (2) a dividend not exceeding the maximum fixed by this act upon the shares of the corporation allotted to the project by the board (3) where feasible in the discretion of the board a sinking fund in an amount to be fixed by the board for the gradual retirement of the shares and income debentures of the corporation When tenants own shares or income debentures in a limited dividend reconstruction corporation incorporated under this act a sinking fund may with the approval and subject to the regulations of the board be set up and maintained out of the net profits applicable to surplus and used subject to the regulations of the board for the purchase at not to exceed par and accrued interest of the shares and income debentures held by tenants ceasing to be occupants of the buildings Shares so purchased may be resold by the corporation

(j) Enter into contracts for the construction of projects or for the payment of salaries to officers or employes except subject to the inspection and revision of the board and under such regulations as the board may from time to time prescribe

(k) Voluntarily dissolve without first having obtained the consent of the board

(l) Make any guaranty without the approval of the board

Section 6 Application of Other Corporation Laws Tax Exemptions The provisions of the general corporation laws relating generally to business corporations as hereafter from time to time amended or revised shall apply to limited dividend reconstruction corporations incorporated under this act except where such provisions are in conflict herewith but the capital stock of limited dividend reconstruction corporations incorporated under the Provisions of this act shall not be taxed for State purposes under the provisions of existing laws

Section 7 Reorganization of Corporations Reorganization of limited dividend reconstruction corporations shall be subject to the supervision and control of the board and no such reorganization shall be had without the authorization of the board Upon all such organizations the amount of capitalization including all shares income debenture bonds and other evidence indebtedness shall be such as is authorized by the board not exceeding the fair value of the property involved

Section 8 Limited Return on Shares and Debentures No shareholder in any corporation formed hereunder shall receive any dividend in any one year in excess of seven per centum per annum except that when in any year dividends in the amount prescribed in its articles shall not have been paid on the shares of such company the shareholders may be paid the deficiency without interest out of any surplus earned in succeeding years This provision shall likewise be applicable to income debenture certificates and interest thereon at the rate specified insuch certificate be cumulative

Section 9 Time of Payment of Subscriptions Subscriptions to the shares or income debentures of a corporation formed hereunder shall be paid at such times and in such installments as the corporation may require with the approval of the board If any default shall be made in the payment of any installment as so required the corporation may enforce the subscription by appropriate action and upon its failure so to do such subscription may be enforced by the board acting through the Department of Justice

Section 10 Consideration for Issuance of Shares and Bonds No limited dividend reconstruction corporation shall issue shares bonds or income debentures except for money or property actually received for the use and lawful purposes of the corporation No shares bonds or income debentures shall be issued for property except upon a valuation approved by the board and such valuation shall be used in computing actual or estimated costs In no event shall the shares and income debentures issued by the corporation be less than the total of one-third of the actual cost as defined by law of any approved reconstruction project or projects undertaken by it The board however may permit shares or income debentures to be issued to an amount not exceeding three per centum of the actual cost if actual cost should exceed estimated cost of a project for working capital to be used in connection with such project

Section 11 Minimum amount of Shares and Debentures The entire amount to be paid in cash or property by the shareholders and income debenture holders of a limited dividend reconstruction corporation shall be equivalent to at least one-third of the total cost of the project or projects which it operates

Section 12 Surplus A surplus of an amount approved by the board shall be permitted limited dividend reconstruction corporations but the amount of the net earnings transferable to surplus in any year shall be subject to the approval of the board On dissolution of any limited dividend reconstruction corporation the shareholders shall in no event receive more than the par value of their shares plus accumulated accrued or unpaid dividends and any remaining surplus shall revert to the Commonwealth

Section 13 Income Debentures With the approval of the board the articles of a limited dividend reconstruction corporation may authorize the issuance of income debenture certificates bearing no greater interest than seven per centum per annum After the incorporation of a limited dividend reconstruction corporation the directors thereof may with the consent of two-thirds of the holders of the preferred shares issued and outstanding offer to the shareholders of the corporation the privilege of exchanging their shares in such quantities and at such times as may be approved by the board for such income debenture certificates In no event shall the stated capital of the corporation be less than ten per centum of the total amount of stated capital and income debentures

Section 14 Mortgages and Mortgage Bonds Any corporation formed under this act may subject to the approval of the board borrow funds and secure the repayment therof by bond and mortgage or by an issue of bonds under trust indenture Each mortgage or issue of bonds by a corporation formed hereunder shall relate only to a single specified project and no other and such bonds shall be secured by first mortgage upon all of the real property of which such project consists The bonds so issued and secured and the mortgage or trust indentures relating thereto may be so drawn that a first or senior interest and a second or junior interest therein may be acquired by different investors or classes of investors In such event only the first or senior interest therein shall be deemed securities in which the officers bodies corporations and associations heretofore specified may legally invest funds within their control Such bonds and mortgages may contain such other clauses and provisions as shall be approved by the board including the right to assignment of rents and entry into possession in case of default but the operation of the reconstruction projects in the event of such entry by mortgage or receiver shall be subject to the regulations of the board under this act Provisions for the amortization of the bonded indebtedness of corporations formed under this act shall be subject to the approval of the board

Section 15 Acquisition of Land Construction of Buildings When a limited dividend reconstruction corporation shall have received from the board an approval of a project for the acquisition or reconstruction of a slum area such corporation may undertake the acquisition of the property needed for such project Such property may be acquired by gift bequest exchange and subject to the approval of the board on lease for a term of years not less than required to amortize the cost of the project or purchase or by the exercise of the power of eminent domain The procedure in the latter case shall be in accordance with the procedure prescribed in section forty-one of the Corporation Act of one thousand eight hundred and seventy-four (Act of April twenty-nine one thousand eight hundred seventy-four Pamphlet Laws seventy-three) as amended or supplemented The power of minnt domain shall not be exercised by a reconstruction corporation except with the consent of the court of common pleas of the county in which the area is located which may be granted on petition if the court deems such acquisition to be in the public interest and necessary for public uses The court shall not authorize any such acquisition by eminent domain until the reconstruction corporation has first acquired either by purchase or by duly authenticated option to purchase at least fifty per cen-

tum of the net land area needed for such reconstruction projects and for such purpose the board shall find as a fact that such percentage of the property has been acquired and that the reconstruction of the slum area in connection with which such power from the court is requested has been determined by the board after a public hearing to be in the public interest Such grant of power to exercise the right of eminent domain shall permit the immediate taking possession of the property either by filing an adequate bond with the Court of Common Pleas or by paying to such court a sum deemed sufficient by said Court to cover a possible award The hearing shall be held at a time and place appointed by the board and notice of such hearing shall be given by the board by publication in a newspaper it shall designate published and circulated in the locality wherein the property is situated at least ten days prior to such hearing The board may expressly except from its certificate hereunder any part of the property proposed to be acquired as unnecessary to the plan A duly certified copy of such certificate shall be conclusive evidence as to the matters lawfully certified therein in any condemnation proceeding to acquire property or any part thereof set forth in such certificate

Section 16 Purchase of Other Corporations' Property Before any limited dividend reconstruction corporation shall purchase the property of any other limited dividend corporation it shall file an application with the board in the manner hereinbefore provided as for a new project and shall obtain the consent of the board as to the purchase and agree to be bound by the provisions of this act and the board shall not give its consent unless it is shown to the satisfaction of the board that the project is one that can be successfully operated according to law

Section 17 Transfer of Buildings and Structures No limited dividend reconstruction corporation shall convey encumber or lease all or any part of its real property to any other person co-partnership association or corporation without the written consent of the board Provided however that leases conforming to the regulations and rules of the board and for actual occupancy by the lessees may be made without the consent of the board Any conveyance encumbrance lease or sub-lease made in violation of the provisions of this section and any transfer or assignment thereof shall be void

Section 18 Fees Chargeable by Board The board may charge and collect for an approved project from a limited dividend reconstruction corporation reasonable fees in accordance with rates to be established by the rules of the board for the examination of plans and specifications and the superivision of construction in an amount not to exceed one-fifth of one per cent of the cost of the project and not to exceed five thousand dollars for any one project for the holding of a public hearing upon the application of a limited dividend reconstruction corporation an amount sufficient to meet the reasonable cost of advertising the notice thereof and of the transcript of testimony taken thereat for any examination or investigation made upon application of a limited dividend reconstruction corporation an amount reasonably calculated to meet the expenses of the board incurred in connection therewith All such receipts shall be paid into the State treasury The board may authorize a limited dividend reconstruction corporation to include such fees as part of the cost of a project or as part of the charges specified in Section five of this act pursuant to rules to be established by the board

Section 19 Contracts with Municipalities The legislative body of any municipality may enter into a contract with a limited dividend reconstruction corporation formed under this act and whose project has been approved by the board under the terms of which contract the municipality will acquire and improve for public purposes a definite area adjacent to the project or a definite part of the area included within the boundaries of the project or the municipality will provide specified public improvements within or adjacent to the boundaries of the project

Section 20 Authority to Borrow Money From Agencies of the United States Government Any corporation formed under or accepting the provisions of this act may borrow money from the Reconstruction Finance Corporation or any other agency of the United States Government on such terms and conditions as the Reconstruction Finance Corporation or other agency of the United States Government may prescribe Any such corporation may pledge as security for money so borrowed any personal or real property or both of such corporation including its shares income debenture certificates or bonds Every approved project financed wholly or in part by funds borrowed from the Reconstruction Finance Corporation or other agency of the United States Government shall be subject to such rules and regulations pertaining to the security of any money borrowed hereunder to finance such project as may be prescribed by the Reconstruction Finance Corporation or other agency of the United States Government It shall be the duty of the board to facilitate the procurement of such loans by such corporations by giving its prompt approval to all matters in connection thereto which this act requires the board to approve and to co-operate with the Reconstruction Finance Corporation or any other agency of the United States Government in the procurement and repayment of such money

Section 21 Constitutional Construction The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision so holding shall not be construed to affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 22 When to Take Effect This act shall become effective immediately upon its passage and approval by the Governor

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—153

Andrews,	Hart,	McHenry,	Scott,
Baker,	Hartman,	McKay,	Shellenberger,
Baldi,	Hefferon,	McKinney,	Shettel,
Barnhardt,	Heffner,	Meredith,	Shortz,
Beech,	Hester,	Merrell,	Simon,
Bernhard,	Himes, H. E.,	Moore,	Sinwell,
Blumberg,	Hoffman,	Mumford,	Snyder,
Boyd,	Holmes, J. B.,	Munley,	Spann,
Brancato,	Holmes, J. L.,	Murphy,	Stank,
Brown, J. E.,	Hoopes,	Myers,	Steedle,
Brown, W. L.,	Horst,	Negley,	Sterling, P.,
Cannon,	Hough,	O'Connor,	Stevens,
Caputo,	Howard,	O'Keefe,	Stiteler,
Carson,	Hutton,	O'Neill,	Stone,
Chervenak,	Jaffe,	O'Rourke,	Storb,
Cohen,	Jones,	Patterson,	Tahl,
Cooke,	Kane, J. J.,	Pennock,	Terry,
Cordier,	Kane, L. P.,	Perry, D. R.,	Trout,
Craig,	Kiuney,	Perry, J. J.,	Wade,
Dane,	Labar,	Peters,	Wagner,
DeFrehn,	Lane,	Powell,	Walker, G. E.,
Denning,	Laubach,	Powers,	Walker, W. A.,
Downey, G. E.,	Lenahan,	Quinn,	Wall,
Dunmire,	Lewis,	Raub,	Way,
Ederer,	Long,	Rectenwald,	Welsh,
Eroe,	Lord,	Reed,	Westrick,
Evans,	Lovett, J. E.,	Reilly,	White,
Fleisher,	Lynch, J. R.,	Rhodes,	Wike,
Flinchbaugh,	Lynch, M.,	Roan,	Williams, G. W.,
Flynn, J. W.,	Male,	Roth,	Williams, J. J.,
Forrest,	Malina,	Ruby,	Wilson, L. M.,
Furman,	Mason,	Ruth,	Wood,
Gallagher, T. J.	McCandless,	Sarig,	Wright,
Gallagher, W. J.,	McClure,	Sautter,	Yeakel,
Gillette,	McCreary,	Schrock,	Yourishin,
Gorman,	McElwee,	Schrope,	Zimmerman,
Green,	McGinnis,	Schwab,	Talbot,
Hamilton,	McGrail,	Schwartz,	Speaker.
Harmuth,	McGregor,		

NAYS—6

Griffith,	Rice,	Weidemann,	Woodside,
Habbyshaw,	Shreiner,	Wilson, T. B.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ANNOUNCEMENT

The SPEAKER. The Clerk will read an announcement received from the Department of Highways.

The announcement was read by the Clerk as follows:

Rising temperatures have removed some of the ice from highways but motorists are cautioned that in many shaded spots and in the higher areas the condition is likely to remain dangerous. Cindering crews of the Highway Department have covered curves and grades, but a let-down of caution on the part of motorists on comparatively level stretches of road may have serious results.

Northwestern and northern counties escaped the coating of sleet, but those of the northeast and the southern half of the State had reported sleet and snow flurries, last night.

REPORTS FROM COMMITTEES

Mr. McELWEE, from the Committee on State Government, reported as committed, House Bill No. 213, entitled:

An Act to plan against unemployment by establishing a Public Works Planning Board; prescribing and defining its powers and duties; granting authority to cities to create local public works planning boards, and defining their powers and duties; defining the relationship of the state board to such local boards and to such cities where no such approved local boards exist on and after January first, one thousand nine hundred and thirty-seven, and making an appropriation.

Mr. WITKIN, from the Committee on Ways and Means, reported as amended, House Bill No. 236 (Senate Bill No. 93), entitled:

An Act to amend section ten of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 284), entitled "An act imposing a State tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties;" regulating the refund of taxes paid on malt liquors.

Mr. HORST, from the Committee on Agriculture, rereported as committed, House Bill No. 139 (Senate Bill No. 35), entitled:

An Act relating to milk and the products thereof; declaring an emergency with respect to their production and marketing; creating a Milk Control Board in the Department of Agriculture; defining its jurisdiction, powers, and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery, and sale of milk and the products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring licensees to furnish bonds for the protection or producers; authorizing the examination of the business, papers, and affairs of, and requiring the filing of reports by, licensees and other milk dealers, and permitting with limitations the dissemination of information obtained therefrom; authorizing the issuance of subpoenas by the Board or its agents, and conferring jurisdiction upon courts to punish contempts; providing for appeals to the courts from decisions of the Milk Control Board; imposing penalties; and making an appropriation.

RESOLUTION

Mr. MALINA. Mr. Speaker, I ask unanimous consent to offer a resolution.

The SPEAKER. The resolution will be read for the information of the House.

The resolution was read by the Clerk.

The SPEAKER. Will the House give its unanimous consent to the introduction of the resolution? Are there objections? The Chair hears objection and consent is not granted.

ADJOURNMENT

Mr. WADE. Mr. Speaker, I move that this House do now adjourn until Monday evening, December 18, 1933, at 9.00 o'clock.

The motion was agreed to, and (at 3.41 o'clock P. M.) the House adjourned until Monday, December 18, 1933, at 9.00 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., MONDAY, DECEMBER 18, 1933. No. 19.

SENATE

MONDAY, December 18, 1933

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Acting Chaplain, Rev. Oscar R. F. Treder, offered the following prayer:

Almighty and Ever-living God, direct with Thy most gracious favor and further with Thy continual help the General Assembly of this Commonwealth, that in all their works begun, continued and ended in Thee, they may glorify Thy Holy Name and labor for the honor, welfare and satisfaction of Thy people. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BAUMER, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

The Chair asked and obtained an extension for one week of the leave of absence for the Senator from Philadelphia, Dr. Woodward.

The Chair asked and obtained an extension for one week of the leave of absence granted to the Senator from Delaware, Mr. McClure.

The Chair asked and obtained leave of absence for the Senator from Lackawanna, Mr. Howell on account of illness.

PETITIONS

URGING THE IMMEDIATE CONSTRUCTION OF FINANCE BUILDING

The Chair laid before the Senate petition from the Pittsburgh Reflector Company, Pittsburgh, urging the immediate construction of the Finance Building at Harrisburg.

Which was referred to the Committee on Appropriations.

PROTESTING AGAINST THE STATE TAKING OVER SECOND CLASS TOWNSHIP ROADS

The Chair laid before the Senate petition from the citizens of Wolfe Township, Lycoming county, protesting against the State taking over second class township roads.

Which was referred to the Committee on Public Roads and Highways.

FAVORING LEGISLATION SPONSORED BY THE PENNSYLVANIA FEDERATION OF LABOR

The Chair laid before the Senate petitions from the American Federation of Hosiery Workers urging the adoption of legislation sponsored by the Pennsylvania Federation of Labor.

Which were referred to the Committee on Judiciary General.

FAVORING VARIOUS HOUSE BILLS PERTAINING TO TAXES

The Chair laid before the Senate petition from the Dauphin County Taxpayers Association, Harrisburg, favoring the enactment of various House Bills pertaining to taxes, and so forth.

Which was referred to the Committee on Municipal Affairs.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF STATE ART COMMISSION
MEMBER OF THE BOARD OF TRUSTEES OF THE SOLDIERS' AND SAILORS' HOME

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 18, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Dr. R. Tait McKenzie, of Philadelphia, Philadelphia County, as a member of the State Art Commission, vice Morris Knowles, deceased, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

J. L. Marshall, of Erie, Erie County, as a member of the Board of Trustees of the Pennsylvania Soldiers' and Sailors' Home, vice Dr. James E. Silliman, deceased, for the term of four years, and until his successor is qualified.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 18, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

George K. Willock, Pittsburgh, 95 Amanda Avenue.

BLAIR COUNTY

Miss Ethel Plummer, Hollidaysburg.

CRAWFORD COUNTY

Miss Ann Virginia Caddahan, Meadville.

DAUPHIN COUNTY

Jos. B. Metzger, Harrisburg.

LAWRENCE COUNTY

Miss Margaret M. Orres, New Castle.

PHILADELPHIA COUNTY

Walter H. Stafford, Philadelphia, 461 Ripka Avenue.
Mrs. Constance M. Tunick, Philadelphia, 2000 Girard Trust Company Building.

WASHINGTON COUNTY

Thomas E. Werton, Allenport.

GIFFORD PINCHOT.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House of Representatives as follows:

House Bill No. 28 (Senate Bill No. 146), entitled:

An act relating to limited dividend reconstruction corporations defining and providing for the formation of such corporations for the purpose of reconstructing slum areas extending to such corporations certain existing laws relating generally to corporations of the second class providing for the supervision and regulation of the activities of such corporations by the State Board of Housing in the Department of Property and Supplies providing for the protection of such corporations and the parties dealing with them prescribing defining and limiting the powers and duties of such corporations conferring upon such corporations and limiting their use of the power of eminent domain exempting such corporations from the payment of the capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and savings institutions

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 57 (Senate Bill No. 147), entitled:

A Joint Resolution creating an Unemployment Insurance Investigation Commission; defining the powers and duties of said Commission; and making an appropriation.

Which was committed to the Committee on Appropriations.

House Bill No. 62 (Senate Bill No. 148), entitled:

A Supplement to the act number three hundred-A approved the third day of June one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to certain administrative departments

Which was committed to the Committee on Appropriations.

House Bill No. 63 (Senate Bill No. 149), entitled:

An Act creating an Unemployment Insurance Commission defining the powers and duties of said Commission and making an appropriation.

Which was committed to the Committee on Appropriations.

House Bill No. 85 (Senate Bill No. 150), entitled:

An Act to amend section one hundred and seventy-one of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law" as amended; by decreasing and limiting the compensation of the members of the board of viewers in counties of the fourth class.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 143 (Senate Bill No. 151), entitled:

An Act prohibiting the granting of licenses for the sale of spirituous and vinous alcoholic liquors in certain territory.

Which was committed to the Committee on Law and Order.

House Bill No. 144 (Senate Bill No. 152), entitled:

A Joint Resolution proposing an amendment to section seven, article nine of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Pensions and Gratuities.

House Bill No. 145 (Senate Bill No. 153) entitled·

A Joint Resolution proposing an amendment to section eighteen article three of the Constitution of the Commonwealth of Pennsylvania

Which was committed to the Committee on Pensions and Gratuities.

House Bill No. 177 (Senate Bill No. 154) entitled:

An Act providing that one-third of the cost of the board of revision of taxes and of the assessors other than personal property assessors in counties of the first class, shall be paid by the school district coextensive therewith.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 207 (Senate Bill No. 155) entitled:

An Act to amend an act approved the twenty-fifth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand twenty-four, entitled "Female Labor Law," by excepting from the provisions of the act domestic service in private homes and further regulating the hours of labor.

Which was committed to the Committee on Judiciary General.

House Bill No. 193 (Senate Bill No. 156) entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities pensions for and the burial of certain blind persons and the administration of this act by the Department of Welfare providing penalties

Which was committed to the Committee on Judiciary General.

House Bill No. 197 (Senate Bill No. 157) entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred

thirty-six) entitled "Workmen's Compensation Act of 1915," as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board.

Which was committed to the Committee on Judiciiary General.

House Bill No. 5 (Senate Bill No. 158) entitled·

An Act athorizing the adoption by employers in certain cases of a "check off" system whereby the union dues of employes and the wages of check weighmen, or other persons, may be deducted from the wages of employes; making unlawful other deductions and providing a penalty.

Which was committed to the Committee on Judiciary General

House Bill No. 27. (Senate Bill No. 159) entitled:

An Act relating to dividend housing companies defining and providing for the formation of such corporations for the purpose of eliminating unsanitary and dangerous housing conditions and construc ing and operating safe and sanitary dwelling and apartments to let at reasonable rentals extending to such corporations certain existing laws relating generally to corporations of the second class providing for the supervision and regulation of the activities of such corporations by the State Board of Housing in the Department of Property and Supplies providing for the protection of such corporations and the parties dealing with the prescribing defining and limiting the powers and duties of such corporations conferring upon certain of such corporations and limiting their use of the power of eminent domain exempting such corporations from the payment of the capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and savings institutions and authorizing certain existing companies to accept the provisions of this act.

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 34. (Senate Bill No. 160) entitled:

An Act to repeal the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-six) entitled "Industrial Police Law.

Which was committed to the Committee on Judiciary General.

House Bill No. 60. (Senate Bill No. 161) entitled:

An Act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotives trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains and other self propelled engines or machines to provide the qualification of certain employes and to provide a penalty for the violation thereof.

Which was committed to the Committee on Railroads.

House Bill No. 95 (Senate Bill No. 162), entitled:

An Act to provide for the investigation and study of wages of men, women and minors employed in trade and industry in the Commonwealth of Pennsylvania, and for the determination and establishment of minimum fair wage standards for such workers and for the purpose of preventing unfair and oppressive exploitation of such workers; providing procedure to enforce the payment of such minimum wages; and prescribing penalties.

Which was committed to the Committee on Judiciary General.

House Bill No. 86 (Senate Bill No. 163), entitled:

An Act to prohibit discrimination and intimidation on account of race or color in employment under contracts for public buildings or public works, and fixing penalties therefor.

Which was committed to the Committee on Judiciary General.

House Bill No. 171 (Senate Bill No. 164), entitled:

An Act to amend section one of article six of the act approved the seventh day of March, one thousand nine hundred and one (P. L. 20, entitled "Second Class City Law," as amended, by providing for the assessment of a less rate of tax upon buildings than upon land, graded over a period of years, until the rate upon buildings shall become one-fifth of the rate upon land.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 124 (Senate Bill No. 165), entitled:

An Act to amend the act approved the thirteenth day of May, one thousand nine hundred fifteen (P. L. 286), entitled "Child Labor Law," by prohibiting employment of minors between fourteen and sixteen years of age, except in certain types of work which will not interfere with school attendance; further limiting the occupations in which minors between fourteen and eighteen years of age may be employed or permitted to work and the hours of labor; further regulating employment certificates and requiring minors under eighteen to procure such certificates, imposing on school districts to issue such certificates and repealing certain sections and acts.

Which was committed to the Committee on Judiciary General.

House Bill No. 196 (Senate Bill No. 166), entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "Workmen's Compensation Act of 1915," as amended by extending the time for appeals from the referee's decision to the board.

Which was committed to the Committitee on Juliciary General.

House Bill No. 199 (Senate Bill No. 167), entitled:

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "Workmen's Compensation Act of 1915," as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made.

Which was committed to the Committee on Judiciary General.

House Bill No. 200 (Senate Bill No. 168), entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "Workmen's Compensation Act of 1915," as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

Which was committeed to the Committee on Judiciary General.

House Bill No. 153 (Senate Bill No. 169), entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

Which was committed to the Committee on Judiciary General

REPORTS FROM COMMITTEES

Mr. SCOTT, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 87 (House Bill No. 74), entitled:

A supplement to act number three hundred A approved the third day of June one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to the Executive Legislative and Judicial Departments of the Commonwealth.

Mr. KRAUSE, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 142 (House Bill No. 73), entitled:

An act to regulate the sale and delivery of coal, coke, petroleum coke, briquettes, and other solid fuels; providing for appointment of public weighmasters; prescribing their powers and duties; imposing certain duties on the Department of Internal Affairs; and providing penalties.

Mr. SHAPIRO, from the Committee on Banks and Building and Loan Associations, re-reported as amended, Senate Bill No. 125, entitled:

An act to amend the act approved the fifteenth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers; and of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons, restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts" by providing for establishment, maintenance, and operation of branch banks, branch offices and agencies and by further providing for the powers and limitations upon the facts of corporations and persons authorized to engage in a banking or a fiduciary business, or both, and of affiliates of such corporations or persons, and of officers, directors, trustees and employes of such corporations and persons.

Mr. REED, from the Committee on Judiciary General, reported as amended, Senate Bill No. 129, (House Bill No. 97), entitled:

An Act authorizing officers, departments, boards and commissions of any political subdivision of the Commonwealth, and cities, counties, boroughs, incorporated towns, townships, school districts, to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances.

Mr. GELDER, from the Committee on Judiciary General, reported as amended, Senate Bill No. 133, (House Bill No. 190), entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentages of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated town with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, by providing for payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement.

Mr. NORTON, from the Committee on Appropriations, reported as committed, the following Resolution which was laid on the table:

In the House of Representatives, December 13, 1933.

Whereas, There have been various allegations of wanton waste in the distribution of clothing, fuel and other necessaries of life by the Allegheny County Relief Board functioning under the direction of the State Emergency Relief Board; therefore be it

Resolved, (If the Senate concur), That the General Assembly hereby requests the State Emergency Relief Board to investigate the affairs of the Allegheny County Relief Board, expending State and Federal relief moneys, to ascertain whether or not its affairs are administered economically, and whether or not relief orders, clothing or fuel are being distributed only to those in need as contemplated by law, and to make public the result of its investigations;

Resolved, That a copy of this resolution be transmitted to the State Emergency Relief Board by the acting Chief Clerk of the House

RESOLUTION AUTHORIZING THE GOVERNOR TO APPOINT DIRECTORS AND TRUSTEES OF NON-PROFIT CORPORATIONS FOR PURPOSES APPLYING TO FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

Mr. ARON offered the following Resolution, which was twice read:

In the Senate, December 18, 1933.

Whereas, under Act of Congress of the United States known as the National Industrial Recovery Act the sum of $3,300,000,000 has been appropriated for the purposes of Public Works alloted to the various States as they may be approved by the Federal Emergency Administration of Public Works upon proper application filed, and

Whereas, corporations have been formed and are to be formed for enabling projects for public and quasi-public purposes in the Commonwealth of Pennsylvania, to qualify for receiving loans and grants under said Act of Congress and,

Whereas, in order to obtain loans and grants for such projects, it is necessary that the corporations thus formed be under public control, and to insure the same provisions are made that a majority of the directors and trustees of said corporations shall be appointed by the Governor of the Commonwealth of Pennsylvania.

RESOLVED BY THE SENATE OF THE COMMONWEALTH OF PENNSYLVANIA (if the House of Representatives concurs) that the Governor of the Commonwealth is hereby authorized and empowered to appoint such number of directors and trustees as is necessary to constitute a majority of the Board of Directors of any nonprofit corporation formed for public purposes applying to the Federal Emergency Administration of Public Works, or other Federal agency, for a loan and grant for projects erected in this Commonwealth under the terms of the National Industrial Recovery Act so that said corporations may be under public control for public benefit and to enable them to meet the requirements of the said Act.

Mr. ARON. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be referred to an appropriate committee, be suspended, and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there any objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 19.

Mr. SCOTT offered the following resolution, which was twice read, considered and agreed to:

In the Senate, December 18, 1933.

Resolved (if the House of Representatives concur) That Senate Bill No. 19 entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties" be recalled from the governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 47, entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. PRINCE. Mr. President, I have too great a respect for the sponsor of this resolution, and too high an admiration for his sincerity, courage of conviction and altruism to take issue with him lightly on any bill he may sponsor; but I am enough of a Jeffersonian, although I wear a Republican label, to believe that that Government is best which governs least, that all government is more or less dangerous and oppressive, and that the more strictly we confine governmental activities to smaller units the better off we shall all be.

The Constitution of the United States is the legal instrument by which the principals to the Federal compact delegated certain powers to their agent, the Federal Government. The control of industry and the control of homes are not among these delegated powers. Through judicial interpretation the Federal Government has acquired enormously increased power, further accentuated by the deliberate and voluntary surrender by the States of their reserved rights.

The French Constitution is amended in precisely the same way that a French law is added to the statute books,—by an Act of the French National Legislature; and if the present tendency continues, the Constitution of the United States, in the future, is likely to be amended in as facile a manner. The Constitution is a good deal like the carburetor of your car,—the less you monkey with it the better it works. The Constitution is sick from the attention of too many doctors. If we will stop doctoring it we may yet save it from destruction, as Wun Lung, the Chinaman, was saved by absent treatment. He told it thus: "Me velly sick. Callee in doctor. Me gettee worse. Callee in another doctor. Me gettee worse still. Callee in third doctor. Me almost die. Callee in fourth doctor. He savee my life. He no come."

I think it is about time, Mr. President, that we saved the Constitution. We are saving dogs from having their ears bobbed, and we are saving men, women and children from earning their bread by the sweat of their brows; now I suggest that we turn in and save the Constitution of the United States.

MOTION TO RECOMMIT

I move you, Mr. President, that this resolution be recommitted to the Committee on Judiciary General.

Mr. CHAPMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SALUS. Mr. President, the talk by our Senator from Cumberland, Mr. Prince, takes me back to my childhood days. I have always revered and respected an educator, and I have never lost that feeling. I respect our honored Senator from Cumberland, Mr. Prince, because of his being a Senator and, in addition to that, because of his being a noted educator. I want to differ with him, however, on this one proposition, and after the meeting is over I will have to do as you always must do with a professor and a teacher, go out and apologize; and I am going to apologize to him for whatever I may say in the meeting of the Senate, and I know he will excuse me.

I have been around these halls for some number of years,—I don't want to mention the number, because the people will find out how old I am; but ever since I have been a young man I have been advocating the cause of child labor. Long before there were any organizations taking up child labor, all by myself and alone, without any support, I think, I put in the first Act of Assembly on child labor legislation. I think

it got as far as the desk, went into the committee, and was never heard of thereafter until some of the goodly women of Pennsylvania took it up and made it an issue. And all during that time, whenever a bill would come up, we would find the people who were opposing this p[illegible]r measure making this one battle-cry, "If you [illegible] legislation you will drive industry out of Penn-[illegible] And upon mature consideration it seems as t[illegible] they were making statements that were true, and developments afterward showed that those statements were true to some extent, because many of our manufacturers went to the southern states. Their battle-cry was, "If this were national legislation, we would all be for it. If every state in the union were on the same basis, that would be fair to Pennsylvania and would be good legislation."

And that battle-cry has been going on for years; so that the people behind this legislation have taken up the cause of the manufacturer, have taken it up from their standpoint, and are trying to make this national legislation in order that all states may work under the same, and a uniform law.

You cannot cry one way today and another way tomorrow and be consistent; and while I am on this question I might bring out some thoughts that come to my mind.

We all received a letter, quite recently, from a very prominent publication of Philadelphia, opposed to this legislation. The owners of that same publication are the owners of certain Philadelphia newspapers. The Philadelphia newspapers are advocating the passage of this legislation, while the parent institution, the owners of which are all one and the same, are opposing it. It seems as though they are for this legislation for circulation in their papers, but they are against it when it comes down to paying some of the funds out of the treasury of this institution; and, as a result of this hypocritical stand, if I may put it so, they may place the members of this Senate on the spot,—they damn them for doing it or they damn them for not doing it.

And then I have gone still further, and I find out that many of the industrialists in Pennsylvania, and the big institutions who are opposed to this,—when you look up the women's organizations that are advocating this legislation you find the wives of these same men advocating this legislation while their husbands, in their business activities, are opposing it. It looks to me like hypocracy. Something ought to be done whereby they take a stand one way or another, and not put the members of the Legislature on the spot,—to be wrong no matter what they do.

But so far as I am concerned, and so far as my feelings in this matter are concerned, and so far as my investigation of this legislation is concerned, it is the only way out. It is bound to be here session after session. I agree with my friend, the Senator from Cumberland, Doctor Prince, when he talks about the manner in which our Constitution has been battled around recently, but he need not worry about the disintegration of our Constitution, or about its getting another black eye or two. The Democrats have had it pretty badly bruised by now, and we shall not hurt it any if we give it another bump; but this legislation will cure the evil the manufacturers have been complaining of for years. It will be uniform legislation. It will not hurt the industrialists of Pennsylvania, but will protect them; and if this legislation goes through I think every manufacturer or industrialist who has opposed it or is trying to oppose it now will feel sorry for the opposition he has placed in its way. This is good legislation; it is good for business. God knows it cannot hurt the children of this great Commonwealth of ours.

Mr. OWLETT. Mr. President, I rise to second the motion of the Senator from Cumberland, Mr. Prince; and I wish to call, for a moment, the Senate's attention to the fact that this is a resolution amending, or adopting a suggested amendment to the Federal Constitution. I have in my hand the Call of the Governor for this special session, and I wish to call the Senate's attention to the fact that this amendment is not within the Call of the Governor. I think it is conceded that this act is legislation. It requires the signature of the Governor, and is in the form of a regular bill. The Constitution of the State of Pennsylvania, as you read in section twenty-five, provides that when the General Assembly shall be convened in Special Session there shall be no legislation upon subjects other than those designated in the Proclamation of the Governor calling such session; and in the four corners of this proclamation there is not one word about an amendment to the Federal Constitution. The last paragraph, paragraph thirteen of the Call, says "Legislation necessary to give effect to any Constitutional amendment,"—what?' "adopted by the people on November 7th, 1933."

Now, it would have been easy for the Governor to have added "and any amendment to the Federal Constitution," but he did not do it.

I understand that the proponents of this measure try to say that it is proper to pass it at this Special Session because in paragraph four of the Governor's call, which provides for "legislation on the regulation of hours, wages, payment and conditions of labor," it would come within the call; but this is not that subject, the subject of this amendment is the delegation to Congress of power to legislate, by adoption by Pennsylvania of an amendment to the Federal Constitution. In other words, the subject of this bill is not the regulation of the conditions of labor, but an amendment to the Federal Constitution, and for that reason, Mr. President and members of the Senate, I wish to second the motion of the Senator from Cumberland, Mr. Prince, and in seconding it I wish to put into the record at this time an editorial from one of the papers of this State which was handed me this evening,—because I think it is appropos to an act such as this, which provides that Congress shall have the power to regulate, to limit and prohibit the labor of persons who are under eighteen years of age. It means that a bureaucracy from Washington can step into my home and tell my son what he can do until he is eighteen years old. This is the editorial:

NO MORE OF THIS?

He was just a little fellow, not as large as his years would warrant. But the spirit that was in that little body was that of a full grown man.

He had felt himself a real man since his father's death when he was seven years old, for there were just the two of them—himself and his mother. His mother took in washing and he called for and delivered the clothes. Then, to help out, he sold papers on the streets, and delivered parcels for Mr. Brown, the corner grocer, who didn't have enough business to justify having a delivery wagon, but who had two dollars a week for William as compensation for his deliveries and for keeping the store half an hour at noon while he ate dinner.

But times were hard and with all he and his mother might do, they seemed never to have more than enough to pay the rent and feed and clothe themselves and keep fuel in the bin for the kitchen stove.

William had read stories of great men who had endured the same sort of boyhoods. John A. Johnson, the beloved governor of Minnesota, thirty years ago, had had much the same kind of story, except that Johnson's father was a drunkard and there were brothers and sisters, besides his mother for him to look after.

So the little fellow struggled on.

Today William is a leading citizen in the town where he has grown up.

But the making of that sort of men has displeased the disciples of the old darkey who wished everybody else was dead and he kept hotel, now in charge of the government and they are trying to secure the approval of an amendment to the federal Constitution that will make it a crime for boys like William to grow into the sort of manhood into which he and John A. Johnson grew.

"It's too hard," the soft headed advocates of the Child Labor Amendment cry out.

"We must stop this exploitation of childhood," mealy mouthed pulpit performers declare with unction.

"We must not allow children to deprive men of livlihoods," say labor leaders.

The tasks of the world require men of strength. The Roman Empire, when there was no longer a man great enough to rule it, was divided, so that three men might rule. But the stature of manhood kept on decreasing until today the little nation we call Rumania contains all that is left of the great nation that rose on the banks of the Tiber to rule the world.

Strong boys grow to be strong men.

But—as Rousseau tells us of the Arabs who conquered the Eastern Roman Empire, having become flourishing, learned, polished, effeminate and indolent," we like them, seem headed for "subjugation by the barbarians."

Mr. HARRIS. Mr. President, I recognize the fact that all of the speakers on this bill have been out of order, and it is only because of the fine, gracious manner in which the Presiding Officer conducts these meetings that they were permitted to continue; but when the Senator from Tioga, Mr. Owlett, raised the legal and technical point I believe that many of the members of this body who favor this legislation, and the passage of it, treated him with extreme politeness, in not interrupting him and preventing him from making this eloquent address.

I doubt very much that the Senate of Pennsylvania should pass on legal questions. There are many splendid lawyers here who have practice at the bar for many years, but there are many of us who are not members of the bar, and we witnessed the spectacle in the House last week, of the members of the House acting as the Supreme Court on a constitutional question.

QUESTION OF PERSONAL PRIVILEGE

Mr. President, so that I shall be absolutely in order, I rise to a question of personal privilege, before there can be complaint from any member.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his question of personal privilege.

Mr. HARRIS. Mr. President, I rise at this time to speak directly on the resolution, in which I think I am in order.

I think that inasmuch as this resolution has been considered in committee, passed on by the committee and sent to the floor of the Senate, we should act and face the music on this. Everyone knows that even the slightest delay, in the few days we may have to act on legislation, might spoil the chance of this bill's passing. Let us vote for it on the floor. Let us decide now, here and now,—not in committee. It has already been discussed in committee, and reported out. Let us face the music. Let us decide just whether we are for or against this bill; and let everybody know just exactly where we stand.

I think it would be a serious mistake on the part of the members of this Senate to refuse to act on this, and send it back to committee. I think it would almost be a cowardly thing to send this back and have it held in committee, without any action on it; and I sincerely hope the members of this body will see fit to vote down this motion to recommit this resolution to the committee; because I can say to you, it will develop that what I say to you is the truth, that when this goes back to committee I doubt very much that it will ever come out again; and we who desire to vote on this bill, and vote for it, will lose that opportunity. Therefore, I hope the members of the Senate will stand up and face the music and vote their convictions.

QUESTION OF PERSONAL PRIVILEGE

Mr. SNYDER. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Lehigh, Mr. Snyder, will state his question of personal privilege.

Mr. SNYDER. Mr. President, as a Democrat I must remind myself of the fact that the Democratic party has been mentioned several times. It is rather gratifying to me to know that my colleague, the Senator from Cumberland, Mr. Prince, has admitted himself to be a Jeffersonian in his thinking. I understood Senator Salus to say that it would not hurt to give the Democratic party another bump, or words to that effect. And I listened with much interest to the remarks made by my colleague, the Senator from Tioga, Mr. Owlett, as to the technical features of this resolution.

Mr. President, within the call of the Governor there are many subjects included. It is very ambiguous, as it were. We can read this resolution into the call, and, at the same time, we can read it out of the call. But the question, Mr. President, is not, I believe, whether or not this resolution is within the call or whether it is not. I had understood that this legislation, this proposed legislation, would be adopted by the General Assembly. I had understood that by the good grace of those who have it to say, this was a bit of the social legislation which was to be adopted before we adjourned. There were some of us who were delighted with the prospect of the adoption of this legislation.

As a matter of fact, when I refer briefly to the remarks made by the Senator from Cumberland, Mr. Prince, you might think that it would be embarrassing for a Democrat when the question of States' rights is brought into a discussion, because there are many of us who still believe that that domain in government should not be transgressed upon; but I doubt very much whether a matter of this kind comes within that particular domain. I, for one, believe, Mr. President, that Mr. Grundy would be happy to have this legislation adopted. I recall that in the early years of my life in the Senate I heard repeated complaints of the competition given to Pennsylvania manufacturers in southern states. For that reason I believe it would be entirely proper to delegate this right to the Congress of the United States; and if we look at the resolution itself, it may very readily be misunderstood. There is the impression that this is something that will happen tomorrow, a regulation by the Congress. There is the impression, first of all, that it does definitely fix the age of eighteen years, and that the Congress, in all its power, could invade, as it was stated here, some homes in Tioga County or possibly Lehigh county or Bucks county, if you please, and regulate the hours and what not.

There is something beyond that, Mr. President. I suspect that when a sufficient number of States of the United States may ratify this amendment, that the people of America will be only too happy to know that Congress has such power of regulation. I fear that some of the gentlemen of the Senate are still thinking in terms of the past, when such regulation was abhorred. I think that perhaps if the predictions are true,—for example those made by Congressman Beck in New York the other day, when he called upon the Creator, as I understand, to save this Union from the ruination into which it is being led,—now, if you want to look at it from that angle, then the Republican party will be in power when this

regulation is to be made; and, consequently, from that point of view, there will be nothing to fear.

But, beyond that, and finally, my fellow members of the Senate, do you know that five years from now,—yes, two years from now, the people of America will want youngsters, if I may call them such, eighteen years of age and younger, out of employment. We are coming to a new day, when there will be more leisure. We are coming to a new day, when the people of America will know how to use that leisure; and certainly, gentlemen, we want to improve the unemployment situation by giving men, fathers, brothers, opportunities to work; and I cannot understand why there should be such an immediate fear.

This motion, Mr. President, is a motion to kill this bill. It is not a motion which is explained in any other way. It is not for the purpose of amendment; it is a move to kill it. And I am pleading with you, members of the Senate, to permit at least this much of the social legislation under the Governor's Proclamation to pass,—therefore, to defeat this motion to recommit.

Mr. HARRIS. Mr. President, this body seems somewhat confused on parliamentary procedure; so, may I ask if it would be proper for me at this time to deliver a message from the Attorney General, in which he states emphatically and positively that this is within the call?

Mr. FRAZIER. Mr. President, it might be well for the Senate to know that those who vote "Aye" vote for the motion to recommit.

And the question recurring

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Harris and Mr. Salus and were as follows, viz:

YEAS—23

Batchelor,	Clark,	Homsher,	Quigley,
Baumer,	Coyne,	Owlett,	Reed,
Bell,	Ealy,	Parkinson,	Scott,
Boyd,	Fay,	Pethick,	Sones,
Buckman,	Gelder,	Pierson,	Ziesenheim,
Chapman,	Harvey,	Prince,	

NAYS—24

Armstrong,	Graff,	Miller,	Snyder,
Aron,	Harris,	Norton,	Sordoni,
Bennett,	Hunsicker,	Rice,	Staudenmeier,
Brandt,	Krause,	Roberts,	Thompson,
Einstein,	Lanius,	Salus,	Trainer,
Frazier,	Mansfield,	Shapiro,	Williamson,

So the question was determined in the negative.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Armstrong,	Einstein,	Mansfield,	Snyder,
Aron,	Frazier,	Miller,	Sordoni,
Batchelor,	Graff,	Norton,	Staudenmeier,
Baumer,	Harris,	Rice,	Thompson,
Bennett,	Homsher,	Roberts,	Trainer,
Boyd,	Hunsicker,	Salus,	Williamson,
Brandt,	Krause,	Shapiro,	Ziesenheim,
Coyne,	Lanius,		

NAYS—17

Bell,	Fay,	Parkinson,	Quigley,
Buckman,	Gelder,	Pethick,	Reed,
Chapman,	Harvey,	Pierson,	Scott,
Clark,	Owlett,	Prince,	Sones,
Ealy,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 66, as follows:

An Act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors county commissioners registrars inspectors of registration and other appointees of county commissioners election officers municipal officers departments and bureaus police officers court judges prothonotaries sheriffs peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That Short Title Citation This act shall be known and may be cited as "The Permanent Registration Act in Cities of the Third Class"

Section 2 Definitions (a) The word "commission" shall mean any board of county commissioners in any county within which is located a city of the third class acting as a registration commission

(b) "Commissioner" shall mean a member of a board of county commissioners acting as a registration commission

(c) "Oath shall include affirmation and "swear" shall include affirm

(d) "Election" shall mean any general special or municipal election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "November election" shall mean either the general or the municipal election or both according to the context

(h) "Party" shall mean any political party or body of electors one of whose candidates either at the last general or at the last municipal election shall have polled at least five per centum of the largest entire vote cast for any elected candidate in any city of the third class although such percentage of said vote may not have been attained in any particular election district thereof

(i) "Body of electors" shall mean any political body not recognized as a political party but entitled to make nominations of candidates for any public office by nomination papers on whose behalf proper affidavits shall have been filed with the prothonotary or elsewhere as required by law to obtain the exclusive right to use a party name or appellation for any election or primary

(j) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(k) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commissions as hereinafter provided

(l) "County" shall mean any county of this Commonwealth within which is located a city of the third class

(m) "City" shall mean only a city of the third class

(n) All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county con-

trollers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the third class or to those of any county within which such city is located or to any school district within such city

(o) "Public office" shall mean and include any national state judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(p) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

Section 3 Registration Commissions Membership Bipartisan Term of Office Vacancies Removal Compensation Oath of Office Organization Chairman Secretary Action by Vote of Majority of Members Record of Proceedings Annual Report

(a) There shall be a registration commission consisting of the county commissioners in each county in which there is located a city of the third class which commission shall have jurisdiction over the registration of electors of such city under the provisions of this act

(b) All actions of a commission shall be decided by a majority vote of all members except as may be otherwise provided herein

(c) Each commission shall keep a record in permanent form of all its proceedings

Section 4 Powers of Commissions Regulations Enforcement Correction of Errors or Irregularities Cancellation of Registration Powers of Commissioners (a) The commission may make regulations not inconsistent with this act or the laws of this Commonwealth (1) To govern the public sessions of such commission and (2) for the performance of the duties imposed by this act and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the court of common pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

(b) The commission shall have power to correct any error or any irregularity in registration and to cancel the registration of any person whom it may find to be improperly registered subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration is cancelled

(c) The commission shall have power (1) to investigate any irregularities in registration (2) to summon and examine witnesses on a matter pending before the commission (3) to require the production of any relevant books and papers

(d) Each commissioner shall have power to administer oaths and affirmations Each person testifying before the commission shall be first duly sworn or affirmed.

Section 5 Employes Registrars Inspectors of Registration Duties Appointment Appointment of Clerks or Secretaries as Registrars Incompatible Offices (a) The commission shall have power to appoint such assistants and employes as from time to time it may deem necessary to carry out the provisions of this act and may at any time remove the same The commission may appoint employes of the county to act as such for the commission without any additional compensation as such

(b) The employes to be appointed by the commission shall include (1) Registrars who shall be empowered to register the qualified electors of such cities and in so doing to administer oaths and affirmations and (2) inspectors of registration who shall have and may exercise the powers conferred upon them by this act

(c) Registrars and inspectors of registration shall be qualified electors of the city no person who holds or is a candidate for public or party office shall be appointed to or hold any office or employment under any commission except as otherwise provided by this act Registrars and inspectors of registration shall receive such compensation either on a per diem basis for time actually employed or on the basis of work actually done by them as shall be fixed by the salary board of the county

(d) No registrar or inspector of registration shall exercise any power of his office until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and address the date of his appointment and the length of time for which he shall have been appointed

(e) Each commission may appoint a chief clerk who shall have authority to administer oaths and to sign vouchers

(f) Any inspector of registration when directed by the commission shall

(1) Investigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any inn lodginghouse or hotel within such city and to interrogate any lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment

(2) Inspect in like manner and copy any register of lodgers in any lodginghouse inn or hotel relating to or affecting the right of any person to vote or to be registered in such city

(3) Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration

Section 6 Appropriations by County Commissioners Unexpended Balances of Appropriations Heretofore Made Additional Appropriations (a) The county commissioners shall appropriate annually and from time to time the funds that shall be necessary for the maintenance and operation of the commission and the carrying out of the provisions of this act therein including the payment of the compensation of the registrars inspectors of registration counsel and other assistants and employes and the fees of witnesses as herein provided and likewise for preparing in accordance with the direction of the commission securing and distributing or receiving and preserving all street lists registration cards affidavits vouchers notices account books stationery and other supplies which the commission shall consider necessary for the purpose of this act and for all other necessary expenses

(b) The county commissioners shall provide the commission with suitable and adequate offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties

(c) Any unexpended balances of any appropriations heretofore made by the county commissioners for the purpose of carrying out any provision of any existing registration act or the amendments thereto shall be transferred to and made available for the commission hereby created or constituted for the expenses of carrying out the provisions of this act immediately after the passage of this act All moneys required in addition to any original appropriation in the current year or any other year shall be appropriated from time to time as soon as it shall appear what extra sums are needed

Section 7 Acts of Employes Any insertion or removal of names or other information in registers or the amending of any records done by any employe of the commission by order of the commission shall be construed to have been done by the commission itself which shall likewise be responsible for the correction of any errors in the doing thereof

Section 8 Commissioners May Act as Registrars and Inspectors A commissioner may act at any time as registrar or inspector of registration and when so acting shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with law upon registrars and inspectors of registration respectively

Section 9 Records and Documents to be Open to Public Inspection The records of each commission and all district registers street lists lists of voters voters' certificates affidavits petitions appeals witness lists accounts contracts reports and other documents in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the county during ordinary business hours at any time when they are not necessarily being used by the commission or its employes having duties to perform in reference thereto Such public inspection thereof shall only be in the presence of a

commissioner or authorized employe of a commission and shall be subject to proper regulation for safekeeping of the records and documents and subject to the further provisions of this act

Section 10 Watchers at Places of Registration Privileges (a) Any party or body of electors which now is or hereinafter may be entitled to have watchers at any election as well as any organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds may recommend not more than three electors to act as watchers without expense to the county at any place of registration during the time when it shall remain upon for the registration of electors The commission shall appoint all such persons as watchers and shall provide them with proper certificates stating their names and the party or policy or citizens' organization which they represent respectively unless any be shown to have previously been convicted of any crime

(b) Any watcher shall be entitled to remain at any place of registration during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registration or challenge any person regarding his right to be registered and to inspect any papers produced by such person The registrars commissions and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided That a registrar commission or commissioner may at any time require any watcher to show his certificate of appointment And provided That not more than one watcher for any party or body of electors or citizens' organization represented shall be allowed in a place of registration at any one time

Section 11 Watchers or Attorneys at Sessions of Commission Any part or body of electors or body of citizens which now is or hereafter may be entitled to have watchers at any place of registration or at any election shall also be entitled to appoint any watchers who are qualified electors of the city or attorneys to represent such party or body of electors or body of citizens at any public session or sessions of the commission Such watchers or attorneys may exercise the same rights as watchers at places of registration but the number who may be present at any one time may be limited by the commission to not more than three for any party or body of electors

Section 12 Candidates may be Present at Proceedings candidate for nomination or election to any office shall be entitled to be present in person or by attorney in fact duly authorized and to participate in any proceeding before any commission whenever any matters which may affect his candidacy are being heard.

Section 13 Days and Hours of Registration Places of Registration Use of Polling Places Payments of Rentals Use of School Buildings Public Notice (a) From and after the first day of February one thousand nine hundred and thirty-four each commission or any commissioner or a registrar shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sundays holidays the day of each election and each primary the thirty days next preceding each election and each primary and the five days next following each election and each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration Provided however That in the year one thousand nine hundred and thirty-four applications for personal registration may be received up to and including the fifth day of May anything in this section to the contrary notwithstanding And provided further That in the year one thousand nine hundred and thirty-four each commission shall arrange to have a registrar present to receive applications for the personal registration of electors at the polling place or some other suitable place in each election district of the city on at least three separate days prior to May fifth (one of them being in March and another in May) and one day in the period beginning September twenty-fourth and ending October sixth

(b) The county commissioners shall cause any polling place to be open in proper order for use as a place of registration on each day when such polling place may be desired by the registration commission for use as a place of registration and the said county commissioners shall provide for the payment of all rentals for such polling places upon proper vouchers by the treasurer of the county

(c) The board of Public Education or school directors of each city or school district thereof shall furnish a room or rooms in any public school building under its jurisdiction or control and shall cause the room or rooms to be open and in proper order for use as a place of registration on each day when such room or rooms may be desired by the registration commission for use as a place of registration Provided That such use shall not interfere with instruction for the conduct of which such board of school directors shall be responsible

(d) The proper city authorities shall furnish a room or rooms in the city hall or other municipal building under their jurisdiction or control and shall cause the room or rooms to be opened and in proper order for use as a place of registration on each day when such room or rooms may be desired by the commission for use as a place of registration Provided That such use shall not interfere with the use for which such room or rooms is primarily designed

(e) The commission shall publicly announce the address of each place of registration other than the office of the commission and the days and hours when the place shall be open for the registration of electors by posting a notice thereof at its office and at least five placards or notices thereof in conspicuous places in the neighborhood of such place of registration at least three days prior to the date when the place shall be so open and by such newspaper publication as it deems desirable

Section 14 Registration Cards Preparation and Distribution (a) For the purpose of registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section eighteen of this act and the following affidavit

REGISTRATION AFFIDAVIT

State of Pennsylvania }
County of } ss

I hereby swear or affirm that I am a citizen of the United State that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct Subscribed and sworn to before
me this day of 19

.....
Signature of Voter

.....
Signature of Registrar

(b) Subject to the foregoing provisions of this section the secretary of the Commonwealth shall prescribe the form of such registration cards

(c) Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate for each applicant for registration The commission shall provide suitable binders for filing and indexing the registration cards

(d) The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar

(e) Before ten o'clock ante meridian on the day following the last day for registration before an election or primary and at such other times as the commission may prescribe each registrar shall return to the commission at its office all registration cards used or unused in his possession and shall account fully in writing for each missing card

(f) Unused registration cards may be reissued by the commission but the commission shall preserve all other papers records and memoranda as a part of its record

Section 15 Manner of Registration (a) Every person claiming the right to be registered as an elector must appear in person before the commission or a commissioner or a registrar at the office of the commission or at such other place as the

commission shall have designated and answer the questions required to ask in accordance with this act

(b) He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable . . such He then shall be asked to state the facts required herein and his answers together with the other information herein required shall be recorded in his presence by the registrar or commissioner in permanent writing or typewriting in duplicate in the proper spaces on the registration cards as follows

(c) (1) The surname of the applicant (2) his Christian name or names (3) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the rooms apartment flat or floor which he occupies (6) the date his residence in the district began (7) his residence address when he last registered and the year of such registration (8) the sex of the applicant (9) the color of the applicant (10) the state or territory of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of the naturalization certificate (12) if not naturalized personally the name of father or husband through whom naturalized (13) the designation of the political party of the elector for the purpose of voting at primaries (14) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar and date by him If the elector is unable to sign his name there shall also be recorded on the registration card (15) his height in feet and inches (16) the color of his hair (17) the color of his eyes and (18) the date of his birth Each registration card shall also have a sufficient number of spaces thereon for the insertion of (19) the ward and election district in which the elector resides (20) the date of each election and primary at which the elector votes and (21) the signature or initials of the election officer who enters the record of voting on the card

(d) The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed for the whole city the registration affidavits will be known as the General Registers when filed by election districts as the District Registers

Section 16 Who May Register Who May Vote Electors Need Register Only Once Exception Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered as herein provided From and after the fifth day of May one thousand nine hundred and thirty-four no person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered except by order of a court of common pleas as hereinafter provided and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address unless his registration is cancelled by reason of his failure to vote during a period of four years as hereinafter provided

Section 17 Applicants to Register May Be Challenged Procedure Challenge Affidavit (a) Any person claiming the right to register may be challenged by a registrar or by any commissioner or by a qualified elector of the city Any person so challenged shall answer the questions of the challenge affidavit as herein specified and after his answers have been recorded he shall subscribe to them his signature or mark and swear to their truth

(b) The affidavits of all persons so registered shall be filed with the duplicate registration affidavits and shall be returned with them to the office of the registration commission

(c) The challenge affidavit shall be in form prescribed by the Secretary of the Commonwealth and shall contain spaces for the following information (1) serial number (2) place and date of execution (3) full name of challenged applicant (4) whether he is married or single (5) if married where his family resides (6) if single where his parents reside (7) where applicant actually resided immediately before he took up his present residence (8) his residences for the four months immediately preceding date of execution (9) the name of his present employer (10) the city street and number of his place of business (11) sex of the applicant (12) his color (13) the date of his birth and (14) such distinguishing marks peculiarities and further information for identification as the commission shall prescribe

(d) If such challenged applicant shall establish his right to be registered as required by this act to the satisfaction of the registrar or commissioner he shall be permitted to be registered

(e) Any person making application to be enrolled as a member of a political party for the purpose of voting at primaries may be challenged by any qualified elector of the city Any person so challenged shall be enrolled as a member of such party if he shall make and subscribe an affidavit that at the last election at which he voted he voted for a majority of the candidates of such party all of the candidates of a party for presidential elector being counted as two candidates but if he is unable or unwilling to make such affidavit he shall be denied enrollment as a member of such party but he shall not be deemed to be guilty of any violation or attempted violation of any law by reason thereof

Section 18 Naturalized Applicants Applicants Whose Fathers or Husbands Were Naturalized All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certificate under the seal of the court in which naturalization was affected before they shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father during his minority may be registered either by the production of his father's original papers or a certified copy thereof or by making affidavit as to the court in which and times when his father was naturalized and that at a time when he the applicant was less than twenty-one years of age and that he is unable to produce his father's papers or a certified copy thereof And provided further That any woman claiming citizenship by reason of her marriage prior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturalized prior to their marriage stating therein the time when and court where such naturalization took place or (b) by the production of evidence that her husband was a native born citizen of the United States Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

Section 19 Incomplete or Rejected Applications to be Recorded The registrar or commissoiner shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar or commissioner shall note thereon the reason for the rejection and shall sign his name thereto All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 20 Appeal of Rejected Application Any person whose application to be registered has been denied by a registrar or by a commissioner may file a petition with the commission not later than the fifteenth day prior to an election or primary setting forth the ground of his complaint under oath and praying to be registered The commission shall fix a time for a public hearing thereof at its office not later than the tenth day prior to the election or primary At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar or commissioner who rejected the petitioner's application for registration The commission if satisfied that the petitioner is entitled to be registered shall direct a registrar or commissioner to register him in the usual manner and shall amend accordingly the records affected but any registrar or inspector of registration or qualified elector of the city may appear and show cause why the petitioner should not be registered

Section 21 General Register The duplicate registration affidavits shall be placed in exact alphabetical order and shall be indexed for the entire city and shall be kept at the office of the commission in a place and in such manner as to be

properly safeguarded These affidavits shall constitute the General Register of such city and shall not be removed from the office of the commission except upon order of the court of common pleas of the county

Section 22 District Registers The original registration affidavits shall be filed by election districts and within each election district in exact alphabetical order and indexed The affidavits so filed for each election district shall constitute the District Register for such district The district register shall be kept at the office of the commission except as herein provided and shall be open to the public inspection at all times subject to reasonable safeguards rules and regulations

Section 23 Removal Notices The commission shall provide removal notices which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room apartment flat or floor if his residence is a portion only of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present address and (4) space wherein the elector shall sign his name The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring sixty days or more after the receipt of the notice at the office of the commission Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission with the elector's signature in the general and district register.

Section 24 Transfer of Registration (a) Upon receipt of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration affidavit of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the general and district registers and if the removal shall have been from one election district to another in the same city shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence

(b) When a request for transfer believed authentic by the commission is received at the office of the commission and shows thereon removal within the period of two months next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary In any case the commission shall advise the elector promptly in writing of its action

(c) If the commission shall doubt that the request for transfer is authentic it shall without transferring the registration of the elector notify the elector that it will be necessary for him to apply in person at the office of the commission for the transfer of his registration

(d) No elector who is unable to write his name shall be permitted to apply for transfer of registration by use of a written removal notice but each such elector must apply in person at the office of the commission establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar or a commissioner who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice

Section 25 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability after Registration to Have Fact Recorded Cancellation (a) At any time prior to the tenth day next preceding a primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar or commissioner and state in writing over his signature the political party in which he desires to be enrolled and the registrar or commissioner shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signatures of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made

(b) At any time not later than the tenth day preceding any primary any qualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is no longer a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at least twenty-four hours prior to presentation of the same by delivering a copy of the petition to him personally or by leaving it with an adult member of the family with which he resides If at the hearing of any such petition the elector against whom the petition is filed appears and swears or affirms that at the last election at which he voted he voted for a majority of the candidates of the party with which he was then enrolled all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise upon the presentation under oath by the person making the challenge of a prima facie case which satisfies the commission the party enrollment of such elector shall be forthwith cancelled

Section 26 Reports of Deaths From Registrars of Vital Statistics Cancelling Registration Correction if Person is Falsely Reported Deceased Notice (a) The registrar of vital statistics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the death of residents of the city except residents less than twenty years of age The commission shall forthwith cancel the registration of each registered elector so reported

(b) Any person falsely reported deceased may appear in person before a registrar or commissioner at the office of the commission in such city and prove his identity and the commission thereupon shall correct its records accordingly

Section 27 Mail Check-up of Registers (a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon At least once in each four years the commission shall send such notices by mail to each registered elector in the city

(b) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-one of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector

Section 28 Canvass of Registered Voters (a) The commission may at any time by individual commissioners or by inspectors of registration verify the registration in any election district of the city by visiting each building from whch an elector is registered and such other buildings as the commission may deem necessary and shall make a record of the name and address of each person registered who shall not be found to reside at the address from which he is registered or who for any other reason shall appear to be

not qualified to vote in the election district from which he is registered and shall leave at the address of each such person a notice requiring him to appear personally at the office of the commission on or before a date and hour which the notice shall appoint and which shall be not later than the tenth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector and the commission shall cause a confirmation of each such notice to be sent by mail promptly to such persons at the address from which he is registered

(b) At the expiration of the time specified in the notice the commission shall cancel the registration of each such person who has not personally appeared and proved his qualifications as an elector

(c) For the purpose of facilitating any such canvass the commission may when necessary appoint special inspectors of registration in number not exceeding double the number of election districts which the commission shall determine to canvass

(d) Such special inspectors shall have and may exercise the powers conferred by this act upon inspectors of registration They shall be qualified electors of the city and shall be appointed without reference to residence in election districts or to their political affiliations or beliefs

(e) The commission shall instruct each special inspector in his duties

Section 29 Corrected Street Lists Not later than the fifteenth day prior to each primary and election the commision shall prepare for each election district a corrected street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers The commission shall cause to be made a sufficient number of exact copies of each such list which may be made by correcting and supplementing exact copies of the preliminary street lists Two complete sets of such lists shall be kept on file at the office of the commission convenient for public inspection during all of the hours when the other records of the commission are open to public inspection as herein provided

Section 30 Petitions to Strike Off Names At any time not later than the tenth day preceding any election or primary any qualified elector of the city including any watcher and any registrar or inspector of registration may petition the commission to cancel the registration of any registered elector of such city setting forth under oath supported by the affidavits of at least two adult persons sufficient grounds for such concellation and also setting forth that due notice of the time and place when said petition would be presented and heard had been given to the person so registered personally at least twenty-four hours prior to the presentation of the same or that he could not be found at the place given in the district register as his residence and that the person in charge thereof to be mentioned by name in said petition had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them or that no person is residing at the address given whereupon the commission may forthwith cancel the registration of such elector and amend accordingly the general and district registers and the other records affected unless the person so registered shall appear and show cause why the same should not be done.

Section 31 Delivery of District Registers to County Commissioners (a) Not later than noon of the second day preceding an election or primary the commission shall deliver to the county commissioners of the proper county the district register accurately corrected to date for each election district in order that the same may be delivered to the election officers with other election materials for use on election day in the manner in which the county commissioners now are or hereafter may be required to deliver the same Provided That the registration commission shall not deliver to the county commissioners the registration card for use at the polls on election day of any person who has removed from one election district to another within two months of any general municipal primary or special election The registration commission shall withdraw from the district registers the cards of all such persons before the registers are delivered to the county commissioners

(b) District registers when so delivered to the county commissioners shall be contained in suitable binders so constructed that the name address voting record and other data on each card may easily be made visible and that entries may be made on each card but that the cards may not be removed by the election officers Said binders shall have printed or written thereon the words "District Register of Voters" and the name of the district

Section 32 Persons Registered Are Entitled to Vote at General or Municipal Elections If Identified by Signature Proviso Evidence of Registration Discrepancies Persons Registered and Enrolled May Vote at Primaries If Identified by Signatures Proviso Persons Not Registered Are Not Entitled to Vote Challenging of Persons Registered Voter's Certificates List of Voters Elections and Primaries Counting Et Cetera of Names Checked as Having Voted Sealing of Registers and Lists of Voters Return of Lists of Voters and Registers (a) Any person whose name is in the district register of any election district and who upon applying to vote shall have signed his name to a voter's certificate in the form hereinafter provided for as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and view of the watchers with the signature of the applicant as recorded in the district register and deemed not to be authentic by said election officers shall be entitled to vote in such district at any general municipal or special election unless upon being challenged he shall make affidavit that he has not become disqualified by removal from the district since registration or that he has not violated any law of this Commonwealth prohibiting betting or bribery at elections

(b) No elector shall be required to sign a voter's certificate as a means of identification if he shall have been unable to sign his name when registered or if having been able to sign his name when registered he subsequently shall have lost his sight or lost the hand with which he was accustomed to sign his name or shall have been otherwise rendered by disease or accident unable to sign his name when he applies to vote but each such elector shall establish his identity by affidavit and in such case a voter's certificate shall be prepared for him by one of the election officers upon which the facts as to such disability shall be noted and attested by the signature of such election officer

(c) No person who applies to vote shall be permitted by any election officer or clerk or other person to see the signature recorded as his in the district register until after he shall have signed his name to the voter's certificate

(d) Any person who is registered and also enrolled as a member of a political party and who upon applying to vote shall have established his identity by signing his name or otherwise as herein required at elections and is otherwise qualified may vote as a member of said party at any primary succeeding such registration without being subject to any challenge regarding his party membership No elector registered and enrolled as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party at any primary election and any qualified elector registered although not enrolled as aforesaid shall be permitted to vote a non-partisan ballot according to any law providing for same at any primary election

(e) No one except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by the authority of this Commonwealth shall be entitled to vote at any election or primary without being personally registered as an elector in the election district in which he offers to vote except by order of the court of common pleas as herein provided regarding appealed cases Any person although personally registered may be challenged by any qualified elector watcher overseer or election officer at any election or primary as to his identity as to his continued residence in the election district or as to any alleged violation of the laws of this Commonwealth prohibiting betting or bribery at elections and if challenged as to identity or residence he shall make affidavit of his identity or continued residence in the election district or that he has not violated any such election laws

(f) The county commissioners shall cause to be printed for each election district a suitable number of voter's Certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows

VOTER'S CERTIFICATE

(Primary) (Election) .....19....

I hereby certify that I am qualified to vote at this (primary) (election)

Signature.....

Address.....

..... Pennsylvania

Approved .....

Number of stub of ballot issued (or number of admission to voting machines)

(and party at primary) .....

The voter's certificates shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the county commissioners After a voter's certificate has been presented by an elector and has been compared with his signature in the district register and approved or in the case of an elector who is unable to write the notations hereinabove required have been made thereon one of the election officers who made the comparison shall sign his name or initials thereon and if the elector's signature is not readily legible shall print such elector's name over his signature After the elector has been admitted to vote the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at primaries a letter or abbreviation designating the party in whose primary he votes shall be entered on his voter's certificate and the same shall thereupon be inserted in the file or binder One such file or binder shall be furnished for each election district for each primary and election and shall have printed or written thereon the words "List of Voters" and the name of the district and date of the primary or election The voter's certificates so bound shall constitute the ballot check list required by law to be kept by the clerks of election All voters certificates prepared by persons applying to vote whose applications to vote are refused by the election officers shall be carefully preserved and returned to the commission with the list of voters

(g) As each voter is found to be qualified and votes the election officer in charge of the district register shall write or stamp the date of the election or primary and sign his name or initials in the proper space on the registration affidavit of such voter contained in the district register After the polls are closed the names of all electors on the district register marked or stamped as having voted shall be immediately counted and the result compared with the number of persons voting shown by the list of voters and announced and the cause of any difference ascertained if possible before the ballot box or voting machine is open The list of voters and the district register shall be immediately sealed in envelopes and shall be returned to the custody of the registration commission by the judge of election before noon on the day following the election or primary

Section 33 Entry of Information in General Registers Following Elections and Primaries Report of Indications of Fraud to District Attorney

(a) In the case of any elector whom the election officers shall have recorded as removed deceased or challenged and prevented from voting the commission shall ascertain the facts and shall correct the general and district registers in accordance therewith

(b) The commission shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of voter's certificates and registers hereby prescribed

Section 34 Cancellation of Registration Upon Failure to Vote Within Four Years Request for Reinstatement Within three months after the general election held in the year one thousand nine hundred and thirty-eight and within three months after each general and municipal election thereafter the registration commission shall cause all of the district registers to be examined and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of four years immediately preceding the commission shall be sent to such elector by mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has not voted within a period of four years and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration setting forth his place of residence and signed by him At the expiration of the time specified in the notice the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote within a period of four years shall not affect the right of any such elector to subsequently re-register by personal application to the commission or a commissioner or a registrar in the manner provided by this act

Section 35 Cancellation Removal and Preservation of Registration Affidavits Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration affidavits of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such affidavit shall be kept for five years after which the commission may destroy it

Section 36 Appeals to Court Time of Hearing Notice Postponement Hearing Decision of Court Costs and Fees (a) Any person whose claim for registration has been denied by the commission or whose name although previously registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of any city whose rights are impaired by any general order made by the commission not included registration of particular names by the commission on personal application made to it as aforesaid or refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper court of common pleas not later than the fourth day preceding any election or primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief Thereupon any judge of the court may fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the counsel for the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court Proof of notice or the waiver thereof must be filed therein

(b) Any judge of the court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary At the time so fixed the court or any judge thereof assigned for the purpose shall hear all the witnesses and other evidence that may be offered unless the issue can be decided in some other manner by agreement of the parties concerned

(c) If after any such public hearing the court shall find that an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its manadate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed

(d) The court may compel the appellant or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner

Section 37 Production of Documents Et Cetera at Appeals At the written request of any person taking an appeal from any action or order of a commission as aforesaid the commission shall produce at the hearing thereof any petition register or other record in its custody relevant to the issue involved but the commission shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so

Section 38 Subpoenas and Witness Fees (a) Any person filing any petition of any kind with a commission or opposing same shall have the privilege of having subpoenas issued by the commission to compel the attendance of witnesses upon

condition that all witnesses so subpoenaed shall be paid two dollars and fifty cents each per day as witness fees in the manner herein provided

(b) The commission on its own motion may subpoena witnesses including registrars each of whom shall also be entitled to daily witness fees at the rate aforesaid to be paid out of any money to be provided for the purpose to the commission by the county commissioners in the same manner as other necessary expenses of such commission are to be provided for

(c) All subpoenas shall be in substantially the same form and shall have the same force and effect as subpoenas now issued by a court of common pleas The commission shall have the benefit of the process of said courts if necessary to enforce any subpoena issued by such commission

(d) No subpoena shall be issued for the benefit of any person other than the commission until he shall have paid the commission a fee of twenty-five cents for issuing the same and deposited with said commission one day's witness fees for each witness to be summoned thereby whose names shall be given to the commission and entered by it in such subpoena and among the records of the commission No such subpoena shall be of any virtue to require the further attendance of any witness after the day mentioned therein unless the hearing be postponed or continued by the commission and unless before four o'clock post meridian of said day the person for whose benefit it is issued shall have deposited with the commission an additional day's witness fees for each witness whose further attendance is desired As soon as convenient after any hearing is concluded (or postponed or continued) on any day the commission shall disburse the fees deposited with it by any person among those witnesses who have appeared in response to subpoenas issued and shall return to the person who deposited the same any fees deposited for others who did not attend and shall also pay like fees to any summoned by the commission taking their receipts therefor so long as there are sufficient funds available for such payments

(e) The commission shall pay over to the county treasurer all fees received for subpoenas The accounts of such commission respecting disbursements of witness fees out of appropriations made to such commission by the county commissioners shall be subject to audit from time to time by the county controller

Section 39 Crimes and Penalties (a) Any wilful false statement made under oath by any person regarding any material matter or thing relating to any subject being investibated heard or acted upon by any registrar commissioner judge watcher inspector of registration court or commission by virtue of this act shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not more than two (2) years

(b) Any registrar or commissioner who knowingly registers or permits to be registered a person not lawfully entitled to be registered or who without reasonable cause refuses to register a person entitled to be registered or knowingly assists in preventing such person from being registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not more than two (2) years

(c) Any person who applies for registration knowing or having reason to know that he is not entitled to be registered or who falsely personates another in an application for registration or who knowingly offers false naturalization papers to establish his claim to be registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not more than three (3) years

(d) Any registrar commissioner or assistant or employe of a commission who inserts or intentionally permits to be inserted a name or other entries in any registration card without a proper application in person on the part of the person registered or without requiring the proper evidence of the right of the applicant to be registered or who materially alters any registration card after the entries have been made except upon an order of the court of common pleas or of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not more than two (2) years

(e) Any election officer who knowingly refuses the vote of a duly registered and qualified elector or who knowingly accepts the vote of a person not registered in accordance with the provisions of this act (except that of a person in actual military or naval service or a person having an order of court) or who knowingly receives a vote from a person falsely claiming to be a registered voter shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not more than two (2) years

(f) Any commissioner registrar inspector of registration or other officer assistant or employe upon whom a duty is laid by this act who shall wilfully neglect or refuse to perform such duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not more than one year

(g) Any person who inserts or intentionally permits to be inserted any name or material entry in any registration card street list affidavit petition subpoena certificate report or other record authorized or required by this act to be made or prepared for any purpose herein mentioned except in accordance herewith or who materially alters or destroys an entry which has been duly made therein except as herein provided or who takes and removes any such book paper card or other record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspector or copied as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not more than two (2) years

(h) Any constable policeman sheriff or other peace or police officer or deputy or subordinate thereof who shall fail upon demand by any commissioner or inspector of registration to render such aid and assistance to him as he shall demand in the maintenance of peace as herein provided or who shall wilfully hinder or delay or attempt to hinder or delay any commissioner or inspector of registration in the performance of any duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not more than two (2) years

(i) Any person who intentionally interferes with hinders or delays any other person in the performance of any act or duty authorized or imposed herein shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars

Section 40 Partial Invalidity Legislature Intent It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 41 Repeals The act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violations of its provisions" and the various supplements and amendments thereto are hereby repealed

All other acts or parts of acts inconsistent herewith are hereby repealed in so far as they affect cities of the third class

Section 42 EFFECTIVE DATE This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto have having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Armstrong,	Einstein	Norton,	Shapiro,
Aron,	Fay,	Owlett,	Snyder,
Batchelor,	Frazier,	Parkinson,	Sones,

Baumer,	Gelder,	Pethick,	Sordoni,
Bell,	Graff,	Pierson,	Staudenmeier,
Bennett,	Harris,	Prince,	Thompson,
Boyd,	Harvey,	Quigley,	Trainer,
Brandt,	Homsher,	Reed,	Williamson,
Buckman,	Hunsicker,	Rice,	Ziesenheim,
Chapman,	Krause,	Roberts,	
Clark,	Lanius,	Salus,	
Coyne,	Mansfield,	Scott,	
Ealy,	Miller,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 71, entitled:

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Armstrong,	Einstein,	Norton,	Shapiro,
Aron,	Fay,	Owlett,	Snyder,
Batchelor,	Frazier,	Parkinson,	Sones,
Baumer,	Gelder,	Pethick,	Sordoni,
Bell,	Graff,	Pierson,	Staudenmeier,
Bennett,	Harris,	Prince,	Thompson,
Boyd,	Harvey,	Quigley,	Trainer,
Brandt,	Homsher,	Reed,	Williamson,
Buckman,	Hunsicker,	Rice,	Ziesenheim,
Chapman,	Krause,	Roberts,	
Clark,	Lanius,	Salus,	
Coyne,	Mansfield,	Scott,	
Ealy,	Miller,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 73, entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Armstrong,	Einstein,	Norton,	Shapiro
Aron,	Fay,	Owlett,	Snyder,
Batchelor,	Frazier,	Parkinson,	Sones,
Baumer,	Gelder,	Pethick,	Sordoni,
Bell,	Graff,	Pierson,	Staudenmeier,
Bennett,	Harris,	Prince,	Thompson,
Boyd,	Harvey,	Quigley,	Trainer,
Brandt,	Homsher,	Reed,	Williamson,
Buckman,	Hunsicker,	Rice,	Ziesenheim,
Chapman,	Krause,	Roberts,	
Clark,	Lanius,	Salus,	
Coyne,	Mansfield,	Scott,	
Ealy,	Miller,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 74, entitled:

An Act to amend section three hundred fifteen of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An act defining the libility of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing precedure for the determination of liability and compensation thereunder" as amended by extending the period within which claims can be made.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Armstrong,	Einstein,	Miller,	Scott,
Aron,	Fay,	Norton,	Shapiro,
Batchelor,	Frazier,	Owlett,	Snyder,
Baumer,	Gelder,	Parkinson,	Sones,
Bell,	Graff,	Pethick,	Sordoni,
Bennett,	Harris,	Pierson,	Staudenmeier,
Boyd,	Harvey,	Prince,	Thompson,
Brandt,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	
Ealy,	Mansfield,	Salus,	

NAYS—1.

Buckman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 75, entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of the liability and compensation thereunder" as amended by requiring every com-

pensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 77, entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—47.

Armstrong,	Ealy.	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott.
Batchelor,	Fay.	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. GELDER. Mr. President, I ask that Senate Bill No. 110 (House Bill No. 102), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges defining the powers and duties of the Governor the Auditor General and State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

go over in its order.

The PRESIDENT. Is there objection?

The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 111 (House Bill No. 103), entitled:

An Act to amend sections two, nine and eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred ninety-five) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefore providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" by providing for the purchase of such toll bridges wholly within the Commonwealth out of the Toll Bridge Fund the construction maintenance and repair of such bridges by the Department of Highways and further regulating the collection of tolls and reimbursing the Commonwealth for the cost of acquiring such bridges and making an appropriation.

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. GELDER. Mr. President, I move to reconsider the vote by which the bill passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. GELDER. Mr. President, I voted "aye."

Mr. SCOTT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SCOTT. Mr. President, I voted "aye."

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 111 (House Bill No. 103):

And the question recurring,

Will the Senate agree to transcribe the bill for a third reading,

Mr. GELDER. Mr. President, I move to reconsider the vote vote by which the bill was agreed to on second reading.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. GELDER. Mr. President, I move to reconsider the vote by which the Senate agreed to the title.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the title?

Mr. GELDER. Mr. President, I move to reconsider the vote by which the second section of the bill was agreed to.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the second section of the bill?

Mr. GELDER. Mr. President, I move to reconsider the vote by which the first section of the bill was agreed to.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the first section of the bill:

Mr. GELDER. Mr. President, I move to amend section 1, page 2, line 4 by striking out the brackets before and after the word "one"; also line 13 by striking out the bracket before the word "Section"; also page 2 by striking out lines 18 and 19; also line 20 by striking out at the beginning of the line before the word "over" the words: [street in any city borough or town]"; also line 21 by inserting after the word "river" and before the word "and" the following: "or over a stream or river and the facilities of any public service company"; also line 24 by striking out the bracket at the end of the line after the word "same".

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read and agreed to.

And the question recurring,

Will the Senate agree to the title?

Mr. GELDER. Mr. President, I move to amend page 1, line 1 of the title by striking out the brackets before and after the word "one"; also line 9 of the title by striking out the bracket before the word "extending"; also line 9 of the bill by striking out at the end of the line after the word "all" the following: "[ ] by]"; also line 10 of the title by striking out at the beginning of the line before the word "toll" the following: "[providing for the purchase of such]"; also line 11 of the title by striking out the bracket before the word "and"; also line 12 of the title by striking out the bracket after the word "bridges."

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 118, entitled:

An Act to protect the owners of mortgaged property during the present emergency; restricting the right to proceed on mortgage bonds and the amounts recoverable thereon during a certain period.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, this bill covers a subject which is within the call of the Governor, and is one of the most important subjects in the Governor's call. The bill as prepared by Senator Frazier concerns one of the most important parts of the Governor's plans. Both under the laws of Pennsylvania and other states, if real estate is sold at sheriff's sale, the sheriff sale value fixes the value. That is an unfair situation. Many efforts have been made in the last few years to correct that position. Similar laws have been passed in New Jersey and New York. Recently the New Jersey law has been declared unconstitutional. This bill has been submitted for the purpose of correcting the situation, but there are objections by those Senators from the upstate counties because there is time given after the foreclosure, and mortgagee. It also prevents the objection raised in the New Jersey law because it takes away a substantive right, and therefore would be declared unconstitutional.

At the request of the Judiciary General Committee I have prepared an amendment to the bill, and that amendment I am offering tonight, and because of the motion I am about to make I would like to say a word about the amendment. The amendment provides that whenever a property is sold and a mortgage proceeding, whether on mortgage or bond accompanying the mortgage, within six months from the date of the sale the person who brought the proceeding, that is the owner of the mortgage, must apply to the court in which the proceedings were brought for the purpose of having the fair value fixed, and anybody injured under this proceeding can present a petition to have the fair value of that property fixed, and when the fair value is determined the fair value shall be deducted from the mortgage so that the deficiency judgment would be reduced to the actual loss that would be sustained by the holder of the mortgage.

This amendment also provides that if this is not done by the mortgager within six months it will be admitted that the property has been sold for the full amount of the mortgage and the judgment should be satisfied.

It also gives the mortgagor or any other parties the right to apply to the court for the purpose of having that fair value fixed in the same manner. And in view of the fact that in these proceedings many persons are guarantors of the bond accompanying the mortgage, there is a provision in the amendment that those persons who have given bond to secure the mortgage shall have the same rights to apply to the court, and when those proceedings are determined the rights of the bondsman are also determined. Some question has been raised about this clogging the court in the larger cities and towns. The amendment contains a provision that the courts shall have the right to appoint masters to hear testimony as to the fair value, and limits the expense of those proceedings to one hundred and fifty dollars. And this bill will obviate much that is harmful and unfair when the holder of a mortgage sells the property at sheriff sale and there are no bidders and he buys it in for fifty dollars and has the privelege to proceed to execution for the balance of the mortgage against the personal property and household effects of the mortgage, because every mortgage contains a provision waiving the provision of the exemption laws. Under this bill such a proceeding cannot be had, and under this bill the fair value of the property having been fixed by two witnesses the question of the fairness to both parties could be considered by this proceeding. This act has attempted—I do not say I have been successful in it—to meet the Constitutional objections, and attempted to meet a number of objections of those persons who live in the counties where the proceedings might be burdensome.

As a matter of assurance I have consulted a number of the members of the Philadelphia bar who are active in real estate

practice, and they have made one or two suggestions, which have been adopted, and to their minds it meets all the Constitutional questions and meets the practical situation. I am quite sure that the amendment here will cover the ground, inasmuch as no substantive rights are taken away, but merely procedural remedies have been suggested to take the place of those existing. In other words, the law of Pennsylvania that the fair value of properties determined by a sheriff sale is no longer the law if these amendments are adopted.

With this in mind I ask consent for the immediate adoption of these amendments.

Mr. President, I ask unanimous consent to amend title, page 1, lines 2 and 3, by striking out the words "restricting the right to proceed on" in line 2, and the whole of line 3, and inserting in lieu thereof: "by limiting the amount of deficiency judgments"; also section 1 page 1, lines 4 to 14, both inclusive, by striking out all of said lines; also page 2, lines 1 to 17, both inclusive, by striking out all of said lines, and inserting in lieu thereof: "whenever any real property is sold on any execution on the foreclosure of any mortgage or on a judgment entered on any obligations secured by mortgage, and the sum for which such property was sold is not sufficient to satisfy the debt, interest and costs, the plaintiff or use plaintiff shall, within six months after such sale, petition the court out of which such writ of execution issued to fix the fair value of the property sold. At least ten days' notice of the presentation of such petition shall be given to the defendant or defendants, and to all parties whose interest appears on the record. Such petition shall be heard by a judge or such court sitting without a jury; or may, by rule adopted by such court, be referred to a master for hearing and determination subject to confirmation by the court: Provided, That the fee of any such master shall in no case exceed one hundred dollars; nor the costs of any proceedings before a master, the sum of fifty dollars.

At all such hearings, any party in interest may introduce in evidence testimony of the fair value of the premises sold at the time of the sale. In the event that the fair value so determined is greater than the price for which the property was sold, the amount of such fair value shall be deducted from the amount of the judgment, interest and costs, and a deficiency judgment entered for the balance.

If the plaintiff or use plaintiff shall fail to present such petition within six months after such sale, the prothonotary shall, upon application of the defendant or other party in interest, enter satisfaction of such judgment. Such satisfaction shall have the effect of terminating as well the liability of all persons bound by any obligation securing the payment of such mortgage debt.

The defendant in the foreclosure proceedings or judgment or the real owner of the property sold, or any other person or persons bound by any obligation securing the payment of the said mortgage debt, or other person in interest may, at any time after the sale, petition the court in like manner to fix the fair value of the property sold, and shall give to the plaintiff and use plaintiff at least ten days' notice of the presentation of such petition, whereupon the court shall determine the fair value in the same manner as hereinbefore provided in the case of a petition by the plaintiff or use plaintiff.

The PRESIDENT. Is there objection?

Mr. ARON. Mr. President, I would like to interrogate the Senator from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, I will.

Mr. ARON. Mr. President, I would like to ask the Senator from Philadelphia, Mr. Shapiro, whether, if the bill is amended and lies over for printing, there will be enough time to pass it in the House?

Mr. SHAPIRO. Mr. President, if these amendments are adopted and the bill lies over or if it is passed tomorrow, there will be sufficient time.

Mr. ARON. Mr. President, has the Senator from Philadelphia, Mr. Shapiro, any assurance that that will be done?

Mr. SHAPIRO. Mr. President, I have the assurance of persons who should know.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 119, entitled:

An Act to amend section four and section five as amended, of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assesment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act;" by placing upon the Commonwealth the cost of constructing, maintaining and reconstructing certain structures on such streets.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Mansfield,	Roberts,
Aron,	Einstein,	Miller,	Salus,
Batchelor,	Fay,	Norton,	Scott,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,		

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 130 (House Bill No. 128), entitled:

An Act to amend section one of article one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith as amended empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill?

Mr. KRAUSE. Mr. President, I ask unanimous consent to amend title, page 1, line 9, by striking out the word "employing" and insert in lieu thereof: "where"; also line 9, by inserting after the word "persons" the following: "are employed or engaged in work"; also page 2, lines 10 and 11, by striking out with light-faced brackets the words "that employs" and insert in lieu thereof: "where"; also line 11, by inserting after the word "persons" the following: "are employed or engaged in work"; also line 16, by striking out the word "employing" and inserting in lieu thereof: "where"; also line 17, by inserting after the word "persons" the following: "are employed or engaged in work."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 131 (House Bill No. 129), entitled:

An Act to amend section three of article twenty-eight of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending the provisions of said act to all bituminous coal mines employing five or more persons and empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill?

Mr. KRAUSE. Mr. President, I ask unanimous consent to amend title, page 1, line 9, by striking out the word "employing" and insert in lieu thereof: "where"; also line 9, by inserting after the word "persons" the following: "are employed or engaged in work"; also lines 10 and 11, by striking out the word "employing" and insert in lieu thereof: "where"; also line 11, by inserting after the word "persons" the following: "are employed or engaged in work"; also page 2, line 6, by striking out with light faced brackets the word "employing" and inserting in lieu thereof: "where"; also line 6, by inserting after the word "persons" the following: "are employed or engaged in work"; also line 7, by inserting before the word "period" the following: "one"; also line 9, by striking out the word "employing" and insert in lieu thereof: "where"; also line 9, by inserting after the word "persons" the following: "are employed or engaged in work."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 132 (House Bill No. 169), entitled:

An Act authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium; placing the sanitorium upon completion under the jurisdiction and control of the Department of Health, and making an appropriation.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 136, entitled:

An act to amend paragraph four of section one of article fifteen of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," by

modifying the provision relating to the giving of bonds by contractors.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

QUESTION OF PERSONAL PRIVILEGE

Mr. ARMSTRONG. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. Armstrong, will state his question of personal privilege.

Mr. ARMSTRONG. Mr. President, I desire to know how I am recorded as voting on the motion to recommit Senate Bill No. 47?

The PRESIDENT. The Chair informs the Senator from Allegheny, Mr. Armstrong, that he is recorded as voting "aye."

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 99, as follows:

An Act to amend section three of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" as amended by prescribing a cash deposit as a condition precedent to the validity and effectiveness of a nomination paper prescribing the amount of such deposit and the officer with whom it is to be made in each case providing that it shall either be returned to the political body making the same or shall be allocated among and retained by the counties interested depending upon the number of votes polled by the nominee or the most successful nominee presented by such political body imposing duties upon the State Treasurer the Secretary of the Commonwealth County Treasurers and County Return Judges and Return Boards fixing the date when the act shall become effective and repealing inconsistent legislation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" which was last amended by the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-five) entitled "An act to amend section three of an act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred nineteen) entitled 'An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' as amended" is hereby further amended to read as follows

Section 3 (a) Nominations of candidates for any public office may also be made by nomination papers signed by qualified electors of the State or of the electoral district or division thereof for which the nomination is made and filed in the proper office as provided in section five of this act Blank forms for making such nomination shall be furnished by the Secretary of the Commonwealth and no other form than the ones so prescribed shall be used for such purpose Where the nomination is for any office to be filled by the voters of the State at large the number of qualified electors of the State signing such nomination paper shall be at least one-half of one per centum of the largest vote for any officer elected in the State at the last preceding election at which a State officer was voted for In the case of all other nominations the number of qualified electors of the electoral district or division signing such nomination paper shall be at least two per centum of the largest entire vote for any officer elected at the last preceding election in the said electoral district or division for which said nomination papers are designed to be made Each elector signing a nomination paper shall add to his signature his place of residence and occupation and no person may subscribe to more than one nomination for each office to be filled The signature of each nomination paper and the qualification of the signers shall be vouched for by the affidavit of at least five of the signers thereof which affidavit shall accompany the nomination paper Provided That if five of the electors composing any political body making a nomination by nomination papers shal file with the prothonotary of the county in which the nomination paper or papers are to be filed an affidavit setting forth that they have adopted a certain political appellation to designate their policy subject to the limitations of this act regarding the selection of names that thereafter such political body shall have the exclusive right to use the said name or appellation for the election for which such nomination or nominations are made provided that a certificate from the prothonotary setting forth such a compliance with the act be filed with the nomination papers filed by such political body And provided further That if five electors composing any political body as hereinbefore provided shall file an affidavit as aforesaid setting forth that they have adopted a certain political name or appellation to designate their policy for the purpose of making nominations for ward officers or officers to be elected in any ward such affidavit shall give to such body of electors the exclusive right to use the said name or appellation for the nomination of such ward for the election for which such nominations are made

(b) No such nomination paper shall be valid or effective unless there shall be filed therewith a certificate of the State Treasurer or the County Treasurer of the proper county as the case may be certifying that the political body presenting such nomination paper has deposited with him as hereinbelow provided a sum of money equal in dollars to one-half the number of qualified electors required to sign such nomination paper but not in any case less than five hundred dollars as follows where the nomination paper is for an office or offices to be filled by the voters of the State at large the deposit shall be made with the State Treasurer where the nomination paper is for an office or offices to be filled by the voters of any electoral district or division composed of two or more counties or parts of two or more counties the deposit shall be made with the State Treasurer where the nomination paper is for an office or offices to be filled by the voters of an electoral district or division consisting of co-extensive with or included wholly within one county the deposit shall be made with the County Treasurer of said county The State Treasurer or County Treasurer as the case may be shall issue and deliver as many such certificates

covering the same deposit as a majority in number of the persons making such deposit may in writing order but shall issue or deliver no such certificate except upon the written order of a majority in number of the persons making such deposit One such deposit in proper amount properly certified shall validate and make effective as many nomination papers for as many candidates and offices as the political body making such deposit may be entitled to file No such deposit made by one political body shall validate or make effective any nomination paper filed by any other political body regardless of identity of party name and the only admissible evidence of the identity of the political body which made the deposit with the political body presenting any namination paper or papers shall be the written certificate of a majority in number of the persons who made the deposit attesting such identity and attesting the applicability of such deposit to such nomination paper or papers

(c) The deposit hereby prescribed shall in each case be upon condition that if the nominee or one of the nominees of the political body making such deposit shall in the election for which such nomination or nominations are made by reason of such nomination alone poll enough votes to entitle such political body to standing and recognition as a political party entitled thereafter to nominate its candidates to public office and to elect its party officers at Primaries to be held in accordance with laws now existing or hereafter to be passed then such deposit shal forthwith be returned by the officer with whom the same was made to the political body which made the same if none of the nominees of the political body which made such deposit shall in such election by reason of such nomination alone poll enough votes as aforesaid then such deposit shall be allocated by the State Treasurer to and among the several counties interested or retained by the County Treasurer as the case may be according to the following rules If the deposit was made with the State Treasurer in connection with a nomination paper or papers for an office or offices to be filled by the voters of the State at large the State Treasurer being informed in the premises by the certificate of the Secretary of the Commonwealth shall allocate and forthwith pay such deposit to and among the several counties of the Commonwealth in the proportion which the vote polled in each county by such nominee or the most successful of such nominees bears to the total number of votes polled by such nominee or the most successful of such nominees in the State as a whole and in case such political body presented the names of more than one nominee that nominee shall for the purpose of this act be considered the most successful who of such nominees by reason of such nomination alone polled the highest number of votes in the State as a whole if the deposit was made with the State Treasurer in connection with a nomination paper or papers for an office or offices to be filled by the voters of an electoral district or division composed of two or more counties or parts of two or more counties the State Treasurer being informed in the premises by the certificate of the Secretary of the Commonwealth shall allocate and forthwith pay such deposit to and among the counties which or parts of which constitute such electoral district or division in the proportion which the vote polled in each such county by such nominee or the most successful of such nominees bears to the vote polled by such nominee or the most successful of such nominees in such electoral district or division as a whole and in case such political body presented the names or more than one nominee that nominee shall for the purposes of this act be considered the most successful who of such nominees by reason of such nomination alone polled the highest number of votes in such electoral district or division as a whole if such deposit was made to a County Treasurer in connection with a nomination paper or papers for an office or offices to be filled by the voters of an electoral district or division consisting of coextensive with or included wholly within such county the County Treasurer being informed in the premises by the certificate of the County Return Judges or Return Board shall retain such deposit In any case where under the provisions of this act all or any part of any such deposit shall be paid to a County or retained by a County Treasurer such funds shall forthwith be deposited to the credit and become part of the general fund of such County to reimburse such County for the direct and indirect expenses imposed on said County by such nomination paper or papers and the candidacies thereby presented and shall be subject to disbursement in the same manner and for the same purposes as other county funds are by law disbursable

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time, and agreed to.

Ordere, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 104 (House Bill No. 77), entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare the trustees who administer mothers' assistance in the several counties and others making counties liable for certain expenses providing penalties and making an appropriation

The first, second, third, and fourth sections of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be administered by the Department of Welfare of this Commonwealth and the Boards of Trustees of the Mothers' Assistance Funds of the several counties who when acting under the provisions of this act shall be known as the Boards of Trustees of the Old Age Assistance Fund

In the event that any county shall not have a Board of Trustees of the Mothers' Assistance Fund because of the failure of such county to have accepted the provisions of the Mothers' Assistance Act the Governor shall appoint a board of trustees composed of seven women residents of the county who shall be called a Board of Trustees of the Old Age Assistance Fund If at any time thereafter a Board of Trustees of a Mothers' Assistance Fund shall be appointed for such county it shall immediately take over the work of the Board of Trustees of the Old Age Assistance Fund and this act shall be administered as in other counties

Any trustees of the Old Age Assistance Fund appointed under the provisions of this section shall hold office for a term of six years or until a Board of Trustees of the Mothers' Assistance Fund has been appointed in their county

Section 2 Such supervisors and assistants as shall be necessary to exercise general supervision over the administration of this act shall be appointed by the Secretary of Welfare subject as in other cases to the approval by the Governor of the number and compensation of such supervisors and assistants

Section 3 The boards of trustees in the several counties shall appoint such additional investigators and clerical assistants as may be necessary to enable them to distribute old age assistance in their respective counties but as far as possible the investigators' engaged in the administration of the Mothers' Assistance Law shall also perform the work necessary for the administration of this act At no time shall the additional expense of administering this act in any county exceed in amount six per centum of the allocation to such county from the appropriation for Old Age Assistance

Section 4 The county commissioners of the several counties shall upon requisition of the boards of trustees pay the expense of investigation and clerk hire required in their respective counties for the administration of this act subject always to the limitations upon such expenses imposed by the preceding section of this act

The fifth section of the bill was read as follows:

Section 5 Financial assistance may be granted under this act only to an applicant who

(a) Has attained the age of seventy years or upwards

(b) Has been a citizen of the United States for at least fifteen years before making application for assistance

(c) Resides in the Commonwealth and (1) has so resided continuously for at least fifteen years immediately preceding the date of application but continuous residence in the State shall not be deemed to have been interrupted by periods of absence therefrom if the total of such periods does not exceed three years or (2) has so resided forty years at least five of which have immediately preceded the application Provided That absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the State if a domicile be not acquired outside the State

(d) Is not at the date of making application an inmate of any prison jail workhouse insane asylum or other public reform or correctional institution

(e) For six months or more during the fifteen years preceding the date of application for relief if a husband has not deserted his wife or without just cause failed to support her and his children under the age of fifteen years or if a wife has not deserted her husband or without just cause failed to support such of her children as were under age and as she was bound to support

(f) Has not within two years preceding such application for assistance been a professional tramp or beggar

(g) Is indigent and has no child or other person responsible under the law of this State and able to support him

On the question,

Will the Senate agree to the section?

Mr. SALUS. Mr. President, I move to amend section 5, page 4, line 15, by inserting at the end of the line after the word "him" the words: "or her"

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth to eleventh sections, inclusive, of the bill were read as follows and agreed to:

Section 6 An application for old age assistance shall not be approved until the board of trustees are satisfied after proper investigation that the applicant is entitled thereto under the provisions of this act

Section 7 The maximum payment allowed by any board of trustees under the provisions of this act shall be thirty dollars per month for the first person in any family entitled to assistance and fifteen dollars per month for other persons in the same family entitled to assistance

Section 8 Before any payment is made to any person under the provisions of this act a complete report shall be made of all matters stated in the application giving the name of the beneficiary the number and kinds of relatives the financial condition of relatives and all other matters which shall be from time to time required by the Department of Welfare All such reports shall be made upon forms supplied for the purpose by the Department of Welfare All such reports shall be made in triplicate One copy shall be retained in the local office one copy shall be forwarded to the Department of Welfare and one copy to the Auditor General All reports shall be sworn to by the investigator and shall be approved by a majority of the board of trustees

Section 9 On the death of any person receiving old age assistance such reasonable funeral expenses for burial shall be paid to such persons as the board directs Provided Such expenses do not exceed one hundred dollars and the estate of the deceased is insufficient to defray the same

Section 10 All payments made under the provisions of this act shall be made direct to the recipient thereof by warrant after requisition as provided by law in other cases

Section 11 No person receiving assistance under this act shall at the same time receive any other relief from the Commonwealth or from any political subdivision thereof except for medical and surgical assistance

The twelfth section of the bills was read as follows:.

Section 12 The initial appropriation made by the General Assembly for Old Age Assistance shall be allocated among the several counties of the State according to population Any amount so allocated and unused in any fiscal year in any county shall be added to the amount of the appropriation subject to allocation for the following fiscal year under the current or any future appropriation For the second and subsequent fiscal years allocations of amounts available for Old Age Assistance shall be made among the several counties according to the number of persons receiving assistance and who have applied for assistance up to the end of the tenth month of the previous fiscal year

On the question,

Will the Senate agree to the section?

Mr. SALUS. Mr. President, I move to amend section 12, page 6, line 7, by inserting after the word "applied" and before the word "for" the words: "and are eligible"

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirteenth, fourteenth and fifteenth sections of the bill were read as follows and agreed to.

Section 13 Any person securing any allowance contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 14 This act shall not relieve any county city or poor district from responsibility for the maintenance either in an institution or otherwise of any person more than seventy years of age who cannot qualify for assistance under this act or who cannot be provided for under the current appropriation for carrying out the provisions of this act

Section 15 This act shall become effective immediately upon its approval by the Governor but the first payments hereunder shall be made for the month of December one thousand nine hundred and thirty-four

The title of the bill was read as follows and agreed to:

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, assistance to and the burial of certain aged indigent persons, and the administration of this act by the Department of Welfare, the trustees, who administer mothers' assistance in the several counties and others; making counties liable for certain expenses; providing penalties; and making an appropriation.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 107 (House Bill No. 45), as follows:

An Act making home loan bonds issued by the Federal Home Owners' Loan Corporation legal investments for trust funds and other purposes in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that executors administrators guardians trustees build-

ing and loan associations banks banks and trust companies trust companies insurance companies associations and exchanges are hereby authorized to exchange mortgages which are in default and which are in their possession or under their control for home loan bonds issued by the Federal Home Owners' Loan Corporation

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 108 (House Bill No. 78), as follows:

An Act making an appropriation out of The State Stores Fund to the Department of Welfare for old age assistance

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That out of the moneys in The State Stores Fund which represented net profits from the operation of Pennsylvania Liquor Stores the sum of six million dollars ($6,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare to be available for expenditure beginning December first one thousand nine hundred thirty-four for old age assistance in the manner provided by law The amount of this appropriation shall be payable from time to time upon requisition of the Department of Welfare Provided however That any moneys appropriated out of the State Stores Fund for unemployment relief shall be preferred over the appropriation made by this act and such appropriations for unemployment relief shall not be abated by reason of the appropriation made by this act

Section 2 This act shall become effective on the first day of December one thousand nine hundred thirty-four

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 135 (House Bill No. 209), entitled:

An Act appropriating certain accumulations in the Insurance Tax Fund to cities, townships and boroughs for payment to firemen's relief, pension and retirement funds.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceded to the second reading and consideration of Senate Bill No. 141, as follows:

An Act to further amend section seven as amended and to amend section eight of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party offices including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections seven and eight of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" Said section seven having been last amended by the act approved the thirty-first day of May one thousand nine hundred and thirty-three (Pamphlet Laws eleven hunder six) entitled "An act to amend section seven of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party offices including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' as amended by increasing the number of signers required for nomination petitions for magistrates in cities of the first class" be and the same are hereby amended to read as follows

Section 7 The nomination petitions in the case of candidates for the office of President of the United States Senator of the United States Member of the House of Representatives of the United States for all State offices for the office of delegate or alternate delegate to a National party convention and for the office of member of the State or National committee shall be filed at least fifty days prior to the primary with the Secretary of the Commonwealth Nomination petitions in all other cases shall be filed at least four weeks prior to the primary with the county commissioners of the respective counties

Nomination petitions of candidates shall be signed

(a) If for the office of President of the United States or of Senator of the United States by at least one hundred qualified electors in each of at least ten counties of the State

(b) If for a State office to be filled by a vote of the electors of the State at large for the office of Representative from the State at large in the Congress of the United States for the office of delegate or alternate delegate at large to a National party convention or for the office of member of the National committee by at least one hundred qualified electors in each of at least five counties of the State

(c) If for the office of a Member of the House of Representatives of the United States to be filled by a vote of the electors of a congressional district or of delegate or alternate delegate to a National party convention other than delegate or alternate delegate at large or of judge of any court other than a court whose judges are to be elected by a vote of the electors of the State at large or of State Senator or of any municipal office to be filled by a vote of the electors of a senatorial district by at least two hundred qualified electors

(d) If for the office of a Member of the State House of Representatives or for the office of member of the State

committee or an office to be voted for by the electors of the entire county by at least one hundred qualified electors except for the office of magistrate in cities of the first class in which case it must be signed by at least three thousand qualified electors

(e) If for the office of inspector of election at least five qualified electors

(f) And for all other offices and all other party offices by at least ten qualified electors

(g) No such nomination petition of any candidate for nomination shall be valid or effective unless there shall be filed therewith a certificate or certificates of the State Treasurer in the case of nomination petitions required to be filed with the Secretary of the Commonwealth or of the County Treasurer of the proper county in all other cases certifying that each of the candidates presented by such nomination petition has deposited with him as hereinbelow provided a sum of money equal to one twelfth of the annual salary or compensation fixed by law for the office for which said candidate seeks the nomination or if the salary or compensation of said office is not fixed on an annual basis equal to one twelfth the average annual compensation of said office for the four years next preceding the year in which said nomination petition is filed provided however that such deposit shall in no case be less than five dollars nor more than one thousand dollars No deposit made by any candidate in connection with his candidacy for the nomination of one party shall apply to validate or make effective his candidacy for the nomination of any other party but each candidate shall be required to make as many separate deposits as there are parties whose nominations he seeks No such deposit shall be required of candidate for the office of President of the United States

(h) Such deposit shall in each case be upon condition that if the candidate shall at such primary poll a number of votes of the party whose nomination he seeks equal to ten per cent of the greatest number of votes of that party polled at such primary by any candidate in the electoral district or division to which such nomination petition relates then such deposit shall forthwith be returned by the officer with whom the same was made to the candidate who made the same if such candidate shall not at such primary poll a number of votes of the party whose nomination he seeks equal to ten per cent as aforesaid such deposit shall be allocated by the State Treasurer to and among the several counties interested or retained by the County Treasurer as the case may be according to the following rules if such deposit was made with the State Treasurer in connection with a candidacy to be voted on by the electors of one county or part of one county all of the deposit shall be paid to the County Treasurer of such county if the deposit was made to the State Treasurer in connection with a candidacy to be voted on by the electors of two or more counties or parts of two or more counties then such deposit shall be allocated among all such counties and paid to the county Treasurers thereof in the proportion of the vote of such party polled by such candidate in each such county to the vote of such party polled by such candidate in the entire electoral district or division in which he was a candidate if the deposit was made to a County Treasurer it shall be retained by such County Treasurer In all cases where under the provisions of this act any deposit or part of a deposit is paid to or retained by a County Treasurer such funds shall forthwith be deposited to the credit and become part of the general fund of such county to reimburse such county in part for the direct and indirect expenses imposed on such county by such candidacy and shall be subject to disbursement in the same manner and for the same purposes as other county funds are by law disbursable

Section 8 No nomination petition shall be refused or set aside except for

(a) Material error or defects apparent on the face thereof or on the face of the appended or accompanying affidavits or

(b) Material alterations made after signing without the consent of the signers or

(c) Want of a sufficient number of genuine signatures of persons qualified with respect to age sex residence and citizenship to be electors

(d) The failure to file with it a certificate of the State Treasurer or the proper County Treasurer as required by section seven of this act as amended certifying the deposit with him of an adequate sum of money as prescribed by said section

The invalidity of any sheet of a petition shall not affect the validity of such petition if a sufficient petition remains after eliminating such invalid sheet

Application to set aside any nomination petition shall be by petition to the court of common pleas of the county in which such nomination petition has been filed setting forth specifically the matters objected to and must be filed within five days after the last day for filing said nomination petition Upon the presentation of such a petition the court shall make an order fixing a time for hearing which shall not be later than ten days after the last day for filing said nomination petition and specifying the time and manner of notice that shall be given to the candidate named in the nomination petition sought to be set aside

If the matters objected to are such as are specified in subdivision (a) of this section the court upon hearing the case may in its discretion permit amendments within such time and upon such terms as to payment of costs as the said court may specify

In case the petition to set aside a nomination petition is dismissed the petitioner shall pay the whole of the costs of the proceeding including all witness fees

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 143, as follows:

An Act requiring the Department of Property and Supplies to provide and install appliances to air condition the Halls of the Senate and House of Representatives and to regulate temperatures therein and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Property and Supplies shall before the next session of the General Assembly provide and have installed in the Halls of the Senate and House of Representatives proper appliances to provide for the efficient air conditioning of said Halls during sessions of the General Assembly and the regulation of temperatures therein

The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the purpose of providing and installing the appliances provided for by this act

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Commitee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 144, entitled:

An Act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police offi-

cers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That SHORT TITLE CITATION This act shall be known and may be cited as "The First Class City Permanent Registration Act

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 1, page 2, line 6, by inserting after the word "Act"; amend section 1, page 2, line 27, by striking out "or" and inserting in lieu thereof: "of"

Mr. GELDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 DEFINITIONS (a) The word "commission" shall mean any registration commission having jurisdiction in any city

(b) "Commissioner" shall mean a member of a registration commission

(c) "Oath" shall include affirmation and "swear" shall include affirm

(d) "Election" shall mean any general special municipal or primary election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any political party or body of electors one of whose candidates either at the last general or at the last municipal election shall have polled at least five per centum of the largest entire vote cast for any elected candidate in any city or the first class although such percentage of said vote may not have been attained in any particular election district thereof

(j) "Body of electors" shall mean any political body not recognized as a political party but entitled to make nominations of candidates for any public office by nomination papers on whose behalf proper affidavits shall have been filed with the prothonotary or elsewhere as required by law to obtain the exclusive right to use a party name or appellation for any election or primary

(k) "Qualified elector" shall mean any person who shall posses all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by combined residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commission as hereinafter provided

(m) "County" shall mean any county of this Commonwealth within which is located a city of the first class or with which such city is coextensive

(n) "City" shall mean only a city of the first class

(o) All references to mayors police officers clerks secretaries courts judges prothontaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the first class or to those of any county within which such city of the first class is located or with which it is coextensive or of any school district with which it is coextensive

(p) "Public office" shall mean and include any national state judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(q) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

(r) "District" shall mean any election district of the city

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 2, page 2, line 9, by inserting after the word "city" "of the first class."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows:

Section 3 REGISTRATION COMMISSIONS MEMBERSHIP BIPARTISAN TERM OF OFFICE VACANCIES REMOVAL COMPENSATION OATH OF OFFICE ORGANIZATION CHAIRMAN SECRETARY ACTIONS BY VOTE OF MAJORITY OF MEMBERS RECORD OF PROCEEDINGS ANNUAL REPORT (a) There shall be a registration commission in and for each city of the first class which commission shall have jurisdiction over the registration of electors of such city under the provisions of this act

(b) The registration commission shall consist of three commissioners who shall be qualified electors of the city nor more than two of whom shall be enrolled members of the same political party who shall be appointed by the Governor with the advice and consent of the Senate and shall hold office for terms of four years or until their successors qualify unless sooner removed or otherwise disqualified but the terms of the commissioners first appointed by the Governor under this act shall commence on the first day of June one thousand nine hundred thirty-four and shall expire on the first Monday of January one thousand nine hundred thirty-seven Upon the appointment by the Governor of the registration commisison for any such city the terms of office of the existing registration commission of any such city shall terminate

(c) The Governor shall fill any such vacancy in any commission within ten days after the vacancy shall occur by appointing a qualified elector of the city to hold office during the remainder of the term of the commissioner whose place shall have become vacant

(d) The Governor may at any time remove any commissioner for cause and may appoint a duly qualified elector of the city as his successor for the remainder of his term

(e) Each commissioner shall receive compensation at the rate of four thousand dollars per annum

(f) As soon after their appointment or election as may be the members of each commission shall take the oath of office required by the Constitution of this Commonwealth and shall organize by selecting from their number a chairman and a secretary who shall not be members of the same party

(g) All actions of a commission shall be decided by a majority vote of all members except as may be otherwise provided herein

(h) Each commission shall keep a record in permanent form of all its proceedings and shall make an annual written report to the Governor

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 3, page 4, line 27, by striking out "nor" and inserting in lieu thereof "not"; also page 5, line 23, by striking out "or election."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows:

Section 4 POWERS OF COMMISSIONS REGULATIONS ENFORCEMENT CORRECTION OF ERRORS OR IRREGULARITIES CANCELLATION OF REGISTRATION POWERS OF COMMISSIONERS (a) The commission may make regulartions not inconsistent with this act or the laws of this Commonwealth (1) to govern the public sessions of such commissions and (2) for the performance of the duties imposed by this act and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the court of common pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

(b) The commission shall have power to correct any error or any irregularity in registration and to cancel the registration of any person whom it may find to be improperly registered subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration is cancelled

(c) The commission and any commissioner shall have power on its or his own motion (1) to summon and interrogate any person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses (4) to require the production of any relevant books and papers

(d) Each commissioner shall have power to administer oaths and affirmation Each person testifying before a commission shall be first duly sworn or affirmed

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 4, page 6, line 12, by striking out "commissions" and inserting in lieu thereof "commission"; also page 7, line 9, by striking oue "affirmation" and inserting in lieu thereof "affirmations."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifth section of the bill was read as follows:

Section 5 EMPLOYES REGISTRARS INSPECTORS OF REGISTRATION DUTIES APPOINTMENT INCOMPATIBLE OFFICERS (a) The commission shall have power to appoint such assistants and employes as from time to time it may deem necessary to carry out the provisions of this act and may at any time remove the same

(b) The employes to be appointed by the commission shall include registrars who shall be empowered to register the qualified electors of such cities and in so doing to administer oaths and affirmations and inspectors of registration who shall have and may exercise the powers conferred upon them by this act

(c) Registrars and inspectors of registration shall be qualified electors of the city An election officer may be appointed as a registrar or inspector of registration but no other person who holds or is a candidate for public or party office shall be appointed to hold any office or employment under any commission except as otherwise provided by this act Registrars and inspectors of registration shall receive such compensation either on a per diem basis for time actually employed or on the basis of work actually done by them as shall be fixed by the commission

(d) No registrar or inspector of registration shall exercise any power of his office until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and address the date of his appointment and the length of time for which he shall have been appointed

(e) Each commissioner may appoint a chief clerk who shall have authority to administer oaths and to sign vouchers and may fix his compensation at a sum not exceeding thirty-five hundred dollars per annum an assistant clerk not over twenty hundred dollars per annum an assistant clerk not over eighteen hundred per annum a stenographer (who may act as a clerk) at a salary not over sixteen hundred dollars per annum a chief inspector at a salary not over eighteen hundred dollars per annum two custodians of the records to guard same while they are open to public inspection each of whom shall receive not more than twelve hundred dollars per annum a messenger who shall receive not more than one thousand dollars per annum as many clerks as they may deem necessary from time to time at a compensation not exceeding four dollars per diem for the time actually employed a sufficient number of inspectors of registration and registrars at a compensation not exceeding six dollars per diem for the time actually employed

(f) Any inspector of registration on his own motion or on complaint of any person known to him may and when directed by the commission shall

(1) Investigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling inn lodging-house or hotel within such city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment

(2) Inspect in like manner and copy any register of lodgers in any lodging-house inn or hotel relating to or affecting the right of any person to vote or to be registered in any such city

(3) Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

(4) Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 5, page 7, line 13, by striking out "officers" and inserting in lieu thereof "offices"; also page 8, line 5, by inserting after "sion" "but not exceeding the maximum compensation hereinafter fixed"; also page 8, line 13, by striking out "chier" and inserting in lieu thereof "chief"; also line 17, by inserting after the word "clerk" "at a salary"; also line 18, by inserting after the word "clerk" "at a salary."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth section of the bill was read as follows and agreed to.

Section 6 COUNSEL COMPENSATION DUTIES The commission may employ special counsel at a compensation not exceeding three thousand dollars per annum Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent the commission on all appeals taken from its decisions or orders to a court of common pleas as herein provided

The seventh section of the bill was read as follows and agreed to.

Section 7 APPROPRIATIONS UNEXPENDED BALANCES OF APPROPRIATIONS HERETOFORE MADE ADDITIONAL APPROPRIATIONS (a) The appropriating authorities of the county shall appropriate annually and from time to time the funds that shall be necessary for the maintenance and operation of the commission and the carrying out of the provisions of this act therein including the payment of the compensation of the commissioners counsel a sufficient number of registrars inspectors of registration and other assistants and employes and the fees of witnesses as herein provided and likewise for preparing in accordance with the direction of the commission securing and distributing or receiving and preserving all street lists registration cards affidavits vouchers notices account books stationery and other supplies which the commission shall consider necessary for the purpose of this act and for all other necessary expenses

(b) Appropriating authorities of the county shall provide the commission thereof with suitable and adequate offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties

(c) Any unexpected balances of any appropriations heretofore made by the appropriating authorities of the county for the purpose of carrying out any provisions of any existing registration act or the amendments thereto shall be transferred to and made available for the commission hereby created or constituted for the expenses of carrying out the provisions of this act and all moneys required in addition to any original appropriation in the current year or any other year shall be appropriated from time to time as soon as it shall appear what extra sums are needed

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 7, page 10, line 24 by striking out "Appropriating" and inserting in lieu thereof "the appropriating."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eighth to eleventh, inclusive, sections of the bill were read as follows and agreed to.

Section 8 ACTS OF EMPLOYES Any insertion or removal of names or other information in registers or the amending of any records done by any employe of the commission shall be construed to have been done by the commission itself which shall likewise be responsible for the correction of any errors in the doing thereof

Section 9 COMMISSIONERS MAY ACT AS REGISTRARS AND INSPECTORS A commissioner may act at any time as registrar or inspector of registration and when so acting shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with law upon registrars and inspectors of registration respectively

Section 10 IMMUNITY FROM ARREST Commissioners registrars and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrants of a court of record or judge thereof for felony for wanton breach of the peace or for a criminal violation of this act

Section 11 ACTS TO BE DONE ON LEGAL HOLIDAYS AND SUNDAYS No part of any day fixed for the performance of any duties by any person or official under this act shall be deemed a Sunday or a legal holiday so as to affect the legality of any work done for the purpose of carrying out the provisions hereof or the right of any person to any compensation herewith provided for rendering any service required hereby or so as to relieve any person from doing on such day whatever is necessary for such purposes and such services are hereby declared to be necessary public services

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 12, page 12, line 14, by inserting after the first "lists" and before the second "lists" "voting check"; also page 12, line 14, by striking out "of voters."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question.

Will the Senate agree to the amendment?

It was agreed to.

On the question.

Will the Senate agree to the section as amended?

It was agreed to.

The twelfth to fifteenth sections inclusive of the bill were as follows and agreed to:

Section 12 RECORDS AND DOCUMENTS TO BE OPEN TO PUBLIC INSPECTION The records of each commission and all district registers street lists lists of voters voters' certificates affidavits petitions appeals witness lists accounts contracts reports and other documents in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the city during ordinary business hours at any time when they are not necessarily being used by the commission or its employes having duties to perform in reference thereto provided that such public inspection thereof shall only be in the presence of a commissioner or authorized employe of a commission and shall be subject to proper regulation for safekeeping of the records and documents and subject to the further provisions of this act

Section 13 WATCHERS AT PLACES OF REGISTRATION PRIVILEGES (a) Any party or body of electors which now is or hereafter may be entitled to have watchers at any election as well as any organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds may recommend not more than three electors to act as watchers without expense to the county at any place of registration during the time when it shall remain open for the registration of electors and the commission shall appoint all such persons as watchers and provide them with proper certificates stating their names and the party or policy or citizens' organization which they represent respectively unless any be shown to have previously been convicted of any crime

(b) Any watcher shall be entitled to remain at any place of registration during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registration and to interrogate or challenge any person regarding his right to be registered and to inspect any papers produced by such person and the registrars commissions and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided however That a registrar commission or commissioner may at any time require any watcher to show his certificate of appointment and provided that not more than one watcher for each party or body of electors or citizens' organization represented shall be allowed in a place of registration at any one time

Section 14 WATCHERS OR ATTORNEYS AT SESSIONS OF COMMISSION Any party or body of electors or body of citizens which now is or hereafter may be entitled to have watchers at any place of registration or at any election shall also be entitled to appoint any watchers who are qualified electors of the city or attorneys to represent such party or body ofr electors or body of citizens at any public session or sessions of the commission Such watchers or attorneys may exercise the same rights as watchers at places of registration but the number who may be present at any one time may be limited by the commission to not less than three for each party or body of electors

Section 15 CANDIDATES MAY BE PRESENT AT PROCEEDINGS Every candidate for nomination or election to any office shall be entitled to be present in person or by attorney in fact duly authorized and to participate in any proceeding before any commisison whenever any matters which may affect his candidacy are being heard

The sixteenth section of the bill was read as follows:

Section 16 DAYS AND HOURS OF REGISTRATION PLACES OF REGISTRATION USE OF POLLING PLACES PAYMENTS OF RENTALS USE OF SCHOOL BUILDINGS PUBLIC NOTICE (a) From and after the first day of June one thousand nine hundred and thirty-four each commission or any commissioner or a registrar shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sundays holidays the day of each election and each primary the thirty days next preceding each election and each primary and the five days next following each election and each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration Provided however That in the year one thousand nine hundred and thirty-four each commission shall arrange to have a registrar present to receive applications for the personal registration of electors at the polling place or some other suitable place in each election district of the city on at least three separate days prior to October seventh (one of them being in August another in September and another in October) And provided further That in each year thereafter the commission shall provide a place of registration in each ward of the city at which not more than two registrars shall be present to receive personal applications from persons who claim that they are entitled to be registered which registrars shall be present thereat in even numbered years on the fifth Thursday and the fifth Friday and the fifth Saturday before the Spring primary and on the fifth Friday and fifth Saturday before the general election and in odd numbered years on the twenty-third Friday and the twenty-third Saturday and the fifth Saturday before the Fall primary and the fifth Friday and the fifth Saturday before the municipal election

(b) The county commissioners shall cause any polling place to open in proper order for use as a place of registration on each day when such polling place may be desired by the registration commission for use as a place of registration and the appropriating authorities of the county shall provide for the payment of all rentals for such polling places

(c) The board of school directors of each school district shall furnish a room or rooms in any public school building under its jurisdiction or control and shall cause the room or rooms to be open and in proper order for use as a place of registration on each day when such room or rooms may be desired by the registration commission for use as a place of registration provided that such use shall not interfere with instruction for the conduct of which such board of school directors shall be responsible

(d) The proper city authorities shall furnish a room or rooms in the city hall or other municipal building under their jurisdiction or control and shall cause the room or rooms to be opened and in proper order for use as a place of registration on each day when such room or rooms may be desired by the commission for use as a place of registration provided that such use shall not interfere with the use for which such room or rooms is primarily designed

(e) The commission shall in reasonable time publicly announce the address of each place of registration other than the office of the commission and the days and hours when the place shall be open for the registration of electors by publication at least once in a newspaper of general circulation published in the city by posting a notice thereof at its office and at least one placard or notice thereof in a conspicuous place in the neighborhood of such place of registration at least three days prior to the date when the place shall be so open and by such other newspaper publication as it deems desirable

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 16, page 15, line 20 by inserting after the word "Friday" "and"; also line 22, by striking out after the word "Friday" "and"; also line 23, by inserting after the word "and" "on"; also page 16, lines 26 and 27, by striking out "by publication at least once in a newspaper of general circulation published in the city"; also line 28, by striking out "one placard" and inserting in lieu thereof "five placards"; also line 28, by striking out "notice" and inserting in lieu thereof "notices"; also line 29, by striking out "a"; also line 29, by striking out "place" and inserting in lieu thereof "places"; also page 17, line 1, by inserting after the word "registration" "and by publication at least once in a newspaper of general circulation published in the city."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventeenth to twentieth sections, inclusive, of the bill were read as follows and agreed to

Section 17 REGISTRATION CARDS PREPARATION AND DISTRIBUTION (a) For the purpose of registering the qualified elector of such city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section eighteen of this act

State of Pennsylvania
County of
ss

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before
me this day of

.....
Signature of Voter

.....
Signature of Registrar

(b) Subject to the foregoing provisions of this section the Secretary of the Commonwealth shall prescribe the form of such registration cards

(c) Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate for each applicant for registration The commission shall provide suitable binders for filing and indexing the registration cards which binders can be locked The keys of all such binders shall at all times be retained by the commission.

(d) The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar

(e) Before ten o'clock ante meridian on the day following the last day for registration before an election or primary and at such other time as the commission may prescribe each registrar shall return to the commission at its office all registration cards used or unused in his possession and shall account fully in writing for each missing card

(f) Unused registration cards may be reissued by the commission but the commission shall preserve all other papers records and memoranda as a part of its record

Section 18 MANNER OF REGISTRATION (a) Every person claiming the right to be registered as an elector must appear in person before the commission or a commissioner or a registrar at the office of the commission or at such other place as the commission shall have designated and answer the questions required to be asked in accordance with this act

(b) He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with the other information herein required shall be recorded in his presence by the registrar or commissioner in permanent writing or typewriting in duplicate in the proper spaces on the registration cards as follows

(c) (1) The surname of the applicant (2) his Christian name or names (e) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the rooms apartment flat or floor which he occupies (6) the date his residence in the district began (7) his residence address when he last registered and the year of such registration (8) the sex of the applicant (9) the color of the applicant (10) the state or territory of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of the naturalization certificate (12) if not naturalized personally the name of father or husband through whom naturalized (13) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance at the ensuing election and if so his declaration of that fact and his statement of the exact nature of such disability (14) the designation of the political party of the elector for the purpose of voting at primaries (15) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar and dated by him If the elector is unable to sign his name there shall also be recorded on the registration card (16) his height in feet and inches (17) the color of his hair (18) the color of his eyes and (19) the date of his birth Each registration card shall have a sufficient number of spaces thereon for the insertion of (20) the ward and election district in which the elector resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal (21) the date of each election and primary at which elector votes and (22) the signature or initials of the election officer who enters the record of voting on the card

(d) The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed for the whole city the registration affidavits will be known as the General Registers when filed by election districts as the District Registers

(e) If the applicant shall allege inability to sign his name the registrar shall require him to present the affidavits subscribed in person before a registrar or commissioner of two electors who are personally acquainted with the applicant and who knows his qualifications as an elector Each of said two electors shall state in his affidavit the applicant's residence his own residence his knowledge of the statements made by the applicant under oath or affirmation in applying for registration and his belief that they are true Upon the filing thereof the applicant shall be permitted to subscribe to his oath or affirmation by making his mark except that if the applicant's inability to sign his name is not due to some physical infirmity he shall first also be required to make and file with the registrar an affidavit of his inability to sign his name Every affidavit required because of an applicant's inability to sign his name shall be filed with the duplicate registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

(f) When the registration of an elector has been completed the registrar or commissioner shall deliver to the registered elector upon his request a written statement signed by such registrar or commissioner setting forth the name and address of the elector the fact of registration and the date thereof

Section 19 WHO MAY REGISTER WHO MAY VOTE ELECTORS NEED REGISTER ONLY ONCE EXCEPTION Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered as herein provided and from and after the seventh day of October one thousand nine hundred and thirty-four no person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered except by order of a court of common pleas as hereinafter provided and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address unless his registration is cancelled by means of his failure to vote during a period of four years as hereinafter provided

Section 20 APPLICANTS TO REGISTER MAY BE CHALLENGED PROCEDURE CHALLENGE AFFIDAVIT (a) Any person claiming the right to register may be challenged by a registrar or by any commissioner or by a qualified elector of the city Any person so challenged shall answer the questions of the challenge affidavit as herein specified and after his answers have been recorded he shall subscribe to them his signature or mark and swear to their truth

(b) The affidavits of all persons so registered shall be filed with the duplicate registration affidavits and shall be returned with them to the office of the registration commission

(c) The challenge affidavit shall be in form prescribed by the Secretary of the Commonwealth and shall contain spaces for the following information (1) Serial number (2) place and date of execution (3) full name of challenged applicant (4) whether he is married or single (5) if married where his family resides (6) if single where his parents reside (7) where applicant actually resided immediately before he took up his present residence (8) his residence for the four months immediately preceding date of execution (9) the name of his present employer (10) the street and number of his place of business (11) the name of his last employer and the year in which he left his employ (12) the city street and number of said last employer's place of business (13) sex of the applicant (14) his color (15) the date of his birth and (16) such distinguishing marks peculiarities and further information for identification as the commission shall prescribe

(d) The challenged applicant shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his residence in the election district and shall produce such other evidence as may be required to satisfy the registrar or commissioner as to his application as an elector If such challenged applicant shall establish his right to be registered as required by this act he shall be permitted to be registered

(e) Any person making application to be enrolled as a member of a political party for the purpose of voting at primaries may be challenged by any qualified elector of the city Any person so challenged shall be enrolled as a member of such party if he shall make and subscribe an affidavit that at the last election at which he voted he voted for a majority of the candidates of such party all of the candidates of a party for presidential elector being counted as two candidates but if he is unable or unwilling to make such affidavit he shall be denied enrollment as a member of such party but he shall not be deemed to be guilty of any violation or attempted violation of any law by reason thereof

The twenty-first section of the bill was read as follows:

Section 21 NATURALIZED APPLICANTS APPLICANTS WHOSE FATHERS OR HUSBANDS WERE NATURALIZED

All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certified copy thereof before they shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father during his minority may be registered either by the production of his father's original papers or a certified copy thereof or by making affidavit that his father was naturalized at a time when he the applicant was less than twenty-one years of age and that he is unable to produce his father's papers or a certified copy thereof And provided further That any woman claiming citizenship by reason of her marriage to a citizen prior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that she is unable to produce them or a certified copy of them or (b) by the production of evidence that her husband was a native born citizen of the United States Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 21, page 24, lines 20 and 21, by striking out "to a citizen"; also line 25, by inserting after the word "that" "her husband was naturalized prior to their marriage"; also line 25, by striking out "them" and inserting in lieu thereof "his original naturalization papers."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-second and twenty-third sections of the bill were read as follows and agreed to

Section 22 INCOMPLETE OR REJECTED APPLICATIONS TO BE RECORDED The registrar or commissioner shall record on registration cards the surname christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filed in the registration card or cards shall be marked "Applicant Rejected" and the registrar or commissioner shall note thereon the reason for the rejection and shall sign his name thereto All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 23 APPEAL OF REJECTED APPLICANT Any person whose application to be registered has been denied by a registrar or by a commissioner may file a petition with the commission not later than the thirteenth day prior to an election or primary setting forth the ground of his complaint under oath and praying to be registered The commission shall fix a time for a public hearing thereof at its office not later than the tenth day prior to the election or primary At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar or commissioner who rejected the petitioner's application for registration The commission if satisfied that the petitioner is entitled to be registered shall direct a registrar or commissioner to register him in the usual manner and shall amend accordingly the records affected by any registrar or inspector of registration or qualified elector of the city may appear and show cause why the petitioner should not be registered

The twenty-fourth section of the bill was read as follows:

Section 24 GENERAL REGISTER The duplicate registration affidavits shall be placed in exact alphabetical order for the entire city and indexed and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded These affidavits shall constitute the General Register of such city and shall not be removed from the office of the commission except upon order of the court of common pleas of the county wherein such city is located

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 24, page 26, line 7, by inserting after the word "affidavits" "for the entire city."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-fifth section of the bill was read as follows:

Section 25 DISTRICT REGISTERS The original registration affidavits shall be filed by election districts and within each election district in exact alphabetical order and indexed and the affidavits so filed for each election district shall constitute the District Register for such district The district register shall be kept at the office of the commission except as herein provided and shall be open at all times subject to reasonable safeguards rules and regulations to public inspection

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 25, page 26, line 22, by inserting after the word "open" "to public inspection"; also line 23, by striking out "to public inspection."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-sixth section of the bill was read as follows and agreed to:

Section 26 REMOVAL NOTICES The commission shall provide removal notices which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room apartment flat or floor if his residence is a portion only of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present address and (4) space wherein the elector shall sign his name The removal notice shall contain a statement that the elector may be filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission with the elector's signature in the general and district register

The twenty-seventh section of the bill was read as follows:

Section 27 TRANSFER OF REGISTRATION (a) Upon receipt of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature

thereon to be compared with the signature on the registration affidavit of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the general and district registers and if the removal shall have been from one election district to another in the same city shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence In any case the commission shall advise the elector promptly in writing of its action

(b) If the commission shall doubt that the request for transfer is authentic it shall without transferring the registration of the elector notify the elector that it will be necessary for him to apply in person at the office of the commission for the transfer of his registration

(c) No elector who is unable to write his name shall be permitted to apply for transfer of registration by use of a written removal notice but each such elector must apply in person at the office of the commission establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar or a commissioner who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 27, page 28, line 7, by inserting after the word "elector" and before the word "notify" promptly.

Mr. BUCHANAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-eighth section of the bill was read as follows:

Section 29 CHANGE OF ENROLLMENT OF POLITICAL PARTY CANCELLATION OF PARTY ENROLLMENT PERSONS SUFFERING DISABILITY AFTER REGISTRATION TO HAVE FACT RECORDED CANCELLATION (a) At any time prior to the tenth day next preceding a primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar or commissioner and state in writing over his signature the political party in which he desires to be enrolled and the registrar or commissioner shall cause the enrollment of the elector's political designation to be made or altered according in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made

(b) At any time not later than the fifth day preceding any primary any qualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is no longer a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at least twenty-four hours prior to presentation of the same by delivering a copy of the said petition to him personally or by leaving it with an adult member of the family with which he resides If at the hearing of any such petition the elector against whom the petition is filed appears and swears or affirms that at the last election at which he voted he voted for a majority of the candidates of the party with which he was then enrolled all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise the party enrollment of such elector shall be forthwith cancelled

(c) Any elector who has since the time of registration suffered a physical disability which renders him unable to see or mark the ballot or prepare the voting machine or to enter the voting compartment or voting machine booth without assistance shall at least ten days prior to the next succeeding primary or election personally make written application under oath to the commission or a registrar to have such face entered on his registration affidavit together with the exact nature of his physical disability which entry shall be made accordingly

(d) When the commission shall ascertain that any elector who has declared his need for assistance no longer suffers from the disability stated by him or has voted without assistance it shall forthwith cancel on his registration affidavit the entry relating to physical disability which authorized him to have assistance

On the question.

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 28, page 28, line 19, by striking out "CHANCE" and inserting in lieu thereof "CHANGE;" also page 28, line 23, by striking out "tenth" and inserting in lieu thereof "fifteen"; also page 29, line 7, by striking out "fifth" and inserting in lieu thereof "tenth;" also page 30, line 7, by striking out "written."

Mr. BUCKMAN. Mr. President, I second the motion

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-ninth section of the bill was read as follows:

Section 29 REPORTS OF DEATHS FROM REGISTRARS OF VITAL STATISTICS CANCELLING REGISTRATION CORRECION IF PERSON IS FALSELY REPORTED DECEASED REPORTS OF REMOVALS FROM MUNICIPAL OFFICERS DEPARTMENTS AND BUREAUS AND HOUSEHOLD FURNITURE MOVERS NOTICE (a) The registrar of vital statistics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the deaths of residents of the city except residents less than twenty years of age The commission shall forthwith cancel the registration of each registered elector so reported

(b) Any person falsely reported deceased may appear in person before a registrar or commissioner at the office of the commission and prove his identity and the commission theheupon shall corect its records accordingly

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 29, page 30, lines 20 to 22, by striking out "REPORTS OF REMOVALS FROM MUNICIPAL OFFICERS DEPARTMENTS AND BUREAUS AND HOUSEHOLD FURNITURE MOVERS NOTICE."

Mr. BUCKMAN. Mr. President, I second this motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirtieth section of the bill was read as follows and agreed to:

Section 30 MAIL CHECK-UP OF REGISTERS (a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the regis-

ter and requesting him in case of an error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon At least once in each year the commission shall send such notices by mail to each registered elector in the city

(b) Upon the return by the Post Office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section one of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector

The thirty-first section of the bill was read as follows:

Section 31 CANVASS OF REGISTERED VOTERS (a) The commission may at any time by individual commissioners or by inspectors of registration verify the registration in any election district of such city by visiting each building from which an elector is registered and such other buildings as the commission may deem necessary and shall make a record of the name and address of each person registered who shall not be found to reside at the address from which he is registered or who for any other reason shall appear to be not qualified to vote in the election district from which he is registered and shall leave at the address of each such person a notice requiring him to appear personally at the office of the commission on or before a date and hour which the notice shall appoint and which shall be not later than the fifty day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector and the commission shall cause a confirmation of each such notice to be sent by mail promptly to such person at the address from which he is registered.

(b) At the expiration of the time specified in the notice the commission shall cancel the registration of each such person who has not personally appeared and proved his qualification as an elector

For the purpose of facilitating any such canvass the commission may when necessary appoint special inspectors of registration in number not exceeding double the number of election districts which the commission shall determine to canvass Police officers may be so appointed with the consent of the head of the police department of the city

(d) Such special inspectors shall have and may exercise the powers conferred by this act upon inspectors of registration They shall be qualified electors of the city and shall be appointed without reference to residence in election districts or to their political affiliations or beliefs

(e) The commission shall instruct each special inspector of his duties

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 31, page 32, line 21, by striking out "fifty" and inserting in lieu thereof "tenth."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirty-second section of the bill was read as follows and agreed to.

Section 32 COMPARISON AND CORRECTION OF REGISTERS PRELIMINARY STREET LIST (a) Commencing thirty days prior to each election or primary the commission shall compare and correct the general and district registers

(b) Three months after each municipal election and seven months after each general election the commission shall prepare for each election district a Preliminary Street List of the names and addresses of all registered electors as to that date resident in the district arranged by streets and house numbers

(c) The commission shall cause to be made a sufficient number of exact copies of each such list and as soon as possible and not later than the first day of March in each even numbered year and the first day of July in each odd numbered year shall distribute the same among the inspectors and special inspectors of registration and the officals concerned with the conduct of primaries and elections and among the parties bodies of electors candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the city committee of each political party or body of electors upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

The thirty-third section of the bill was read as follows:

Section 33 CORRECTED STREET LIST POSTING DISTRIBUTION Not later than the thirtieth day prior to each primary and election the commission shall prepare for each election district a Corrected Street List of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers The commission shall cause to be made a sufficient number of exact copies of each such list which may be made by correcting and supplementing exact copies of the preliminary street lists a copy of the corrected street list of each election district shall forthwith be publicly posted at the polling place of such district Two complete sets of such lists shall be kept on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

On the question,

Will the Senate agree to the section?

Mr. FRAZER. Mr. President, I move to amend section 33, page 34, lines 21 and 22, by striking out "DISTRIBUTION NOT" and inserting in lieu thereof "Commencing Not"; also page 35, line 1, by striking out "a" and inserting in lieu thereof "A."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirty-fourth section of the bill was read as follows:

Section 34 PETITIONS TO STRIKE OFF NAMES At any time not later than the fifth day preceding any election or primary any qualified elector of the city including any watcher and any registrar or inspector of registration may petition the commission to cancel the registration of any registered elector of such city setting forth under oath supported by the affidavits of at least two adult persons sufficient grounds for such cancellation and also setting forth that due notice of the time and place when said petition would be presented and heard had been given to the person so registered personally at least twenty-four hours prior to the presentation of the same or that he could not be found at the place given in the

district register as his residence and that the person in charge thereof to be mentioned by name in said petition had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them or that no person is residing at the address given whereupon the commission shall forthwith cancel the registration of such elector and amend accordingly the general and district registers and the other records affected unless the person so registered shall appear and show cause why the same should not be done

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 34, page 35, line 9, by striking out fifth and inserting in lieu thereof tenth

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirty-fifth section of the bill was read as follows and agreed to.

Section 35 DELIVERY OF DISTRICT REGISTERS TO COUNTY COMMISSIONERS (a) Not later than noon of the second day preceding an election or primary the commission shall deliver to the county commissioners of the proper county the district register accurately corrected to date for each election district in order that the same may be delivered to the election officers with other election materials for use on election day in the manner in which the county commissioners now are or hereafter may be required to deliver the same Provided That the registration commission shall not deliver to the county commissioners the registration card for use at the polls on election day of any person who has removed from one election district to another within two months of any general municipal primary or special election The registration commission shall withdraw from the district registers the cards of all such persons before the registers are delivered to the county commissioners

(b) District registers when so delivered to the county commissioners shall be contained in suitable binders so constructed and locked that the name address voting record and other data on each card may be visible and that entries may be made on each card but that the cards cannot be removed by the election officers Said binders shall have printed or written thereon the words "District Register of Voters" and the name of the district

The thirty-sixth section of the bill was read as follows:

Section 36 PERSONS REGISTERED ARE ENTITLED TO VOTE AT GENERAL OR MUNICIPAL ELECTIONS IF IDENTIFIED BY SIGNATURE PROVISO EVIDENCE OF REGISTRATION DISCREPANCIES PERSONS REGISTERED AND ENROLLED MAY VOTE AT PRIMARIES IF IDENTIFIED BY SIGNATURE PROVISO PERSONS NOT REGISTERED ARE NOT ENTITLED TO VOTE CHALLENGING OF PERSONS REGISTERED VOTER'S CERTIFICATES LIST OF VOTERS ELECTIONS AND PRIMARIES COUNTING ET CETERA OF NAMES CHECKED AS HAVING VOTED SEALING OF REGISTERS AND LIST OF VOTERS RETURN OF LISTS OF VOTERS AND REGISTERS (a) Any person whose name is in the district register of any election district in such city and who upon applying to vote shall have signed his name to a voter's certificate in the form hereinafter provided for as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and view of the watchers with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers shall be entitled to vote in such district at any general municipal or special election unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from the district since registration or that he has violated any law of this Commonwealth prohibiting betting or bribery at elections.

(b) Provided That no elector shall be required to sign a voter's certificate as a means of identification if he shall have been unable to sign his name when registered or if having been able to sign his name when registetred he subsequently shall have lost his sight or lost the hand with which he was accustomed to sign his name or shall have been otherwise rendered by disease or accident unable to sign his name when he applies to vote but each such elector shall establish his identity to the satisfaction of the election officers and in such case a voter's certificate shall be prepared for him by one of the election officers upon which the facts as to such disability shall be noted and attested by the signature of such election officer.

(c) Provided further That no person who applies to vote shall be permitted by any election officer or clerk or other person to see the signature recorded as his in the district register until after he shall have signed his name to the voter's certificate.

(d) Any person who is registered and also enrolled as a member of a political party and who upon applying to vote shall have established his identity by signing his name or otherwise as herein required at elections and is otherwise qualified may vote as a member of said party at any primary succeeding such registration without being subject to any challenge regarding his party membership Provided That no elector registered and enrolled as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party at any primary election and any qualified elector registered although not enrolled as aforesaid shall be permitted to vote a non-partisan ballot according to any law providing for the same at any primary election

(e) No one except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by the authority of this Commonwealth shall be entitled to vote at any election or primary in such city without being personally registered as an elector in the election district in which he offers to vote except by order of the court of common pleas as herein provided regarding appealed cases and any person although personally registered may be challenged by any qualified elector watcher overseer or election officer at any election or primary as to his identity as to his continued residence in the election district or as to any alleged violation of the laws of this Commonwealth prohibiting betting or bribery at elections and if challenged as to identity or residence he shall produce at least one qualified electors of the election district as a witness who shall make affidavit of his identity or continued residence in the election district and shall produce such other evidence as may be required to satisfy the election officers of his identity or continued residence in the election district and if challenged as to betting he shall produce proof that he has not made any bet or wager on the result of the election or is not interested therein and if challenged as to bribery he shall be required to swear or affirm that the matter of the challenge is untrue before his vote shall be received

(f) The county commissioners shall cause to be printed for each election district a suitable number of Voter's Certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows

Voter's Certificate

(Primary) (Election) .....19....

I hereby certify that I am qualified to vote at this (primary) (election)

Signature .....

Address .....

Pennsylvania

Approved .....

Number of stub of ballot issued (or number of admission to voting machines) (and party at primary)

The voter's certificates shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the county commissioners After a voter's certificate has been presented by an elector and has been compared with his signature in the district register and approved or in the case of an elector who is unable to write the notations hereinabove required have been made thereon

one of the election officers who made the comparison shall sign his name or initials thereon and if the elector's signature is not readily legible shall print such elector's name over his signature and after the elector has been admitted to vote the number of the stub of the ballot issued to him or under his number in the order of admission to the voting machines and at primaries a letter or abbreviation designating the party in whose primary he votes shall be entered on his voter's certificate and the same shall thereupon be inserted in the file or binder One such file or binder shall be furnished for each election district for each primary and election and shall have printed or written thereon the words "List of Voters" and the name of the district and date of the primary or election and the said voter's certificates so bound shall in such city constitute the numbered list of voters heretofore required by law to be kept in duplicate by the clerks of election All voter's certificates prepared by persons applying to vote whose applications to vote are refused by the election officers shall be carefully preserved and returned to the commission with the list of voters

(g) The district register hereby provided for shall be used at each election and primary in such city by the election officers in the place of the two registers known as the ballot check list and voting check list heretofore required by law As each voter is found to be qualified and votes the election officer in charge of the district register shall write or stamp the date of the election or primary and sign his name or initials in the proper space on the registration affidavit of such voter contained in the district register After the polls are closed the names of all electors on the district register marked or stamped as having voted shall be immediately counted and the result compared with the number of persons voting shown by the list of voters and announced and the cause of any difference ascertained if possible before the ballot box or voting machine is opened The list of voters and the district register shall be immediately sealed in envelopes and shall be returned to the custody of the registration commission by the judge of election before noon on the day following the election or primary

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 36, page 37, line 9, by striking out the words LIST OF VOTERS and inserting in lieu thereof VOTING CHECK LIST; also page 37, line 11, by striking out LIST OF VOTERS and inserting in lieu thereof VOTING CHECK LISTS; also Amend section 36, page 37, line 17, by striking out identification and inserting in lieu thereof identification; also page 41, line 7, by striking out "List of Voters" and inserting in lieu thereof Voting Check List; also line 9, by striking out in such city; also lines 10, 11 and 12, by striking out numbered list of voters heretofore required by law to be kept in duplicate by the clerks of election and inserting in lieu thereof voting check list of the district; also line 15, by inserting after "tho" and before "list" voting check; also line 15, by striking out of voters; also line 16, 17, 18, 19, by striking out hereby provided for shall be used at each election and primary in such city by the election officers in the place of the two registers known as and inserting in lieu thereof shall constitute; also lines 19 and 20 by striking out and voting check list heretofore required by law and inserting in lieu thereof of the district; also page 42, line 1 by inserting after the word "the" voting check; also, line 1, by inserting after the word "list" and numbered lists, also line 4, by inserting after the word "register and the voting check list."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirty-seventh section of the bill was read as follows:

Section 37 ENTRY OF INFORMATION IN GENERAL REGISTERS FOLLOWING ELECTIONS AND PRIMARIES REPORT OF INDICATIONS OF FRAUD TO DISTRICT ATTORNEY (a) Immediately following each election or primary the commission shall cause each district register to be examined and shall enter the date of the election or primary in the proper space on the registration affidavits in the general register of each elector whom the district register indicates as having voted

(b) In the case of any elector whom the election officers shall have recorded as removed deceased or challenged and prevented from voting the commission shall ascertain the facts and shall correct the general and district registers in accordance therewith

(c) The commission specifically shall compare the signature of each elector on each voter's certificate with his signature in the district register and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of voter's certificates and registers hereby prescribed

On the question,

Will the Senate agree to the section?

Mr. FRAZIER. Mr. President, I move to amend section 37, page 42, by inserting after line 28, (d) whenever the registration affidavits of any registered elector shall have been entirely filled up so that the entries required to be made thereon by this Act can no longer be made the Commission shall have prepared and attached to such registration affidavits in each register a supplemental card Each supplemental card shall be printed in a color different from the registration affidavits. It shall have the same serial number as the registration affidavit followed by the letter "A" "B" etc according to the number of supplemental cards attached to each registration affidavit Each supplemental card shall have space thereon for the entry of the surname of the registered elector, his Christian name or names, the street and number of his residence, the ward and election district in which he resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal the date of each election and primary at which the elector votes and the signature or initials of the election officer who enters the record of voting on the card Each supplemental card shall be attached to the registration affidavit to which it relates by permanent fasteners in such a manner that the contents of the registration affidavit may be examined and the entries required by this Act may be made on the supplemental card Whenever supplemental cards are attached to the registration affidavit of any elector the registration affidavit shall be stamped with the words "Supplemental cards attached" together with the date thereof

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirty-eighth section of the bill was read as follows and agreed to.

Section 38 CANCELLATION OF REGISTRATION UPON FAILURE TO VOTE WITHIN FOUR YEARS REQUEST FOR REINSTATEHENT Within three months after the general election held in the year one thousand nine hundred and thirty-eight and within three months after each general and

municipal election thereafter the registration commission shall cause all of the district registers to be examined and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of four years immediately preceding the commission shall send to such elector by mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has not voted within a period of four years and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration setting forth his place of residence and signed by him At the expiration of the time specified in the notice and after publication of the infomation contained in the notice mailed as aforesaid at least one time in at least one newspaper of general circulation published in the city the commission shall cancel the registration of such elector unless he has filed with the commissioin a signed request for reinstatement of his registration as above provided Provided That the cancellation of the registration of any such elector for failure to vote within a period of four years not affect the right of any such elector to subsequently re-register by personal application to the commission or a commissioner or a registrar in the manner provided by this act

Mr. FRAZIER. Mr. President, I move to amend section 38, page 43, line 4, by striking out "general" and inserting in lieu thereof "municipal"; also line 5, by striking out "thirty-eight" and inserting in lieu thereof "thirty-seven."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirty-ninth to forty-fifth inclusive sections of the bill were read as follows and agreed to

Section 39 CANCELLATIONS REMOVAL AND PRESERVATION OF REGISTRATION AFFIDAVITS Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration affidavits of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such affidavit shall be kept for five years after which the commission may destroy it

Section 40 APPEALS TO COURT TIME OR HEARING NOTICE POSTPONEMENT HEARING DECISION OF COURT COSTS AND FEES (a) Any person whose claim for registration has been denied by the commission or whose name although previous registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of the city whose rights are impaired by any general order made by the commission not including registration of particular names by the commission on personal application made to it as aforesaid or refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper court of common pleas not later than the fourth day preceding any election or primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief and thereupon any judge of the said court may fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the counsel for the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court and proof of notice or the waiver thereof must be filed therein

(b) Any judge of said court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary and at the time so fixed the court or any judge thereof assigned for the purpose shall hear all the witnesses and other evidence that may be offered unless the issue can be decided in some other manner by agreement of the parties concerned

(c) If after any such public hearing the said court shall find that an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed

(d) The said court may compel the appellant or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner

Section 41 PRODUCTION OF DOCUMENTS ET CETERA AT APPEALS At the written request of any person taking an appeal from any action or order of a commission as aforesaid the commission shall produce at the hearing thereof any petition register or other record in its custody relevant to the issue involved but the commission shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so

Section 42 SUBPOENAS AND WITNESS FEES (a) Any person filing any petition of any kind aforesaid with a commission or opposing same shall have the privilege of having subpoenas issued by the commission to compel the attendance of witnesses upon condition that all witnesses so subpoenaed shall be paid two dollars and fifty cents each per day as witness fees in the manner herein provided

(b) The commission on its own motion may subpoena witnesses including registrars each of whom shall also be entitled to daily witness fees at the rate aforesaid to be paid out of any money to be provided for the purpose to the commission by the appropriating authority of the county in the same manner as other necessary expenses of such commission are to be provided for

(c) All subpoenas shall be in substantially the same form and shall have the same force and effect as subpoenas now issued by a court of common pleas and the commission shall have the benefit of the process of said courts if necessary to enforce any subpoena issued by such commission

(d) No subpoena shall be issued for the benefit of any person other than the commission until he shall have paid the commission a fee of twenty-five cents for issuing the same and deposited with said commission one day's witness fees for each witness to be summoned thereby whose names shall be given to the commission and entered by it in such subpoena and among the records of the commission and no such subpoena shall be of any virtue to require the further attendance of any witness after the day mentioned therein unless the hearing be postponed or continued by the commission and unless before four o'clock post meridian of said day the person for whose benefit it be issued shall have deposited with the said commission an additional day's witness fees fo reach witness whose further attendance is desired As soon as convenient after any hearing is concluded (or postponed or continued) on any day the commisison shall disburse the fees deposited with it by any person aforesaid among those witnesses who have appeared in response to subpoenas issued as aforesaid and shall return to the person who deposited the same any fees deposited for others who did not attend and shall also pay like fees to any summoned by the commission as aforesaid taking their receipts therefor so long as there are sufficient funds available for such payments

(e) The commission shall pay over to the county treasurer all fees received for subpoenas and the accounts of such commission respecting disbursements of witness fees out of appropriations made to such commission by the appropriating authority of the county shall be subject to audit from time to time by the county controller

Section 43 CRIMES AND PENALTIES (a) Any person who wilfully disobeys a lawful order of the commission or refuses to obey its subpoena duly issued and served under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars

(b) Any wilful false statement made under oath or in writing stating that it is so made although such oath may not have actually been made by any person regarding any material matter or thing relating to any subject being investigated heard or acted upon by any registrar commissioner judge watcher inspector of registration court or commission by virtue of this act shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(c) Any registrar or commissioner who knowingly registers or permits to be registered a person not lawfully entitled to be registered or who without reasonable cause refuses to register a person entitled to be registered or knowingly assists in preventing such person from being registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(d) Any person who applies for registration knowing or having reason to know that he is not entitled to be registered or who falsely personates another in an application for registration or who knowingly offers false naturalization papers to establish his claim to be registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(e) Any registrar commissioner or assistant or employe of a commission who inserts or intentionally permits to be inserted a name or other entries in any registration card without a proper application in person on the part of the person registered or without requiring the proper evidence of the right of the applicant to be registered or who materially alters any registration card after the entries have been made except upon an order of the court of common pleas or of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(f) Any election officer who knowingly refuses the vote of a duly registered and qualified elector or who knowingly accepts the vote of a person not registered in accordance with the provisions of this act except that of a person in actual military or naval service as aforesaid or a person having an order of court as aforesaid or who knowingly receives a vote from a person falsely claiming to be a registered voter shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(g) Any commissioner registrar inspector of registration or other officer assistant or employe upon whom a duty is laid by this act who shall wilfully neglect or refuse to perform his said duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than 2) years

(h) Any person who inserts or intentionally permits to be inserted any name or material entry in any registration card street list affidavit petition subpoena certificate report or other record authorized or required by this act to be made or prepared for any purpose herein mentioned except in accordance herewith or who materially alters or destroys an entry which has been duly made therein except as herein provided or who takes and removes any such book paper card or other record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspected or copied as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(i) Any person who neglects or refuses to furnish any commission or commissioner or to any inspector of registration any report or information which they or he are herein authorized to receive or obtain or to exhibit any records papers or documents herein authorized to be inspected by them or him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(j) Any constable policeman sheriff or other peace or police officer or deputy or subordinate thereof who shall fail upon demand of any commissioner or inspector of registration to render such aid and assistance to him as he shall demand in the maintenance of peace and in the making of arrests without warrant as herein provided or who shall wilfully hinder or delay or attempt to hinder or delay any commissioner or inspector of registration in the performance of any duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(k) Any person who intentionally interfers with hinders or delays any other person in the performance of any act or duty authorized or imposed herein shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars

Section 44 EFFECTIVE DATE PARTIAL INVALIDITY LEGISLATIVE INTENT (a) Except as otherwise provided herein this act shall be in force and take effect from and after the first day of June one thousand nine hundred and thirty-four

(b) It is the intent of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effective as completely as if the part or parts held unconstitutional had not been included herein

Section 45 REPEAL OF PRIOR LAW PROVISO (a) The following acts of Assembly and parts of acts and any amendments and supplements thereto are hereby repealed absolutely

(1) An act entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualifications terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the ledgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registers shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars of said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges pro-

thonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith" approved July tenth one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven)

(2) An act entitled "An act to amend part of section thirteen of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and fifty-seven) entitled 'An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissioners therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsels fixing their qualifications terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registers shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars to said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith" approved April twenty-sixth one thousand nine hundred and twenty-one (Pamphlet Laws two hundred ninety-two)

(3) An act entitled "An act to amend section forty-three of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven) entitled 'An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualification terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registrars shall be used at elections and primaries compelling the attendance of witness and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars to said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violation thereof and repealing all legislation inconsistent herewith' so as to increase the maximum compensation to be paid to the chief clerk of the registration commission" approved May twentieth one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred ninety-four)

(4) An act entitled "An act to amend the last two paragraphs of section thirteen of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven) entitled 'An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualifications terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to super-

vise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registers shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars to said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith'" approved April eleventh one thousand nine hundred and twenty-nine (Pamphlet Laws four hundred eighty-three)

(b) The following acts of Assembly and parts of acts are hereby repealed in so far as they apply in or relate to the assessment registration or enrollment of voters in cities of the first class

(1) Section fifty-nine of an act entitled "An act regulating to the Elections of this Commonwealth" approved July second one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred nineteen)

(2) Sections one two three fifteen and nineteen of an act entitled "A further supplement to the act regulating elections in this Commonwealth" approved January thirtieth one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one)

(3) Section one of an act entitled "An act declaratory of and amending the act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four" approved February thirteenth one thousand eight hundred and seventy-four (Pamphlet Laws forty-four)

(4) An act entitled "An act to amend sections one two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four changing the time and manner of making the registry of voters and the duties of registry assessors" approved May twenty-ninth one thousand eight hundred and ninety-one (Pamphlet Laws one hundred thirty-four)

(5) An act entitled "An act to authorize the election of assistant assessor for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" approved June sixteenth one thousand eight hundred and ninety-one (Pamphlet Laws two hundred ninety-eight)

(6) An act entitled "An act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four as amended by the act of May twenty-ninth one thousand eight hundred and ninety-one fixing the place at which the assessors shall sit to perform the duties imposed upon them by the second section of the said supplement of May twenty-ninth one thousand eight hundred and ninety-one in all voting districts or precincts in this Commonwealth where temporary voting places are or may be established" approved June twelfth one thousand eight hundred and ninety-three (Pamphlet Laws four hundred fifty-five)

(7) An act entitled "An act to amend sections two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the twenty-ninth day of May one thousand eight hundred and ninety-one changing the time and manner of making the registry of voters and the duties of registry assessors" approved May sixteenth one thousand eight hundred and ninety-five (Pamphlet Laws seventy-five)

(8) An act entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of assessors and registry assessors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers wilfully permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket" approved July twenty-fifth one thousand nine hundred and thirteen (Pamphlet Laws one thousand forty-three)

(c) All other acts or parts of acts of Assembly in conflict or inconsistent with this act or any part hereof are hereby repealed so far as they are inconsistent herewith

(d) Provided That the provisions of this act shall not affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of such acts so repealed respecting any act done or omitted prior to such repeal

The title of the bill was read as follows

An Act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries, and the challenge and proof of qualifications of electors; prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration, commissions, election officers, municipal officers, department and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners peace officers, county treasurers county controllers, registrars of vital statistics, persons, firms and corporations operating vehicles for moving furniture and household goods, and boards of school directors, and imposing penalties.

On the question,

Will the Senate agree to the title?

Mr. FRAZIER. Mr. President, I move to amend the title of the act by striking out after the word "statistics" and before the word "and" the following words "[persons firms and corporations operating vehicles for moving furniture and household goods]."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGE

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 19

The Clerk of the House of Representatives being introduced presented communication from the House of Repre-

sentatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, December 18, 1933.

Resolved (if the House of Representatives concur) That Senate Bill No. 19, entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers department and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties" be recalled from the Governor for the purpose of amendment.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for one hour.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. NORTON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection, The Chair hears none.

Mr. NORTON, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 134 (House Bill No. 192), entitled:

An act making appropriations out of the State Stores Fund to the Department of Welfare for pensions for the blind and for the administration of the distribution of such pensions.

Mr. OWLETT.. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection, The Chair hears none.

Mr. OWLETT, from the Committee on Finance, re-reported as amended, Senate Bill No. 1, entitled:

An Act authorizing the Governor to accept funds from agencies of the Federal Government appropriating such funds for construction of public works for the Commonwealth and providing for repayment to the Federal Government of part of such funds with interest upon certain conditions and making an appropriation for such repayment.

Mr. SHAPIRO. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection, The Chair hears none.

Mr. SHAPIRO. from the committee on Banks and Building and Loan [illegible]ciation re-reported as amended, Senate Bill No. 126, [illegible]:

An act to amend sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession and conducting or liquidating the business and property of of corporations, associations and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan associations, providing for the payment of the expenses of the Department of Banking by supervised corporations, associations or persons and appropriating the Banking Department Fund, authorizing the Department of Banking under certain circumstances to examine corporations, associations or persons affiliated or having business transactions with supervised corporations, associations or persons, authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions and officers, authorizing certain local public officers and State departments to collect fees for services rendered under this act, providing penalties, and repealing certain acts and parts of acts" by further limiting the exemption of certain private bankers and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision.

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 154 (House Bill No. 177), entitled:

An Act providing that one-third of the cost of the board of revision of taxes and of the assessors other than personal property assessors in counties of the first class shall be paid by the school district coextensive therewith.

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection, The Chair hears none.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Marie M. Ambill, Pittsburgh, 21st and Railroad Sts.
Eugene Mehrlich, Millvale.
Miss Ruth S. Miller, Pittsburgh, 1400 Benedum-Trees Bldg.
Miss Edith Shontz, Tarentum.

LAWRENCE COUNTY

Miss Elizabeth Connelly, New Castle.

LEHIGH COUNTY

Miss Kathryn M. Fogel, Allentown.

PHILADELPHIA COUNTY

D. S. Paterson, Philadelphia, 4737 Chestnut St.

GIFFORD PINCHOT.

MEMBERS OF THE BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF ALLEGHENY COUNTY

(Mrs.) Hilda Gundelfinger Henrici, Coraopolis, from August 10, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Rose Danahey, Pittsburgh, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Minnie Buckley Jackson, Pittsburgh, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

GIFFORD PINCHOT.

JUSTICE OF THE PEACE
ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 11, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

Frank J. Blair, of Columbia, Lancaster County, as Justice of the Peace in the Borough of Columbia, Lancaster County, vice Bruner B. Stevenson, deceased, until the first Monday in January, 1934.

Lyle W. Orr, of Erie, Erie County, as Alderman of the 4th Ward of the City of Erie, vice Edward Shugart, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and that the Senate do now resolve itself into Executive Session for the purpose of acting upon foregoing nomination.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. FAY. Mr. President, I move that the Executive Session do now rise.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection. The Chair hears none.

Mr. SNYDER, from the Committee on Law and Order, reported as amended, Senate Bill No. 109 (House Bill No. 94), entitled:

An Act to repeal the act approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (P. L. 34), entitled, "An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws."

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection. The Chair hears none.

Mr. STAUDENMEIER, from the Committee on Law and Order, reported, amended, the following Resolution, which was laid on the table:

In the House of Representatives, December 12, 1933.

Whereas New Year's Day a legal holiday falls for the year one thousand nine hundred and thirty-four on Monday and

Whereas New Year's Eve is generally celebrated throughout the State by people awaiting the advent of the New Year and

Whereas The sale of liquor is allowed by the Pennsylvania Liquor Control Act only from seven o'clock ante meridian of any week day until two o'clock of the following week day and is prohibited on Sunday therefore be it

Resolved (if the Senate concur) That it is the sense of the General Assembly that persons licensed to sell liquor for consumption on the premises where sold shall be permitted to sell such liquors between the hours of twelve o'clock midnight and two o'clock ante meridian on Monday January first one thousand nine hundred and thirty-four and that no licensee shall be penalized or his or her license revoked for the sale of liquors on said day between the hours specified in this resolution

Resolved That a copy of this resolution be transmitted to the Pennsylvania Liquor Control Board by the acting Chief Clerk of the House of Representatives

BILLS INTRODUCED

Mr. SORDONI. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection. The Chair hears none.

Mr. SORDONI read in his place and presented to the Chair Senate Bill No. 170, entitled:

An Act to amend the act approved the fifteenth day of May, one thousand nine hundred and thirty-three, (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by adding thereto a new section; authorizing banks, banks and trust companies, and trust companies to engage in the business of loaning money in sums of not more than three hundred dollars to persons pressed by lack of funds to meet immediate necessities.

Which was committed to the Committee on Banks and Building and Loan Associations.

Also read in his place and presented to the Chair Senate Bill No. 171, entitled:

An Act to amend section two of the act approved the seventeenth day of June, one thousand nine hundred and fifteen, (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of

this act," as amended; reducing the rate of interest which may be legally charged on such loans.

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. STAUDENMEIER. Mr. President, I move that the Senate do now proceed to the consideration of House Resolution reported from the Committee on Public Printing on December 12th.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The resolution was read as follows:

5,000 COPIES OF THE GENERAL BOROUGH ACT TO BE PRINTED BY LEGISLATIVE REFERENCE BUREAU

In the House of Representatives, December 4, 1933.

Resolved (if the Senate concur), That the Legislative Referenec Bureau is hereby directed to have printed, as a legislative document, five thousand copies of the General Borough Act of May 4, 1927, P. L. 519, with all amendments thereto, to be distributed and sold by the Division of Documents of the Department of Property and Supplies in the manner provided by law.

RESOLUTION RECOMMITTED

Mr. STAUDENMEIER. Mr. President, I move that the resolution just read be recommitted to the Committee on Public Printing for the purpose of amendment.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE

SUITABLE EMPLOYMENT FOR PHYSICALLY HANDICAPPED PERSONS TO BE CONSIDERED.

The Clerk of the House or Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Judiciary General:

In the House of Representatives, December 4, 1933.

Urging that a suitable part of public employment be given to physically handicapped persons.

Whereas, The employment of crippled and other physically handicapped persons in tasks which they are competent to perform is in accord with a wise social economy and was so recognized by the State of Pennsylvania in 1919 when it led other States of the Union in establishing a Division for the Vocational rehabilitation and placement of Disabled Persons and

Whereas, In recent years the tendency to discriminate against the employment of physically handicapped persons has been increasing as a result of certain general industrial policies rather than diminishing as a social good requires and

Whereas, A greater recognition of the physically handicapped in public employment would be beneficial both as an equitable course in itself and as setting an example for private industry and business.

Now Therefore Be It Resolved, By the House of Representatives of the State of Pennsylvania the Senate concurring that the appointing authorities in every State Department and in every county, city and town be urged to give consideration to the suitable employment of crippled and other physically handicapped persons to the end that a fair proportion shall be represented in public employment and that all rules and policies in conflict therewith be revised.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 56 entiled:

An Act to amend sections one thousand seven hundred and seventy-six two thousand one hundred and twelve and two thousand one hundred and forty-one of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" lengthening the time for which assessment bonds for street and sewer improvements may be issued regulating notice where sewer-works are constructed without the limits of a borough

Whereupon,

The PRESIDENT (Lieutenant Governor C. Shannon) in the presence of the Senate signed the same.

MOTION TO READ BILLS THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 109 (House Bill No. 94), entitled:

An Act to repeal the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 129 (House Bill No. 97), entitled:

An Act authorizing officers, departments, boards, and commissions of any political subdivision of the Commonwealth, and cities, counties, boroughs, incorporated towns, townships, school districts, to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 133 (House Bill No. 190), entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the state line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for

the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same; and relieving said Townships or Counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town, petitions providing for percentage of cost of improvement or repairs to be paid by state, county, township, borough or incorporated towns and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, any kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not effected by provisions of this act," as amended, by providing for the payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 142 (House Bill No. 73), entitled:

An Act to regulate the sale and delivery of coal coke petroleum coke briquettes and other solid fuels providing for the appointment of public weighmasters prescribing their powers and duties imposing certain duties on the Department of Internals Affairs and providing penalties

And said bill having been read at length the first time,

Ordered, To be lai daside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 154 (House Bill No. 177), entitled:

An Act providing that one-third of the cost of the board of revision of taxes and of the assessors other than personal property assessros in counties of the first class shall be paid by the school district coextensive therewith.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House of Representatives as follows:

House Bill No. 65 (Senate Bill No. 172), entitled:

An Act requiring all deputy sheriffs to be paid by the counties in which they are employed; prohibiting all contracts and agreement for repayment or reimbursement to any county or the sheriff thereof by any persons, copartnership, association or corporation of compensation to such deputy sheriffs; and fixing penalties.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 66 (Senate Bill No. 173), entitled:

An Act for the relief of financially distressed taxpayers; providing for the payment in installments of delinquent county, city, borough, incorporated town, township, school and poor taxes in certain cases, and abating additional penalties and interest thereon.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 109 (Senate Bill No. 174), entitled:

An act to amend section one of the act, approved the twenty-sixth day of August, one thousand nine hundred and thirty-two (P. L. 100), entitled "An act authorizing the abatement of penalties on local taxes," as amended, by providing for the extension of time during which such abatements may be allowed.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 138 (Senate Bill No. 175), entitled:

An Act to further amend clause (e) of section three hundred and six of the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled "Workmen's Compensation Act of 1915," by permitting the extension of time for hospitalization to ninety days at the option of the employer or insurer; and fixing the date when this act becomes effective.

Which was committed to the Committee on Judiciary General.

House Bill No. 174 (Senate Bill No. 176), entitled:

An Act authorizing the county commissioners of the several counties to secure from Federal agencies funds for the erection and acquisition of bridges.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 181 (Senate Bill No. 177), entitled:

An Act to amend section five hundred and twenty-four, as amended, and section five hundred and twenty-five, of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "Public School Code" by providing that in school districts of the first class, taxes for school purposes shall be assessed and collected in the same manner, at the same proportional rates upon the several classes of property, and with the same exemptions as the municipal taxes for the municipality comprising the respective school districts.

Which was committed to the Committee on Education.

House Bill No. 191 (Senate Bill No. 178), entitled:

An Act to amend section one of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 237), entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two, and validating the liens of such taxes," further extending the period for such returns and providing for returns for the year one thousand nine hundred and thirty-three.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 212 (Senate Bill No. 179), entitled:

An Act to amend section two hundred and four of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers and banking corporations with or without fiduciary powers including the conversion of national banks into State banks and for the licensing of private bankers; defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business, with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporations conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers; imposing penalties; and repealing certain acts and parts of acts;" regulating the establishment and maintenance of branch banks offices and agencies

Which was committed to the Committee on Banks and Building and Loan Association.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL NO. 31

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 31, entitled:

An Act for the acquisition of property by the Commonwealth east of the Soldiers' and Sailors' Memorial Bridge in the city of Harrisburg, and making an appropriation.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO 34

An Act to repeal the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-six) entitled "Industrial Police Law."

with the information that the ouse has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 41

He also returned to the Senate, Senate Bill No. 41, entitled:

An Act making an appropriation for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the municipal election held in November one thousand nine hundred and thirty-three.

Referred to the Committee on Appropriation, November 20, with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 62

He also returned to the Senate, Senate Bill No. 62, entitled:

A Supplement to act number three hundred-A, approved the third day of June, one housand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Department of the Commonwealth, interest on the public debt, and the support of the public schools, for two years begining June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," by making additional appropriations to certain administrative departments.

with the information that the House has passed the same without amendment.

ADJOURNMENT

Mr. SCOTT. Mr. President. I move that the Senate do now adjourn until tomorrow morning at 10:30 o'clock.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed.

The Senate adjourned at 11:55 P. M. until Tuesday morning, December 19, 1933, at 10:30 o'clock, A. M.

HOUSE OF REPRESENTATIVES

MONDAY, December 18, 1933

The House met at 9.00 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

O God, our Heavenly Father, let Thy light shine upon our lives; strengthen us by Thy spirit. We long for a deeper understanding of life, and the power to use, to its utmost capacity, that which has been given us. In this moment of worship, reveal Thyself to us, that we may proceed, strengthened and refreshed, more nearly equal to the tasks of this week.

If failure and disappointment have numbed the energies of any member of the House, may he recall the noble lives of those who, in every age have thought not of their own gain but have given themselves unsparingly to the life of the people.

In grateful recognition of the inspiration Thou hast given us throughout this session, and in assurance of Thy constant assistance, we commit our lives, our aspirations and our Commonwealth to Thee. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, December 14, 1933.

The Clerk proceeded to read the Journal of Thursday, December 14, 1933, when, on motion of Mr. Simon, the further reading was dispensed with and the Journal approved.

COMMUNICATIONS

The SPEAKER laid before the House the following communications which were read by the Clerk:

URGING PASSAGE OF HOUSE BILLS AFFECTING TAXPAYERS

Dauphin County Taxpayers Association.

Referred to the Committee on Judiciary General.

URGING EXEMPTION OF INDUSTRIAL ALCOHOL FROM TAXATION

American Perfumer and Essential Oil Review.

Referred to the Committee on Judiciary General.

URGING INCREASE OF UNEMPLOYMENT RELIEF

United Mine Workers of America, Local 1190.
Referred to the Committee on Appropriations.

FAVORING INCREASE OF SCHOOL APPROPRIATIONS

Chester Public Schools.
Referred to the Committee on Education.

LEAVES OF ABSENCE

Mr. MUMFORD asked and obtained leave of absence for Mr. Wheeler for the balance of the week.

Mr. RUTH asked and obtained leave of absence for Mr. Sarig for today on account of illness.

Mr. BRENNAN asked and obtained leave of absence for Mr. Lose on account of illness.

The SPEAKER. The Chair is in receipt of a telegram from the gentleman from McKean, Mr. Wilson, for leave of absence for the balance of the day. If there is no objection leave will be granted. The Chair hears none.

REPORTS FROM COMMITTEES

Mr. PETERS, from the Committee on Highways, reported as committed, House Bill No. 239 (Senate Bill No. 27), entitled:

An Act providing for the construction of a tunnel or tunnels between the State of New Jersey and the Commonwealth of Pennsylvania under the Delaware River and the issuance of permits therefor.

Mr. NOTHNAGLE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 242 (Senate Bill No. 115), entitled:

An Act authorizing counties, cities, boroughs, townships, incorporated towns and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds, and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding, and limiting any compensation payable therefor.

BILLS ON FIRST READING

Mr. PETERS asked and obtained unanimous consent for House Bill No. 239 (Senate Bill No. 27), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 239 (Senate Bill No. 27), entitled:

An Act providing for the construction of a tunnel or tunnels between the State of New Jersey and the Commonwealth of Pennsylvania under the Delaware River and the issuance of permits therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. NOTHNAGLE asked and obtained unanimous consent for House Bill No. 242 (Senate Bill No. 115), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 242 (Senate Bill No. 115), entitled:

An Act authorizing counties cities boroughs townships incorporated towns and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding and limiting any compensation payable therefor

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RESOLUTIONS

URGING ADOPTION OF CONGRESS OF RECOMMENDATIONS OF INTERSTATE COMMISSION ON CONFLICTING TAXATION

Mr. PHILIP STERLING offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 18, 1933.

Whereas, There is grave danger that the anticipated benefits of repeal will be destroyed by unrestrained and competitive taxation of alcoholic beverages by the federal government and by the governments of the states, counties and cities, and

Whereas, The imposition by the federal government of taxes or other imposts on alcoholic beverages without regard to similar burdens imposed by the states, counties and cities may result in a combined load of taxation so heavy as to encourage illicit traffic in those beverages, and

Whereas, Before federal prohibition the states, counties and cities depended on liquor taxes and license fees for a substantial proportion of their tax revenues, thus lightening the load of taxation on real property, and

Whereas, If liquor taxes are again to carry a reasonable share of the state and local tax burden, it is essential that the taxation of alcoholic beverages by the federal government be not excessive, and

Whereas, There is graves danger that unless immediate action is taken by the states, counties and cities in establishing a line of communication with the federal government through such bodies as the Interstate Assembly and the Interstate Commission on Conflicting Taxation, the opportunity to secure a fair division of liquor tax revenues will be lost; Now, Therefore, Be it resolved that Congress be urged to adopt the recommendations formulated by the Interstate Commission on Conflicting Taxation at a meeting in Washington, D. C., November 10-11, 1933, and ratified by the Interstate Assembly, which provide that, of the combined gross revenues from the liquor traffic derived by the federal and state governments from all sources, one-half should inure to the benefit of the states and their localities and the remaining half should be retained by the federal government.

Be It Further Resolved, That the President of the United States be respectfully urged and requested to approve any bill embodying the principles of the above recommendations in order that the provisions thereof may become effective at an early date; and

Be It Further Resolved, That a certified copy of this Joint Resolution be sent to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, and to each of the members of the Congressional Delegation of this state.

DEMANDING MOTOR AGENCIES BE GIVEN PERMISSION TO BID

Mr. NOTHNAGLE offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 18, 1933.

Whereas, The Ford Motor Company is one of the important industries of the State as the following statistics show:

(a) It paid out in wages at its Chester plant alone, $2,394,000 during the year 1933 not including the month of December;

(b) It pays a capital stock tax to the State of approximately $8.500 a year;

(c) It pays a real estate tax to local government in excess of $75,000 a year;

(d) It pays taxes on liquid fuels of about $30,000 a year;

(e) It employs, directly at the present time, approximately 3,000 persons in this State;

(f) It has 500 authorized dealers in the State employing approximately 3,000 employes;

(g) It purchases parts and supplies from 240 different manufacturers in this State; and

Whereas, The Ford Motor Company has complied fully with the National Recovery Act, as is best evidenced by the recent purchases of its products by agencies of the Federal Government; and

Whereas, The agencies representing the Ford Motor Company have recently been unable to do any business with the Commonwealth, not by reason of inability to meet specifications contained in requests for bids, but for the reason that makes of cars have been specified, and the products of the Ford Motor Company have seemingly been discriminated against by being omitted from said specifications, although the Ford Motor Company products come in the same class as, and in direct competition with, those set forth in the specifications; and

Whereas, The Ford Motor Company is the only industry which maintains and operates plants in this State for the production of certain types of motor vehicles; and

Whereas, The establishment of industry in this State should at all times be encouraged and supported, therefore be it

Resolved (if the Senate concur), That it is the demand of the members of the General Assembly that agencies of the Ford Motor Company should be permitted to become bidders on motor equipment in this State when bids are requested for types of equipments similar to those manufactured by said company, to the end that Pennsylvania industry may be aided and encouraged.

Resolved, That a copy of this resolution be transmitted to the Governor, the purchasing agent of the Commonwealth, i. e., the Department of Property and Supplies and to the Department of Highways by the Acting Chief Clerk of the House.

Ordered, That the Clerk present the same to the Senate for for concurrence.

URGING COOPERATION IN FEDERAL CIVIL WORKS ADMINISTRATION SURVEYS

Mr. PHILIP STERLING offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 18, 1933.

Whereas, In the planning of future unemployment relief activities, public works programs, and other projects relating to the welfare of the citizens of Pennsylvania, it is of vital importance to obtain information and statistics regarding the extent of unemployment; and

Whereas, The Federal Civil Works Administration of Pennsylvania has indicated its approval of a State-wide unemployment census for the dual purpose of obtaining information and providing work for the unemployed; and

Whereas, The Federal Civil Works Administration has indicated its willingnes to finance such surveys from Federal Civil Works Administration funds;

Therefore, Be It Resolved (if the Senate concur), That it is the sense of the General Assembly that if the making of such survey is financed by the Federal Civil Works Administration, the people of the State should co-operate to the fullest extent to make such surveys or studies complete and accurate; and

Be It Further Resolved, That the Governor of the Commonwealth be requested to issue a proclamation calling upon all citizens to afford to the persons making such surveys or studies all information which may be requested.

Ordered, That the Clerk present the same to the Senate for concurrence.

LIMITING LIQUOR LICENSES IN DRY TERRITORY

Mr. STEVENSON offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 18, 1933.

Whereas, In many political subdivisions of the State, the electors, at the municipal election in the year 1933, voted against the grant of beverage licenses; and

Whereas, The Pennsylvania Liquor Control Act, as adopted, fails to prohibit the grant of liquor licenses in territory where the electors voted dry at the municipal election in 1933, under the beverage license law; and

Whereas, It conclusively follows that where the electors of a political subdivision voted against the grant of licenses to sell malt beverages, they are also opposed to the grant of licenses to sell spirits and wine; and

Whereas, The Pennsylvania Liquor Control Act fails to vest in the Liquor Control Board the absolute discretion to refuse to grant liquor licenses in particular territory until the electors have voted against such grant under said act, but vests discretion to refuse licenses for the reason that the applicant is not reputable or the place not a proper one; therefore be it

Resolved (if the Senate concur), That it is the sense of the General Assembly that all persons should refrain from applying for the grant of liquor licenses in territory where the electors at the election in 1933, voted against the grant of malt beverage licenses, and that where applications for licenses are so filed, that the Liquor Control Board should thoroughly investigate the person applying for the license and the place proposed to be licensed, and should not in any case grant such a license unless it is clearly of the opinion that under all the facts and circumstances it has no discretion whatever to refuse the license.

Resolved, That a copy of this resolution be transmitted to the Liquor Control Board by the acting Chief Clerk of the House of Representatives.

Ordered, That the Clerk present the same to the Senate for concurrence.

EXTENDING SYMPATHY ON DEATH OF HONORABLE JOSEPH C. RUPP

Mr. MARCKS offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and unanimously adopted by a rising vote as follows:

In the House of Representatives, December 18, 1933.

Sincerity of purpose, honesty, justice and truth were the guiding stars of Honorable Joseph C. Rupp, who departed this life on the fourteenth day of December, 1933, at the age of 85 years, 8 months and 25 days.

Honorable Joseph C. Rupp was born and reared in Upper Macungie Township in the County of Lehigh. He was educated in the common schools and graduated from the Keystone State Normal School, at Kutztown with the class of 1871. He taught school for a number of years. He was a man of talents in the political field, being elected to the office of Recorder of Deeds in 1883. In 1893 he was elected a member of the House of Representatives, in which capacity he served one term; and now

Whereas, The community where he lived has lost a sincere and loyal friend and worker, and

Whereas, His death has brought deep sorrow to all whose pleasure it was to know him, especially to his family and near kin and to those who recognized his learning, ability, and integrity, therefore be it

Resolved, That this House of Representatives extend to his family its deep and sincere sympathy, and be it further

Resolved, That this resolution be spread upon the Journal of the House, and that a copy be forwarded to the bereaved family, attested by the Speaker of the House and the Chief Clerk.

RESOLUTION No. 10

Mr. JOHN J. FLYNN. Mr. Speaker, I desire to call up at this time Resolution No. 10, Printer's No. 56.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 4, 1933.

Urging That a Suitable Part of Public Employment Be Given To Physically Handicapped Persons

Whereas The employment of crippled and other physically handicapped persons in tasks which they are competent to perform is in accord with a wise social economy and was so recognized by the State of Pennsylvania in 1919 when it led other States of the Union in establishming a Division for the Vocational rehabilitation and placement of Disabled Persons and

Whereas In recent years the tendency to discriminate against the employment of physically handicapped persons has been increasing as a result of certain general industrial policies rather than diminishing as a social good requires and

Whereas A greater recognition of the physically handicapped in public employment would be beneficial both as an equitable course in itself and as setting an example for private industry and business

Now Therefore Be It Resolved By the the House of Representatives of the State of Pennsylvania the Senate concurring that the appointing authorities in every State department and in every county city and town be urged to give consideration to the suitable employment of crippled and other physically handicapped persons to the end that a fair proportion shall be represented in public employment and that all rules and policies in conflict therewith be revised

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMISSION TO INVESTIGATE PHILADELPHIA HOSPITAL FOR MENTAL DISEASES

Mr. MALINA offered the following resolution which was twice read and laid over under the rules.

In the House of Representatives, December 18, 1933.

Whereas, It has been reported in the public press that there is a serious condition existing at the Philadelphia Hospital for Mental Diseases, commonly known as Byberry, and

Whereas, It has also been reported that patients are being shamefully abused and mistreated in that institution, and

Whereas, The Commonwealth should rightfully administer an institution of this type, therefore be it

Resolved (if the Senate concur), That a committee of three members of the House appointed by the Speaker, and two members of the Senate appointed by the President pro tempore, be empowered to investigate conditions at said hospital and report back, February 1, to the 1935 Session of the General Assembly its findings resulting from such an investigation, together with the recommendations of the advisability of the taking over by the Commonwealth of the management of this institution, and be it

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before it and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That the members of such commissions shall be reimbursed for amounts actually expended for railroad fare and hotel accommodations, and shall have the power to appoint and fix the compensation of necessary stenographers, payments for which expenses and compensation shall be made out of an item to be inserted in an amendment to the General Appropriation Bill of 1933.

URGING INCREASED APPROPRIATION TO MOTOR PATROL

Mr. WAY offered the following resolution which was twice read and laid over under the rules.

In the House of Representatives, December 18, 1933.

Whereas, The rapid improvement of the highways of the Commonwealth and the greatly increased traffic thereon has resulted in a deplorable number of accidents and a consequent loss of life and property; and

Whereas, This loss to the Commonwealth could be made less by a more thorough and continuous supervision of traffic on the highways by the Motor Patrol which within its means has in the past prevented many accidents and afforded valuable aid to those injured in collisions; and

Whereas, Many members of the Motor Patrol have been assigned to tasks other than those for which they were originally intended, thereby reducing the number available for patrol duty on the highways; and

Whereas, The necessary thorough and continuous patroling of the highways by these capable employes of the Commonwealth can only be secured by increasing the number of men to be assigned to this duty; and

Whereas, The unprecedented increase in mileage of improved highways during the past few years makes necessary such an increase, therefore be it

Resolved (if the Senate concur), That it is the opinion of this General Assembly that consideration should be given by His Excellency, the Governor, during the next budget period to allowing a substantial increase in the appropriation to be made by the Commonwealth for this purpose to the end that a sufficient number of men can be assigned for patroling the highways in order to prevent accidents and the loss of life and property attendant thereon, and be it further

Resolved, That a copy of this resolution be handed to the Governor of the Commonwealth as the recommendation of the General Assembly.

AMENDING RESOLUTION No. 83

Mr. COHEN offered the following resolution which was twice read and laid over under the rules.

In the House of Representatives, December 18, 1933.

Resolved (if the Senate concur), That the second paragraph of Resolution No. 83, Serial No. 139, House History, Session of 1933, page 286, which was adopted by the House of Representatives May 4, 1933, and by the Senate May 5, 1933, be hereby amended to read as follows:

Resolved (if the Senate concur), That the President Pro Tempore of the Senate shall appoint [three] four Senators, and the Speaker of the House of Representatives shall appoint [three] four Members of the House of Representatives, who, together, shall constitute a joint legislative committee, whose duty it shall be to investigate the affairs and records of the Insurance Department relating to casualty and fire insurance companies, to ascertain whether certain companies are permitted to do business in this Commonwealth when inadequately financed, "or otherwise operating in violation of the insurance laws of this Commonwealth," and to ascertain whether mergers or consolidations of casualty companies approved by the Department have been made in accordance with law, and whether securities withdrawn from the Treasury Department, if any, after any such merger or consolidation, have been legally withdrawn, and all matters relating to the liquidation of insurance companies and all other matters and affairs of the Insurance Department which the committee deems pertinent.

HOUSE BILL No. 39 AND COMMUNICATION TAKEN FROM TABLE

Mr. MYERS. Mr. Speaker, I move that House Bill No. 39, together with the communication from the Governor be taken from the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL NO. 39

Governor's Office, Harrisburg, December 13, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 39, Printer's No. 80, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. MYERS. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. MYERS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. MYERS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 9 of the title by inserting at the end of the line after the word "bonds" the words: "and making an appropriation."

Amend section 8, page 6, line 28 by inserting after the word "bonds" and before the word "for" the words: "and the principal thereof if any."

Amend section 8, page 7, line 9 by striking out at the end of the line after the word "appropriated" the words: "[The money so transferred shall be]."

Amend section 8, page 7 by striking out lines 10 to 13 inclusive and inserting in lieu thereof the following: "Should the moneys in the Veterans' Compensation Fund for any reason not be available for the payment of interest on the bonds or the principal thereof, if any, the funds necessary for such purpose are hereby appropriated from the General Fund and whenever any moneys are transferred from the Veterans' Compensation Fund for the payment of said interest on and principal of said bonds and such moneys are needed for the payment of compensation to veterans as provided by law, there is hereby appropriated from the General Fund a sum sufficient to restore to the Veterans' Compensation Fund the moneys so transferred."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

HOUSE BILL No. 40 AND COMMUNICATION TAKEN FROM TABLE

Mr. MYERS. Mr. Speaker, I move that House Bill No. 40, together with the communication from the Governor be taken from the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 40

Governor's Office, Harrisburg, December 13, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 40, Printer's No. 90, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. MYERS. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. MYERS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. MYERS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 1 of the title by striking out after the word "compensation" the following: "[for the residents of this Common-]."

Amend page 1, line 2 of the title by striking out at the beginning of the line before the word "who" the syllable: "[wealth]" and inserting in lieu thereof the the words: "to certain persons."

Amend page 1, line 5 of the title by inserting after the word "Guam" and before the syllable "im-" the following: "providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation."

Amend section 3, page 2, line 29 by striking out after the word "[to]" and before the word "any" the word: "[for]" and inserting in lieu thereof the word: "to."

Amend section 3, page 3, line 13 by inserting after the word "veteran" and before the word "No" the following: "except that the compensation of a veteran who died in active military service during any one of the periods as set forth in section two of the act shall be two hundred dollars."

Amend section 3, page 3, line 19 by striking out after the word "no" and before the word "veterans" the bold face bracket.

Amend section 3, page 3, line 19 by striking out after the word "veteran" and before the word "shall" the following: "[person]."

Amend section 3, page 3, line 19 by striking out after the word "shall" and before the word "be" the bold face bracket.

Amend section 3, page 3, line 19 by striking out after the word "to" and before the word "receive" the bold face bracket.

Amend section 4, page 3, line 29 by striking out after the word "detailed" and before the word "Philippine" the word: "[thereto]" and inserting in lieu thereof the words: "(to any of the foregoing)."

Amend section 7, page 5, line 15 by striking out after the word "of" and before the word "mental" the words: "[physical or]" and inserting in lieu thereof the words: "death or."

Amend section 9, page 5, by striking out lines 25 and 26.

Amend section 9, page 5, line 28 by striking out after the word "eighteen" the following: "[during any one of the periods of]."

Amend section 9, page 5, by striking out line 29.

Amend section 9, page 6, by striking out line 1.

Amend section 9, page 6, line 3 by striking out after the word "eighteen]" the word: "[two]."

Amend section 9, page 6, by striking out line 4.

Amend section 10, page 6, by striking out lines 5, 6 and 7.

Amend section 10, page 6, line 8 by striking out before the word "[wife]" the following: "[order named and none other (a) surviving]."

Amend section 10, page 6, by striking out lines 9 to 14 inclusive and inserting in lieu thereof the following sections:

"Section 9. Whenever, prior to the date of distribution of compensation under the provisions of this act, a veteran entitled thereto shall have died or become mentally incapable of receiving his or her compensation, payment shall be made by the Adjutant General:

"(a) In case of mental incapacity, to the guardian or committee, if any, of the veteran, or, if there be no guardian or committee, then to the person with whom the veteran lives;

"(b) In the case of death, to the executor or administrator of the veterans' estate, if an executor or administrator was appointed and the estate has not been settled;

"(c) In the case of death, if the veteran's estate has been settled, or if an executor or administrator was not appointed and is not necessary for the administration of any other property, to the following persons in the order named: surviving unremarried widow, or surviving minor child, or surviving minor children, share and share alike, or surviving mother, or surviving father.

"Section 10. This act is predicated upon the belief that the people, in adopting article nine, section sixteen of the Constitution authorizing a loan for the payment of compensation to certain persons who served in the military or naval forces of the United States, intended compensation to be paid for the service of veterans whether or not they be living when distribution is made. If the courts shall hold that the constitutional amendment cannot be thus construed, then compensation shall be payable out of borrowed funds to living veterans and the General Assembly hereby expresses its conviction that appropriations should be made during the next five years out of current revenues for the payment of compensation to widows, orphans, or surviving parents of deceased veterans until all payments shall have been made which are contemplated by the provisions of this act."

Amend section 11, page 7, line 2 by inserting after the word "children" the following: "and payments shall be made to such guardians or persons."

Amend section 12, page 7, line 4 by striking out after the word "to" and before the word "shall" the following: "[his or her beneficiaries as shown in section ten]" and inserting in lieu thereof the following: "any other person under this act."

Amend section 12, page 7, line 9 by striking out after the word "loan" the following: "[nor be regarded as]."

Amend section 12, page 7, by striking out line 10.

Amend section 12, page 7, line 11 by striking out before the word "Any" the following: "[made the basis of administration thereof]."

Amend section 12, page 7, line 25, by striking out after the word "than" and before the word "veteran" the article: "[the]" and inserting in lieu thereof the article: "a"

Amend section 12, page 7, line 25, by striking out after the word "or" the following: "[his or her beneficiaries as set]"

Amend section 12, page 7, line 26, by striking out before the word "representatives" the following: "[forth in section ten or such]" and inserting in lieu thereof the article: "the"

Amend section 12, page 7, line 26, by striking out after the word "of" and before the word "veteran" the article: "[the]" and inserting in lieu thereof the article: "a"

Amend section 12, page 7, line 27, by striking out after the word "as" the following "[the Adjutant General shall by regulation prescribe]" and inserting in lieu thereof the words: "in this act provided"

Amend section 15, page 9, line 3, by striking out after the word "review" the following: "[except by the Adjutant General]" and inserting in lieu thereof thefollowing: "by any court or by any other officer"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 19, 1933.

Resolved, (if the House of Representatives concur), That Senate Bill No. 19, Printer's No. 91 entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES

Mr. RECTENWALD, from the Committee on Cities, reported as committed, House Bill No. 241 (Senate Bill No. 100), entitled:

A Supplement to an act approved the seventh day of March One Thousand Nine Hundred and One (Pamphlet Laws 20) entitled "An Act for the government of cities of the second class" creating the position of Solicitor for the Department of City Comptroller.

Mr. McELWEE, from the Committee on Judiciary General, reported as committed House Bill No. 235 (Senate Bill No. 26), entitled:

An Act accepting the provisions of an Act of Congress for the establishment of a national employment system and authorizing the Department of Labor and Industry to cooperate with the Federal Employment Service under that act, and providing for the custody and disbursement of funds granted to the Commonwealth by the Federal government thereunder.

Mr. HART, from the Committee on Judiciary General, reported as committed, House Bill No. 240 (Senate Bill No. 90), entitled:

An Act relating to advertising by holders of licenses to sell liquors or malt liquors for consumption on the premises.

BILLS ON FIRST READING

Mr. RECTENWALD asked and obtained unanimous consent for House Bill No. 241 (Senate Bill No. 100) to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 241 (Senate Bill No. 100), entitled:

A Supplement to an act approved the Seventh day of March One Thousand nine hundred and one (Pamphlet Laws 20) entitled "An act for the government of cities of the second class" creating the position of Solicitor for the Department of City Controller.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Mr. McELWEE asked and obtained unanimous consent for House Bill No. 235 (Senate Bill No. 26) to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 235 (Senate Bill No. 26), entitled:

An Act accepting the provisions of an Act of Congress for the establishment of a national employment system and authorizing the Department of Labor and Industry to cooperate with the Federal Employment Service under that act, and providing for the custody and disbursement of funds granted to the Commonwealth by the Federal government thereunder.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 213, entitled:

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects; providing for the payment of damages by counties and townships as a result of relocating, widening or constructing said highways or bridges; and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 213, entitled:

An Act to plan against unemployment by establishing a Public Works Planning Board; prescribing and defining its powers and duties; granting authority to cities to create local public works planning boards and defining their powers and duties; defining the relationship of the State board to such local boards and to such cities where no such approved local boards exist on and after January first, one thousand nine hundred and thirty-seven, and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 236 (Senate Bill No. 93), entitled:

An Act to amend section ten of the act, approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eighty-four) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" regulating the refund of taxes paid on malt liquors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 228, (Senate Bill No. 42), entitled:

A Joint Resolution creating a Liquor Control Investigation Commission, defining the powers and duties of said Commission; and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 118, entitled:

An Act imposing a graduated income tax for school purposes on residents of Pennsylvania including fiduciaries and on income of non-residents derived from property or business in Pennsylvania providing for disposition of proceeds of the tax limiting the local taxes which may be levied by school districts defining taxable income and requiring filing of returns thereof providing for the withholding of the tax at source in certain cases and imposing duties on withholding agents providing methods and proceedings for determination and collection of the tax and imposition of liens therefor providing for administration of the act by the Department of Revenue authorizing that Department to make rules imposing penalties and making an appropriation for administrative costs

Sections 1, 2 and 3 were separately read and agreed to as follows:

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known as and may be cited as The Income Tax Law of 1933

Section 2 Definitions The following words and phrases when used in this act shall for the purposes of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly requires a different meaning

The word "Department" means the Department of Revenue of the Commonwealth

The word "taxpayer" includes any person trust or estate subject to a tax imposed by this article or whose income is in whole or in part subject to a tax imposed to this article and does not include corporations

The words "military or naval forces of the United States" include the marine corps the coast guard the army nurse corps female and the navy nurse corps female but this shall not be deemed to exclude other units otherwise included within such words

The words "taxable year" mean the calendar year or the fiscal year ending during such calendar year upon the basis of which the net income is computed under this article The words "fiscal year" mean an accounting period of twelve months ending on the last day of any month other than December

The word "fiduciary" means a guardian trustee executor administrator receiver conservator or any person whether in-

dividual or corporate acting in any fiduciary capacity for any person trust or estate

The word "paid" for the purposes of the deductions and credits under this article means "paid or accrued" or "paid or incurred" and the terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this article The term "received" for the purpose of the computation of net income under this article means "received or accrued" and the term "received or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this article

The word "resident" applies only to natural persons and includes for the purpos. of determining liability to the tax imposed by this article upon or with reference to the income of any taxable year any person domiciled in Pennsylvania and any other person who maintains a permanent place of abode within the State and spends in the aggregate more than seven months of the taxable year within the State

The word "dividend" means any distribution made by a corporation out of its earnings or profits to its share-holders or members whether in cash or in other property or in stock of the corporation other than stock dividends as herein defined "Stock dividends" mean new stock issued for surplus or profits capitalized to shareholders in proportion to their previous holdings

The words "foreign country" or "foreign government" mean any jurisdiction other than one embraced within the United States The words "United States" include the states the territories of Alaska and Hawaii and the District of Columbia

The words "withholding agent" include all individuals corporatiions associations and parnerships in whatever capacity acting including lessees or mortgagors of real or personal property fiduciaries employers and all officers and employes of the State or of any municipal corporation or political subdivision of the State having the control receipt custody disposal or payment of interest rent salaries wages premiums annuities compensations remunerations emoluments or other fixded or determinable annual or periodical gains profits and income taxable under this article

Section 3 Appropriation for Administration The sum of ..... is hereby appropriated to the Department of Revenue for the cost of administering the provisions of this act during the remainder of the biennium ending the first day of June one thousand nine hundred thirty-five

Section 4 was read as follows:

Section 4 Disposition of Tax Appropriation The net proceeds of the tax imposed by this act less such sums as from time to time shall be appropriated to the Department of Revenue for administration of the provisions of this act are hereby appropriated as a continuing appropriation to the Department of Public Instruction for distribution to school districts for the following purposes and in the following manner

(a) The next proceeds of the tax shall be apportioned and distributed by the Department of Public Instruction among the school districts of the Commonwealth of least once in each year in an equitable manner based on the assessed valuation of property taxable for school purposes in the respective districts

(b) No payments from the proceeds of tax imposed by this act shall be made to school districts under this section before the first day of July of the calendar year in which such tax shall be collected

(c) The moneys distributed to school districts out of net proceeds of the tax imposed by this act shall be in addition to and not in place of any other moneys which may be due or may become due to any school district from the Commonwealth or which the Commonwealth has obligated itself or shall hereafter obligate itself to pay to the several school districts as reimbursement for salaries transportation or for other specific purposes under any present or future law

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 5, line 1 by striking out at the end of the line after the word "[law] the words: "[for the]"

Amend section 4, page 5, line 2 by striking out at the beginning of the line before the word "in" the words "[following purposes and]"

Amend section 4, page 5, line 2 by inserting at the end of the line after the word "manner" the words: "and subject to the following conditions"

Amend section 4, page 5, line 6 by striking out at the end of the line after the word "in" the words: "[an equitable manner based on the]"

Amend section 4, page 5 by striking out lines 7 and 8 and inserting in lieu thereof the following: "such manner that each district shall receive an amount which bears the same proportionate relation to the total amount available for distribution as the assessed valuation of property taxable for school purposes in the district bears to the total assessed valuation of all property taxable for school purposes in all school districts of the Commonwealth as fixed by assessments for school tax purposes in effect on the first day of January of the calendar year in which a distribution is made"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Section 5 was read as follows:

Section 5 Use of Appropriations by School Districts (a) The board of directors of each school district of the first class at the time of fixing the school tax rate for each year shall reduce such taxes by an amount equal to the amount received under the provisions of this act since the first day of July of the then current calendar year plus the amount which the Department of Public Instruction with the approval of the Budget Secretary shall estimate will be so received by the district prior to the first day of July of the ensuing year as compared with the amount levied for school purposes for the year one thousand nine hundred and thirty-one

(b)) The board of directors of each school district of the second third and fourth classes at the time of fixing the school tax rate for each year shall reduce such taxes by an amount equal to the amount which the Department of Public Instruction with the approval of the Budget Secretary shall estimate will be received by the district under this act during the school year beginning on the first day of July of the year in which such tax rate is fixed as compared with the amount levied for school purposes for the school year which began on the first day of July one thousand nine hundred and thirty-one

(c) The provisions of this section shall not prevent the levy by any school district of a sufficient millage to meet requirements of interest sinking fund and repayment of debts of the district

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 5, page 5, line 22 by striking out after the figure "5" and before the word "Appropriations" the words: "[Use of]" and inserting in lieu thereof the words: "Conditions on."

Amend section 5, page 5, line 22 by striking out after the word "Appropriations" and before the word "School" the word: "[by]" and inserting in lieu thereof the word: "to."

Amend section 5, page 5, line 22 by inserting after the word "Districts" and before the letter "(a)" the words: "School dis-

tricts shall be entitled to receive moneys under this act only upon the following conditions."

Amend section 5, page 5, line 24 by inserting after the word "rate" and before the word "for" the words: "on real estate."

Amend section 5, page 6, line 2 by inserting at the end of the line after the word "amount" the words: "of tax."

Amend section 5, page 6, line 3 by inserting after the word "levied" and before the word "for" the words: "on real estate."

Amend section 5, page 6, line 3 by inserting after the word "purposes" and before the word "for"' the words: "in such district."

Amend section 5, page 6, line 6 by striking out after the word "second" and before the word "at" the words: "[third and fourth classes]" and inserting in lieu thereof the word: "class."

Amend section 5, page 6, line 7 by inserting after the word "rate" and before the word "for" the words: "on real estate."

Amend section 5, page 6, line 13 by inserting after the word "amount" and before the word "levied" the words: "of tax."

Amend section 5, page 6, line 14 by inserting after the word "levied" and before the word "for" the words: "on real estate."

Amend section 5, page 6, line 13 by inserting after the word "purposes" and before the word "for" the words: "in such district."

Amend section 5, page 6 by inserting between lines 15 and 16 the following new paragraph: "(c) The board of directors of each school district of the third and fourth classes at the time of fixing the school tax rate on real estate for each year shall reduce such taxes by an amount equal to at least one-half the amount which the Department of Public Instruction with the approval of the Budget Secretary shall estimate will be received by the district under this act during the school year beginning on the first day of July of the year in which such tax rate is fixed as compared with the amount of tax levied on real estate for school purposes in such district for the school year which began on the first day of July one thousand nine hundred and thirty-one."

Amend section 5, page 6, line 16 by striking out at the beginning of the line before the article "The"' the letter "[(c)]" and inserting in lieu thereof the letter: "(d)."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Sections 6 and 7 were separately read and agreed to as follows:

Section 6 Constitutional Construction The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision of the court as to those provisions shall not affect the validity of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included herein

Section 7 Effective Date This act shall become effective immediately upon its final enactment

Article I was read and agreed to as follows:

ARTICLE I

IMPOSITIONS OF INCOME TAX

Section 101 Imposition of Income Tax A tax is hereby imposed upon every resident of the State which tax shall be levied collected and paid annually upon and with respect to his entire net income as herein defined at rates as follows One per centum of the amount of net income not exceeding ten thousand dollars two per centum of the amount of net income in excess of ten thousand dollars but not in excess of twenty thousand dollars three per centum of the amount of net income in excess of twenty thousand dollars but not in excess of forty thousand dollars four per centum of the amount of net income in excess of forty thousand dollars but not in excess of seventy-five thousand dollars five per centum of the net income in excess of seventy-five thousand dollars but not in excess of one hundred fifty thousand dollars and six per centum of the amount of all net income in excess of one hundred fifty thousand dollars. A like tax is hereby imposed and shall be levied collected and paid annually at the rates specified in this article upon and with respect to the entire net income as herein defined except as hereinafter provided from all property owned and from every business trade profession or occupation carried on in this Statae by natural persons not residents of the State Such tax shall first be levied collected and paid in the year nineteen hundred and thirty-four upon and with respect to the taxable income for the calendar year nineteen hundred and thirty-three and for any taxable year ending during the year nineteen hundred and thirty-three.

Section 102 Partnerships Individuals carrying on business in partnerships shall be liable for income tax only in their individual capacity There shall be included in computing the net income of each partner his distributive share whether distributed or not of the net income of the partnership for the taxable year or if his net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the partnership is computed then his distributive share of the net income of the partnership for any accounting period of the partnership ending within the fiscal or calendar year upon the basis of which the partner's net income is computed Taxpayers who are members of partnerships may be required by the Department to make a return stating the gross receipts and net gains or profits of the partnership for any taxable year The net income of the partnership shall be computed in the same manner and on the same basis as provided in computing the net income of individuals except that the deduction provided in subdivision ten of section two hundred and six shall not be allowed and the personal deductions provided for in section two hundred and seven shall be allowed only to the individual partners

Section 103 Estates and Trusts 1 The tax imposed by this act shall apply to estates and trusts which tax shall be levied collected and paid annually upon and with respect to the income of estates or of any kind of property held in trust including

(a) Income received by estates of deceased persons during the period of administration or settlement of the estate

(b) Income accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests

(c) Income held for future distribution under the terms of the will or trust

(d) Income which is to be distributed to the beneficiaries periodically whether or not at regular intervals and the income collected by a guardian of an infant to be held or distributed as the court may direct and

(e) Income of an estate during the period of administration or settlement permitted by subdivision three of this section to be deducted from the net income upon which the tax is to be paid by the fiduciary

2 The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts whether such income be axable to the estate or trust or to the beneficiaries thereof The net income of an estate or trust shall be computed in the same manner and on the same basis as provided for individual taxpayers except that there shall also be allowed as a deduction any part of the gross income which pursuant to the terms of the will or deed creating the trust is paid to or held for the United States any state territory or any political subdivision thereof or the District of Columbia or any corporation or aociation organized and operated exclusively for religious charitable scientific or educational purposes or for the prevention of cruelty to children or animals no part of the net earnings of which inures to the benefit of any private stockholder or individual and in cases under paragraphs (d) and (e) of subdivision one of this section the fiduciary shall include in the return a statement of each beneficiary's distributive share of such net income whether or not distributed before the close of the taxable year for which the return is made

3 In case under paragraphs (a) (b) and (c) of subdivision one of this section the tax shall be imposed upon the estate or trust with respect to the net income of the estate or trust and shall be paid by the fiduciary except that in determining the net income of the estate of any deceased person during

the period of administration or settlement there may be deducted the amount of any income properly paid or credited to any legatee heir or other beneficiary In such cases the estate or trust shall be allowed the same personal deductions as are allowed to single persons under section two hundred and seven and in such cases an estate or trust created by a person not a resident and an estate of a person not a resident shall be subject to tax only to the extent to which individuals other than residents are liable under section two hundred and three subdivision three

4 In cases under paragraphs (d) and (e) of subdivision one of this section if the distribution of income is in the discretion of the fiduciary either as to the beneficiaries to whom payable or as to the amounts to which any beneficiary is entitled the tax shall be imposed upon the estate or trust in the manner provided in subdivision three of this section but without the deduction of any amounts of income paid or credited to any such beneficiary In all other cases under paragraphs (d) and (e) of subdivision one of this section the tax shall not be paid by the fiduciary but there shall be included in computing the net income of each beneficiary his distributive share whether distributed or not of the net income of the estate or trust for the taxable year or if his net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the estate or trust is computed then his distributive share of the net income of the estate or trust for any accounting period of such estate or trust ending within the fiscal or calendar year upon the basis of which such beneficiary's net income is computed In such cases the income of a beneficiary not a resident derived through such estate or trust shall be taxable only to the extent provided in section two hundred and three subdivision three for individuals other than residents

5 A trust created by an employer as a part of a stock pension or profit-sharing plan for the exclusive benefit of some or all of his employes to which contributions are made by such employer or employes or both for the purpose of distributing to such employes the earnings and principal of the fund accumulated by the trust in accordance with such plan shall not be taxable under this section but any amount actually distributed or made available to any distributee shall be taxable to him in the year in which so distributed or made available to the extent that it exceeds the amounts paid in by him.

6 Where any part of the income of a trust other than a testamentary trust is or may be applied to the payment of premiums upon policies of insurance on the life of the grantor (except policies of insurance irrevocably payable for the purposes and in the manner specified in subdivision ten of section two hundred and six of this article relating to the so-called "charitable contribution" deduction) or to the payment of premiums upon policies of life insurance under which the grantor is the beneficiary such part of the income of the trust shall be included in computing the net income of the grantor

Section 104 Tax a Debt Every tax imposed by this article and all increases interest and penalties thereon in addition to being a tax against property business trade profession or occupation as in this article provided shall also become from the time it is due and payable a personal debt from the person or persons liable to pay the same to the Commonwealth of Pennsylvania

Article II, sections 201 to 208 inclusive were separately read and agreed to as follows:

ARTICLE II

COMPUTATION OF THE TAX

Section 201 Net Income Defined The term "net income" means the gross income of a taxpayer less the deductions allowed by this act

Section 202 Tax Periods 1 The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayers but if no such method of accounting has been so employed or if the method employed does not clearly reflect the income the computation shall be made upon such basis and in such manner as in the opinion of the Department does clearly reflect the income If the taxpayer's annual accounting period is other than a fiscal year as defined in this act or if the taxpayer has no annual accounting period or does not keep books the net income shall be computed on the basis of the calendar year

If a taxpayer changes his accounting period from fiscal year to calendar year from calendar year to fiscal year or from one fiscal year to another the net income shall with the approval of the Department be computed on the basis of such new accounting period subject to the provisions of section four hundred and five

Section 203 Gross Income Defined The term "gross income" 1 Includes gains profits and income derived from salaries wages or compensation for personal service of whatever kind and in whatever form paid or from professions vocations trades businesses commerce or sales or dealings in property whether real or personal growing out of the ownership or use of or interest in such property also from interest rent dividends securities or the transaction of any business carried on for gain or profit and all other income derived from any source whatever including income derived through estates or trusts by the beneficiaries thereof whether as distributable shares Provided however that gross income shall not include and no tax shall be payable on gains or profits derived from any sale or exchange of real or personal property of the taxpayer not dealt in by him as a business and the transaction not being in the course of a business or trade in which he is engaged individually or as a partner The amount of all taxable items shall be included in the gross income for the taxable year in which received by the taxpayer unless under the methods of accounting permitted in this article any such amounts are to be properly accounted for as of a different period but

Does not include the following items and on which no tax shall be payable

(a) Amounts received under a life insurance contract paid by reason of the death of the insured whether in a single sum or in installments (but if such amounts are held by the insurer under an agreement to pay interest thereon the interest payments shall be included in gross income)

(b) The amount received by the insured as a return of premium or premiums paid by him under life insurance endowment or annuity contracts either during the term or at the maturity of the term mentioned in the contract or upon surrender of the contract

(c) The values of property acquired by gift bequest devise or descent (but the income from such property shall be included in gross income)

(d) Interest upon the obligations of the United States or its possessions or securities issued under the provisions of the federal farm loan act of July seventeen nineteen hundred and sixteen or bonds issued by the war finance corporation or the obligations of the Commonwealth of Pennsylvania or of any municipal corporation or political subdivision thereof

(e) Any amount received through accident or health insurance or under workmen's compensation acts as compensation for personal injuries or sickness plus the amount of any damages received whether by suit or agreement on account of such injuries or sickness or through the war risk insurance act or any law for the benefit or relief of injured or disabled members of the military or naval forces of the United States

(f) Salaries wages and other compensation received from the United States of officials or employes thereof including persons in the military or naval forces of the United States

(g) Income received by any officer of a religious denomination or by any institution or trust for moral or mental improvement religious bible tract charitable benevolent fraternal missionary hospital infirmary educational scientific literary library patriotic historical or cemetery purposes or for the enforcement of laws relating to children or animals or for two or more of such purposes if such income be used exclusively for carrying out one or more of such purposes but nothing herein shall be construed to exempt the fees stipends personal earnings or other private income of such officer or trustee

(h) The amount deducted pursuant to the income tax law of the United States from interest on a bond mortgage deed of trust or other similar obligation of a corporation containing a contract or provision by which the obligor agrees to pay any portion of the tax imposed by such law upon the obligee or to reimburse the obligee for any portion of the

tax or to pay the interest without deduction for any tax which the obligor may be required or permitted to pay thereon or to retain therefrom under any law of the United States

(i) Stock dividends when received by a shareholder shall not be subject to tax but if before or after the distribution of any such dividend the corporation proceeds to cancel or redeem its stock at such time and in such manner as to make the distribution and cancellation redemption in whole or in part essentially equivalent the distribution of a taxable dividend the amount so distributed in redemption or cancellation of the stock shall be treated as a taxable dividend and included in gross income provided however that any stock dividend shall be considered in computing gain profit or indemptioncome upon the sale exchange or other disposition in a transaction the gain or profit from which is included a gross income as herein defined of the stock upon which a stock dividend has been declared or of the stock included in such stock

3 In the case of taxpayers other than residents gross income includes only the gross income from sources within the State but shall not include annuities interest on bank deposits interest on bonds notes or other interest-bearing obligations or dividends from corporations except to the extent to which the same shall be a part of income from any business trade profession or occupation carried on in this State subject to taxation under this article

Section 204 Ascertainment of Gain and Loss 1 For the purpose of ascertaining any gain included in gross income as herein defined derived or any deductible loss sustained from the sale or other disposition of property real personal or mixed the basis shall be in case of property acquired on or after January first nineteen hundred and thirty-three the cost thereof or the inventory value if the inventory is made in accordance with this article

2 In case of property acquired prior to January first nineteen hundred and thirty-three and disposed of thereafter

(a) No profit shall be deemed to have been derived if either the cost or the fair market price or value on January first nineteen hundred and thirty-three exceeds the value realized

(b) No loss shall be deemed to have been sustained if either the cost or the fair market price or value on January first nineteen hundred and thirty-three is less than the value realized

(c) Where both the cost and the fair market price or value on January first nineteen hundred and thirty-three are less than the value realized the basis for computing profit shall be the cost or the fair market price or value on January first nineteen hundred and thirty-three whichever is higher

d) Where both the cost and the fair market price or value on January first nineteen hundred and thirty-three are in excess of the value realized the basis for computing loss shall be the cost or the fair market price or value on January first nineteen hundred and thirty-three whichever is lower

Section 205 Exchange of Property Upon the sale or exchange of property in transactions the gain or profit from which is included in gross income as herein defined the entire amount of the gain or loss determined under section two hundred and four of this act shall be recognized except as hereinafter provided in this section

1 No gain or loss shall be recognized if property held for productive use in trade or business or for investment (not including stock in trade or other property held primarily for sale nor stocks bonds notes choses in action certificates of trust or beneficial interest or other securities or evidences of indebtedness or interest) is exchanged solely for property of a like kind to be held either for productive use in trade or business or for investment or if common stock in a corporation is exchanged solely for common stock in the same corporation or if preferred stock in a corporation is exchanged solely for preferred stock in the same corporation

2 No gain or loss shall be recognized if stock or securities in a corporation a party to a reorganization are in pursuance of the plan of reorganization exchanged solely for stock or securities in such corporation or in another corporation a party to the reorganization

3 No gain or loss shall be recognized if property is transferred to a corporation by one or more persons solely in exchange for stock or securities in such corporation and immediately after the exchange such person or persons are in control of the corporation but in the case of an exchange by two or more persons this subdivision shall apply only if the amount of the stock and securities received by each is substantially in proportion to his interest in the property prior to the exchange

4 If property (as a result of its destruction in whole or in part theft or seizure or an exercise of the power of requisition or condemnation or the threat or imminence thereof) is compulsorily or involuntarily converted into property similar or related in service or use to the property so converted or into money which is forthwith in good faith under regulations prescribed by the Department expended in the acquisition of other property similar or related in service or use to the property so converted or in the acquisition of control of a corporation owning such other property or in the establishment of a replacement fund no gain or loss shall be recognized If any part of the money is not so expended the gain if any shall be so recognized but in an amount not in excess of the money which is not so expended

5 If there is distributed in pursuance of a plan of reorganization to a shareholder in a corporation a party to the reorganization stock or securities in such corporation or in another corporation a party to the reorganization without the surrender by such shareholder of stock or securities in such a corporation no gain to the distributee from the receipt of such stock or securities shall be recognized

6 If an exchange would be within the provisions of subdivision 1 2 or 3 of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such subdivision to be received without the recognition of gain but also of other property or money then the gain if any to the recipient shall be recognized but in an amount not in excess of the sum of such money and the fair market value of such other property

7 If an exchange would be within the provisions of subdivision 1 2 or 3 of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such subdivision to be received without the recognition of gain or loss but also of other property or money then no loss from the exchange shall be recognized

8 As used in this section

The term "reorganization" means (A) a merger or consolidation (including the acquisition by one corporation of at least a majority of the voting stock and at least a majority of the total number of shares of all other classes of stock of another corporation or substantially all the properties of another corporation) or (B) a transfer by a corporation of all or a part of its assets to another corporation if immediately after the transfer the transferor or its stockholders or both are in control of the corporation to which the assets are tranferred or (C) a recapitalization or (D) a mere change in identity form or place of organization however effected

The term "a party to a reorganization" includes a corporation resulting from a reorganization and includes both corporations in the case of an acquisition by one corporation of at least a majority of the voting stock and at least a majority of the total number of shares of all other classes of stock of another corporation

As used in this section the term "control" means the ownership of at least eighty percentum of the voting stock and at least eighty percentum of the total number of shares of all other classes of stock of the corporation

Section 206 General Deductions In computing net income there shall be allowed as deductions

1 All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business or in the production of income required to be included in gross income under this article including a reasonable allowance for salaries or other compensation for personal services actually rendered and including rentals or other payments required to be made as a condition to the continued use or possession for purposes of the trade or business on property to which the taxpayer has not taken or is not taking title or in which he has no equity

2 All interest paid or accrued during the taxable year on indebtedness

3 Taxes other than income taxes paid or accrued within the taxable year imposed first by the authority of the United States or of any of its possessions or second by the authority of any state or territory or any county school district municipality or other taxing subdivision of any state or territory not including those assessed against local benefits of a kind tend-

ing to increase the value of the property assessed or third by the authority of any foreign government

4 Losses sustained during the taxable year and not compensated for by insurance or otherwise if incurred in trade or business The basis for determining the amount of the deduction under this subdivision or under subdivisions five and six of this section shall be the same as is provided in section two hundred and four of this act for determining the gain or loss from the sale or other disposition of property But there shall be no deduction for any loss sustained in any sale or exchange of real or personal property in any case where if the transaction had produced profit or gain such profit or gain would not have been included in gross income as defined herein

5 Losses sustained during the taxable year and not compensated for by insurance or otherwise if incurred in any transaction entered into for profit though not connected with the trade or business and if any gain or profit from the transaction would have been taxable under this act Provided that in the case of a taxpayer other than a resident of the State only as to such transactions in real property or in tangible personal property having an actual situs within the State

6 Losses sustained during the taxable year of property not connected with the trade or business (but in case of a taxpayer other than a resident only of real property or tangible personal property having an actual situs within the State) if arising from fires storms shipwrecks or other casualty or from theft and not compensated for by insurance or otherwise

7 Debts ascertained to be worthless and charged off within the taxable year In the case of a debt existing on January first nineteen hundred and thirty-three no more than its fair market value on that date shall be deducted A worthless debt arising since January first nineteen hundred and thirty-three from unpaid wages salary rent or any similar item of taxable income is not an allowable deduction unless the income which such item represents has been included as income by the taxpayer in a return rendered under this article

8 A reasonable allowance for the exhaustion wear and tear of property the income from which is required to be included in gross income under this act used in the trade or business including a reasonable allowance for obsolescence In case of property held by one person for life with remainder to another person the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust or in the absence of such provisions on the basis of the trust income allocable to each

9 In the case of mines other natural deposits except oil and gas wells and timber a reasonable allowance for depletion and for depreciation of improvements according to the peculiar conditions in each case based upon cost including cost of development not otherwise deducted provided that in the case of such properties acquired prior to January first nineteen hundred and thirty-three the fair market value of the property (or the taxpayer's interest therein) on that date shall be taken in lieu of cost up to that date provided further that in the case of mines discovered by the taxpayer on or after January first nineteen hundred and thirty-three and not acquired as the result of a purchase of a proven tract or lease when the fair market value of the property ismaterially disproportionate to the cost the depletion allowance shall be based upon the fair market value of the property at the date of the discovery or within thirty days thereafter but such depletion allowance based on discovery value shall not exceed fifty per centum of the net income of the taxpayer (computed without allowance for depletion) from the property upon which the discovery was made except that in no case shall the depletion allowance be less than it would be if computed without reference to discovery value

Discoveries shall include minerals in commercial quantities contained within a vein or deposit discovered in an existing mine or mining tract by the taxpayer after January first nineteen hundred and thirty-three if the vein or deposit thus discovered was not merely the uninterrupted extension of a continuing commercial vein or deposit already known to exist and if the discovered minerals are of sufficient value and quantity that they could be separately mined and marketed at a profit

In the case of oil and gas wells the allowance for depletion shall be twenty-seven and one-half per centum of the gross income from the property during the taxable year Such allowance shall not exceed fifty per centum of the net income of the taxpayer (computed without allowance for depletion) from the property except that in no case shall the depletion allowance be less than it would be if computed without reference to this paragraph

Such reasonable allowance in all the above cases to be made under rules and regulations to be prescribed by the Department In the case of leases the deductions allowed by this subdivision shall be equitably apportioned between the lessor and lessee

Contributions or gifts made within the taxable year to or for the use of

The United States any state territory or any political subdivision thereof or the District of Columbia for exclusively public purposes

(b) Any corporation or trust or community chest fund or foundation organized and operated exclusively for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children or animals no part of the net earnings of which inures to the benefit of any private shareholder or individual or to the special fund for vocational rehabilitation authorized by section seven of the act of Congress known as the vocational rehabilitation act

(c) Posts or organizations of war veterans or auxiliary units or societies of any such posts or organizations if such posts organizations units or societies are organized in the United States or any of its possessions and if no part of their net earnings inures to the benefit of any private shareholder or individual or

(d) A fraternal society order or association operating under the lodge system but only if such contributions or gifts are to be used exclusively for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children or animals to an amount which in all the above cases combined shall not in the aggregate exceed fifteen per centum of the taxpayer's net income as computed without the benefit of this subdivision Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the Department.

In the case of a taxpayer other than a resident of the State the deductions under this subdivison shall be allowed only as to contributions or gifts made to corporations or associations incorporated by or organized under the laws of this State or to the vocational rehabilitation fund above mentioned or to this State or any political subdivision thereof for exclusively public purposes

11 In the case of a taxpayer other than a resident of the State the deductions allowed in this section shall be allowed only if and to the extent that they are connected with income arising from sources within the State and taxable under this article to a nonresident taxpayer and the proper apportionment and allocation of the deductions with respect to sources of income within and without the State shall be determined under rules and regulations to be prescribed by the Department

12 In the case of any taxpayer who is the owner of shares of stock in a corporation organized and existing exclusively for the purpose of owning and operating a cooperative multiple dwelling no part of the net earnings of which inures or is calculated or intended to inure to the benefit of any stockholder or individual and all the expenses of which are paid annually by the stockholders in proportion to their ownership a deduction shall be allowed to such taxpayer as to the share of his payments for all taxes other than franchise taxes paid or accrued by such corporation during the taxable year and all interest paid or accrued by such corporation during the taxable year on its indebtedness

Section 207 Deductions for Living Expenses The following fixed sums and no others shall also be allowed to all taxpayers in computing net income as personal deductions on account of living expenses

In the case of a single person a personal deduction of one thousand five hundred ($1500.00) dollars or in the case of the head of a family or a married person living with husband or wife a personal deduction of three thousand dollars (03,000.00) A husband and wife living together shall receive but one personal deduction If such husband and wife make separate returns the personal deduction may be taken by either or divided between them

2 Four hundred dollars for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer if such dependent person is under eighteen years of age or is incapable of self-support because mentally or physically defective

3 If the status of the taxpayer in so far as it affects the deductions allowed by this section changes during his taxable year such deductions shall be apportioned under rules and regulations presribed by the Department in accordance with the number of months before and after such change For the purpose of this paragraph a fractional part of a month shall be disregarded unless it amounts to more than half a month in which case it shall be considered as a month

Section 208 Items Not Deductible In computing net income no deduction shall in any case be allowed in respect of

1 Personal living or family expenses except as otherwise herein expressly provided

2 Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate

3 Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made or

4 Premiums paid on any life insurance policy covering the life of any officer or employe or of any person financially interested in any trade or business carried on by the taxpayer when the taxpayer is directly or indirectly a beneficiary under such policy

Article II, section 209 was read as follows:

Section 209 In any case in which a taxpayer during the taxable year shall have become liable to pay and has paid to any county a tax on any bond note mortgage judgment interest-bearing account deposit or any loan or evidence of indebtedness or on any corporate stock or other personal property for which he has not received and is not entitled to receive refund of such tax from the debtor and in any case in which the taxpayer shall have been required to refund to a coroporate debtor or in which a corporate debtor has deducted from moneys becoming due from such debtor to the taxpayer during the taxable year on account of or by reason of any tax levied by the Commonwealth on any corporate loan or evidence of indebtedness of any kind the taxpayer shall be entit'ed to a credit against any amount of income tax payable by him under this act in such year equal to the amount of tax so paid by him to a county or refunded by him or deducted from moneys due to him on account of tax imposed by the Commonwealth on corporate loans evidences of indebtedness of any kind

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 209, page 29, line 23 by inserting after the figures "209" and before the word "In" the words: "Credits for Other Taxes."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Article II, section 210 was read and agreed to as follows:

Section 210 Credit for Taxes in Case of Taxpayers Other Than Residents of the State Whenever a taxpayer other than a resident of the State has become liable to income tax to the State or country where he resides upon his net income for the taxable year derived from sources within this State and subject to taxation under this article the Department shall credit the amount of income tax payable by him under this act with such proportion of the tax so payable by him to the state or country where he resides as his income subject to taxation under this act bears to his entire income upon which the tax so payable to such other state or country was imposed provided that such credit shall be allowed only if the laws of said state or country (1) grant a substantially similar credit to residents of this State subject to income tax under such laws or (2) impose a ax upon the personal incomes of its residents derived from sources in this State and exempt from taxation the personal incomes of residents of this State No credit shall be allowed against the amount of the tax on any income taxable under this article which is exempt from taxation under the laws of such other state or country

Articles III to VII were separately read and agreed to as follows:

ARTICLE III

INFORMATION AND PAYMENT AT SOURCE

Section 301 Information and Payment at Source 1 For the calendar year nineteen hundred thirty-four and for each calendar year thereafter every withholding agent shall deduct and withhold from all salaries wages commissions gratuities emoluments perquisites and other fixed or determinable annual or periodical compensation of whatever kind and in whatever form paid or received earned by any taxpayer for personal services and taxable under this act of which he shall have control receipt custody disposal or payment the following amounts One per centum of the first ten thousand dollars or less two per centum of the next forty thousand dollars or less and three per centum of the excess over fifty thousand dollars by which the amount of such compensation paid or to be paid in the calendar year by such withholding agent to such taxpayer exceeds the amount of the personal deductions to such taxpayer under section two hundred and seven of this act as shown by a certificate filed with the withholding agent in form to be prescribed by the Department or one thousand dollars if no certificate showing his personal deduction status is filed with the withholding agent by a taxpayer other than a resident of this State If it appears that another State has passed a law taxing incomes in such a manner as will result in its residents being entitled to credit under section two hundred and nine hereof sufficient to offset all taxes imposed by this act the Department may by regulation relieve residents of such state from being required to make any return under this act and may prescribe a form of certificate to be filed by residents of such state with withholding agents

A withholding agent with whom such a certificate shall be filed or with whom a certificate in such form as shall be prescribed by the Department to the effect that the person entitled to such compensation is a resident of this State and setting forth his residence address shall be filed after the beginning of the calendar year and before the time when he is required to make return and payment need not deduct or withhold anything from the compensation of the person filing such certificate

The Department may by regulation require withholding agents to forward to it at stated times any of the certificates mentioned in this subdivision

2 Every withholding agent shall make return to the Department of complete information concerning the amount of all interest rent salaries wages premiums annuities compensations remunerations emoluments or other fixed or determinable taxable gains profits and income except interest coupons payable to bearer of any taxpayer taxable under this act of one thousand dollars or more in any taxable year under such regulations and in such form and manner and to such extent as may be prescribed by the Department

3 Every withholding agent required to deduct and withhold any tax under subdivision one of this section shall make return thereof on or before the fifteenth day of April in each year and shall at the same time pay the tax to the Department Every such individual corporation or partnership is hereby made liable for such tax and is hereby indemnified against the claims and demands of any individual corporation or partnership for the amount of any payments made in accordance with the provisions of this section

4 Income upon which any tax is required to be withheld at the source under this section shall be included in the return of the recipient of such income but any amount of tax so withheld shall be credited against the amount of income tax as computed in such return

5 If any tax required under this section to be deducted and withheld is paid by the recipient of the income it shall

not be recollected from the withholding agent nor in cases in which the tax is so paid shall any penalty be imposed upon or collected from the recipient of the income or the withholding agent for failure to return or pay the same unless such failure was fraudulent and for the purpose of evading payment

ARTICLE IV

RETURNS

Section 401 Taxpayers' Returns Every taxpayer having a net income for the taxable year of one thousand dollars or over if single or if married and not living with husband or wife or of two thousand five hundred dollars or over if married and living with husband or wife or a gross income for the taxable year of five thousand dollars or over regardless of the amount of his net income shall make under oath a return stating specifically the items of his gross income and the deductions and credits allowed by this article For the purposes of this section any taxpayer other than a married person shall be deemed to be a single person If a husband and wife living together have an aggregate net income of Two thousand five hundred dollars or over or an aggregate gross income for such year of five thousand dollars or over each shall make such a return or the income of each shall be included in a single joint return in which case the tax shall be computed on the aggregate income If the taxpayer is unable to make his own return the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer A taxpayer other than a resident shall not be entitled to the deductions authorized by section two hundred and six unless he shall make under oath a complete return of his gross income both within and without the state

Section 402 Returns in Cases of Changed Residence If a taxpayer during the taxable year changes his status from that of resident to that of nonresident or from that of nonresident to that of resident he shall file two returns one as a resident covering the fraction of the year during which he was a resident and one as a person other than a resident covering the fraction of the year during which he was a nonresident The deductions provided in section two hundred and seven of this act shall be divided ratably between the two returns so filed according to time In case two returns for one taxable year are filed as aforesaid the taxes due thereon shall not be less than would be payable if the total net income shown by the two returns were included in a single return If the aggregate of the taxpayer's net income from all sources during the fraction of the year in which he was a resident and his net income from sources within the State during the fraction of the year in which he was a nonresident shall be less than one thousand dollars in the case of a taxpayer who is single or married and not living with husband or wife or under two thousand five hundred dollars in the case of a taxpayer who is married and living with husband or wife no return shall be required under this section unless the aggregate of the taxpayer's gross income from all sources during the fraction of the year in which he was a resident plus the aggregate of his gross income from sources within the State during the fraction of the year in which he was a nonresident is five thousand dollars or over in which event returns shall be required

Section 403 Partnership Returns Every partnership shall make a return for each taxable year stating specifically the items of its gross income and the deductions allowed by this article and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed and the amount of the distributive share of each individual The return shall be sworn to by any one of the partners

Section 404 Fiduciary Returns Every fiduciary (except receivers appointed by authority of law in possession of part only of the property of a taxpayer) shall make under oath a return for the individual or estate or trust for whom he acts as follows

1 If he acts for an individual whose entire income from whatever source derived is in his charge and the net income of such individual is one thousand dollars or over if single or if married and not living with husband or wife or two thousand five hundred dollars or over if married and living with husband or wife or whose gross income for the taxable year is five thousand dollars or over regardless of the amount of his net income

2 If he acts (a) for an estate of a deceased person during the period of administration or settlement whether or not the income of such estate during such period of administration or settlement is properly paid or credited to any legatee heir or other beneficiary (b) for an estate or trust the income of which is accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests or (c) for an estate or trust the income of which is held for future distribution or is distributable in the discretion of the fiduciary under the terms of the will or trust and the net income of such estate or trust is one thousand dollars or over or the gross income for the taxable year is five thousand dollars or over regardless of the amount of the net income

3 If he acts (a) for an estate or trust the income of which is to be distributed to the beneficiaries periodically or (b) as the guardian of an infant whose income is to be held or distributed as the court may direct and any beneficiary of such estate or trust or such infant receives or is entitled to a distributive share of the income of one thousand dollars or more The return made by a fiduciary shall state specifically the items of the gross income and the deductions exemptions and credits allowed by this article Under such regulations as the Department may prescribe a return made by one of two or more joint fiduciaries shall be sufficient compliance with the above requirement The judiciary shall make oath that he has sufficient knowledge of the affairs of the individual estate or trust for whom or which he acts to enable him to make the return and that the same is to the best of his knowledge and belief true and correct Fiduciaries required to make returns under this act shall be subject to all the provisions of this act which apply to taxpayers

Section 405 Returns When Accounting Period Changed If a taxpayer with the approval of the Department changes the basis of computing net income from fiscal year to calendar year a separate return shall be made for the period between the close of the last fiscal year for which return was made and th following December thirty-first If the change is made from calendar year to fiscal year a separate return shall be made for the period between the close of the last calendar year for which return was made and the date designated as the close of the fiscal year If the change is made from one fiscal year to another fiscal year a separate return shall be made for the period between the close of the former fiscal year and the date designated as the close of the new fiscal year If a taxpayer making his first return for income tax keeps his accounts on the basis of a fiscal year he shall make a separate return for the period between the beginning of a calendar year in which such fiscal year ends and the end of such fiscal year

In all of the above cases the net income shall be computed on the basis of such period for which separate return is made and the tax shall be paid thereon at the rate for the calendar year in which such period is included and the personal deductions allowed in this act shall be reduced respectively to amounts which bear the same ratio to the full personal deductions provided for as the number of months in such period bears to twelve months

Section 406 Time and Place of Filing Returns Returns shall be made to the Department on or before the fifteenth day of the fourth month following the close of the fiscal year or if the return is made on the basis of the calendar year then the return shall be made on or before the fifteenth day of April in each year The Department may grant a reasonable extension of time for filing returns whenever in its judgment good cause exists and shall keep a record of every such extension and the reason therefor Except in the case of taxpayers who are abroad no such extension shall be granted for more than six months Such returns shall set forth such facts as the Department may deem necessary for the proper enforcement of this act There shall be annexed to such return the affidavit or affirmation of the person making the return to the effect that the statements contained therein are true Blank forms of return shall be furnished by the Department upon application but failure to secure the form shall not relieve any taxpayer from the obligation of making any return herein required

Section 407 Inventory Whenever in the opinion of the Department the use of inventories is necessary in order clearly to determine the income of any taxpayer inventories shall be taken by such taxpayer upon such basis as the De-

partment may prescribe conforming as nearly as may be to the best accounting practice in the trade or business and most clearly reflecting the income

ARTICLE V

ADMINISTRATION OF INCOME TAX LAW

Section 501 Department of Revenue to Administer The Department of Revenue shall administer and enforce the tax herein imposed for which purpose it may divide the State into districts in each of which a branch office of the Department may be maintained provided that in no cases shall a county be divided in forming a district

Section 502 Powers of Department 1 If in the opinion of the Department any return of a taxpayer is in any essential respect incorrect it shall have power to revise such return or if any taxpayer fails to make return as herein required the Department is authorized to make an estimate of the taxable income of such taxpayer from any information in its possession and to aduit and state an account according to such revised return or the estimate so made by it for the taxes penalties and interest due the State from such taxpayer Except in the case of a wilfully false or fraudulent return with intent to evade the tax the amount of tax due under any return shall be determined by the Department within three years after the return was made In the case of wilfully false or fraudulent returns the amount of tax due may be determined at any time after the return is filed and the tax may be collected at any time after it becomes due and where no return has been filed the tax may be assessed at any time

2 The Department for the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of taxable income of any person where information has been obtained shall also have power to examine or to cause to have examined by any agent or representative designated by it for that purpose any books papers records or memoranda bearing upon the matters required to be included in the return and may require the attendance of the person rendering the return or any officer or employe of such person or the attendance of any other person having knowledge in the premises and may take testimony and require proof material for its information with power to administer oaths to such person or persons

3 Where no questions of fact or law are involved and it appears from the records of the Department that any moneys have been erroneously or illegally collected from any taxpayer or other person or paid by such taxpayer or other person under a mistake of facts pursuant to the provisions of this act the Board of Finance and Revenue at any time shall have the power upon making a record of its reasons therefor in writing to cause such moneys so paid and being erroneously and illegally held to be refunded

Section 503 Revision and Readjustment of Accounts by Department If an application for revision be filed with the Department by a taxpayer within two years from the time of the filing of the return or if the tax of such taxpayer shall have been recomputed then within one year from the time of such recomputation the Department shall grant a hearing thereon and if it shall be made to appear upon any such hearing by evidence submitted to it or otherwise that any such computation includes taxes or other charges which could not have been lawfully demanded or that payment has been illegally made or exacted of any such amount so computed the Department shall resettle the same according to law and the facts and adjust the computation of taxes accordingly and shall send notice of its determination thereon to the taxpayer from any action of the Department on such application for revision the taxpayer may appeal to the Board of Finance and Revenue and to the courts as on application for resettlement of other State taxes.

Section 504 Department To Make Regulations and To Collect Facts The Department is hereby authorized to make such rules and regulations and to require such facts and information to be reported as it may deem necessary to enforce the provisions of this act

Section 505 Secrecy Required of Officials Penalty for Violation 1 Except in accordance with proper judicial order or as otherwise provided by law it shall be unlawful for the Department or any officer agent clerk or other employe to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this act The officers charged with the custody of such reports and returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court except on behalf of the Commonwealth in an action or proceeding under the provisions of this act to which it is a party or on behalf of any party to any action or proceeding under the provisions of this act when the reports or facts shown thereby are directly involved in such action or proceeding in either of which events the court may require the production of and may admit in evidence so much of said reports or of the facts shown thereby as are pertinent to the action or proceeding and no more Nothing herein shall be construed to prohibit the delivery to a taxpayer or his duly authorized representative of a certified copy of any return or report filed in connection with his tax nor to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns and the items thereof or the inspection by the Attorney General or other legal representatives of the State of the report or return of any taxpayer who shall bring action to set aside or review the tax based thereon or against whom an action or proceeding has been instituted in accordance with the provisions of ths act Reports and returns shall be preserved for three years and thereafter until the Department orders them to be destroyed

2 Any offense against subdivision one of this section shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding one year or both at the discretion of the court and if the offender be an officer or employe of the State he shall be dismissed from office and be incapable of holding any public office in this State for a period of five years thereafter

3 Notwithstanding the provisions of this section the Department may permit the commissioner of internal revenue of the United States or the proper officer of any state imposing an income tax upon the incomes of individuals or the authorized representative of either such officer to inspect the income tax returns of any individuals or may furnish to such officer or his authorized representative an abstract of the return of income of any individual or supply him with information concerning any item of income contained in any return or disclosed by the report of any investigation of the income or return of income of any individual but such permission shall be granted or such information furnished to such officer or his representative only if the statutes of the United States or of such other state as the case may be grant substantially similar privileges to the proper officer of this State charged with the administration of the personal income tax law thereof

ARTICLE VI

PAYMENT AND COLLECTION OF TAX

Section 601 Penalties Additional Taxes and Interest 1 If article shall fail to make a return of income or pay any tax any taxpayer without intent to evade any tax imposed by this if one is due at the time required by or under the provisions of this act but shall voluntarily make a correct return of income and pay the tax due within sixty days after notice to file such return there shall be added to the tax an additional amount equal to five per centum thereof but such additional amount shall in no case be less than two dollars and an additional one per centum for each month or fraction of a month during which the tax remains unpaid

If any withholding agent without intent to evade any tax imposed by this article shall fail to make a return and pay a tax withheld by him at the time required by or under the provisions of this act such withholding agent shall be liable for such tax and shall pay the same together with all penalties and interest charges thereon as provided by subdivision two of this section and such additional amount of penalties and interest shall in no case be charged to or collected from the taxpayer by said withholding agent The Department shall have the same rights and powers for the collection of such tax penalties and interest against such withholding agent as are now prescribed by this act for the collection of a tax against an individual taxpayer

2 If any taxpayer fails voluntarily to make a return of income or to pay a tax if one is due within the time required by or under the provisions of this act or thereafter within sixty days after notice so to do the tax shall be doubled and such doubled tax shall be increased by one per centum for each month or fraction of a month the time the tax was originally due to the date of payment

3 Any individual corporation or partnership who without fraudulent intent shall fail to pay or to deduct or withhold and pay any tax or to make render sign or verify any return or to supply any information within the time required by or under the provisions of this act or thereafter within sixty days after notice so to do shall be liable to a penalty of not more than five hundred dollars to be imposed assessed and collected by the Department in the same manner as is provided in this act with regard to taxes

4 Any individual corporation or partnership or any officer or employe of any corporation or member or employe of any partnership who with intent to evade any tax or any requirement of this article or any lawful requirement of the Department thereunder shall fail to pay the tax or to make render sign or verify any return or to supply any information within the time required by or under the provisions of this act or who with like intent shall make render sign or verify any false or fraudulent return or statement or shall supply any false or fraudulent information shall be liable to a penalty of not more than one thousand dollars to be recovered by the Department of Justice by action in any court of competent jurisdiction and shall also be guilty of a misdemeanor and shall upon conviction be fined not to exceed one thousand dollars or be imprisoned not to exceed one year or both at the discretion of the court

5 The Department of Justice shall have the power to compromise any penalty for which it is authorized to bring action under subdivision four of this section The penalty provided by subdivision four of this section shall be additional to all other penalties in this act provided

Section 602 When Payable 1 Except as herein otherwise provided each taxpayer shall or in cases where an agent or guardian or other fiduciary makes return for the taxpayer on whose behalf he is acting then the agent guardian or other fiduciary shall at the time of filing his return pay to the Department the amount of tax payable hereunder as the same shall appear from the face of the return If the time for filing the return shall be extended he shall pay in addition interest thereon at the rate of six per centum per annum from the time when the return was originally required to be filed at the time of payment If the time for filing a return by a withholding agent shall be extended the withholding agent shall pay and may not charge to the taxpayer interest at the rate of six per centum per annum from the time when the return was originally required to be filed to the time of payment Instead of paying the entire tax as above provided the taxpayer may pay one-half of the tax at that time one-fourth on or before three months and the remaining one-fourth on or before six months after the day his return shall have become due but the privilege of payment in instalments shall not be allowed unless one-half of the tax shall be paid on or before the date on which the return was due or in the case of extensions duly granted on or before the date to which the extension shall extend The word "due" as used in any of the foregoing provisions of this section referring to a return means the fifteenth day of the fourth month following the close of each such fiscal years or if the return is made on the basis of the calendar year the fifteenth day of April of the year following the close of such calendar year The time for payment of the second and third instalments or either may be extended by the Department for not more than three months and then only in case the time for making the return be extended under section four hundred and six for three months or more If however the time for making the return of a taxpayer be extended for more than six months as in the case of a taxpayer who is abroad the entire amount of the tax shall be paid by him at one time If any instalment of the tax is not paid as aforesaid on or before the date fixed for its payment the whole amount of the tax unpaid with penalties and interest as prescribed under section six hundred and one of this act computed from the due date of the delinquent instalment shall immediately become due and payable

2 As soon as practicable after the return is filed the Department shall examine it and compute the tax

3 If the amount of tax as computed shall be greater than the amount theretofore paid the excess shall be paid by the taxpayer to the Department within thirty days after notice of the amount of the tax as computed shall be mailed by the Department In such case if the return is made in good faith and the understatement of the amount in the return is not due to any fraud of the taxpayer there shall be no interest penalty or additional tax because of such understatement provided the deficiency be paid within thirty days after notice of the amount be mailed to the taxpayer If payment be not made within thirty days there shall be added to the amount of the deficiency five per centum thereof and in addition interest at the rate of one per centum per month for each month or fraction of a month calculated from the date of the notice If the understatement is false or fraudulent with intent to evade the tax the tax on the additional income discovered to be taxable shall be doubled and an additional one per centum shall be added to the amount so due for each month or fraction of a month Except as otherwise provided in this subdivision the interest provided for in this subdivision shall in all cases be computed from the date the tax was originally due to the date of payment

4 If the amount of tax as computed shall be less than the amount theretofore paid the excess shall be refunded by the Board of Finance and Revenue upon its approval of certification of the Department without necessity for petition or other formal proceeding Provided however that the Board of Finance and Revenue may review the tax return and the information in the files of the Department in order to determine the propriety of any such refund

Section 603 Collection of Taxes Penalties and Interest 1 The Department is authorized at its discretion to designate agents for the purpose of collecting incomes taxes and shall require from them reasonable bond

The Department shall have the power in its discretion to suspend the accruing of all penalties upon any additional tax assessed by virtue of the provisions of section six hundred and two of this act and to extend the time for payment of such assessment in any case where due application has been made for a revision and readjustment of the same under section five hundred and three of this act to not later than sixty days after the service of the notice of a determination thereon and upon making a record of its reasons therefor to waive or reduce any of the additional taxes or interest provided in section six hundred and one subdivisions one and two and section six hundred and two subdivision three of this article or to compromise the same

Section 604 Warrant for the collection of taxes If any tax imposed by this article or any portion of such tax be not paid when the same becomes due or thereafter within sixty days after notice requiring such payment the Department shall issue a warrant under its official seal directed to the sheriff of any county of the State commanding him to levy upon and sell the real and personal property of the person owning the same found within his county for the payment of the amount thereof with the added penalties interest and the cost of executing the warrant and to return such warrant to the Department and pay to it the money collected by virtue thereof within sixty days after the receipt of such warrant

The sheriff shall within five days after the receipt of the warrant file with the prothonotary of his county a copy thereof and thereupon the prothonotary shall enter in the judgment docket in the column for judgment debtors the name of the taxpayer mentioned in the warrant and in appropriate columns the amount of the tax or portion thereof and penalties for which the warrant is issued and the date when such copy is filed and thereupon and not until then the amount of such warrant so docketed shall become a lien upon the title to and interest in real property of the person against whom it is issued in the same manner as a judgment duly docketed in the office of such prothonotary The said sheriff shall thereupon proceed upon the same in all respects with like effect and in the same manner prescribed by law in respect to executions issued against property upon judgments of a court of record and shall be entitled to the same fees for his services in executing the warrant to be collected in the same manner If a warrant be returned not satisfied in full the Department may have an alias writ and also shall have the same remedies to enforce the claim for taxes against the taxpayer as if the judgment had not been recovered

Section 605 Action for Recovery of Taxes Action may be brought at any time by the Attorney General of the State aat the instance of the Department in the name of the State to recover the amount of any taxes penalties and interest due under this article

ARTICLE VII

REPEALS

Section 701 All acts or parts of acts inconsistent herewith are hereby repealed

The title was read as follows:

An Act imposing a graduated income tax for school purposes on residents of Pennsylvania including fiduciaries and on income of non-residents derived from property or business in Pennsylvania providing for disposition of proceeds of the tax limiting the local taxes which may be levied by school districts defining taxable income and requiring filing of returns thereof providing for the withholding of the tax at source in certain cases and imposing duties on withholding agents providing methods and proceedings for determination and collection of the tax and imposition of liens therefor providing for administration of the act by the Department of Revenue authorizing that Department to make rules imposing penalties and making an appropriation for administrative costs

On the question,

Will the House agree to the title?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend page 1, line 6 of the title by inserting after the word "districts" and before the word "defining" the words: "receiving proceeds of income taxes."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 132, as follows:

An Act concerning executions providing for an upset price and the effect thereof and for determining the amount of deficiency judgments and defining the rights and liabilities of holders of subsequent liens and of persons jointly or severally liable

Whereas Experience has shown that under the present system of judicial sales property is sacrificed at prices far below its intrinsic worth resulting in the deprivation thereof by its owner and its owner remaining liable on excessively large unsatisfied and deficiency judgments and

Whereas This works a hardship upon our populous because the competition of judicial sales forces down the realizable values of real and personal properties even at free sales therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever after the effective date of this act any writ of execution is issued against any real and/or personal property on any judgment or on foreclosure of a mortgage the execution creditor shall give notice thereof to subsequent liens and all persons against whom he might intend to seek to impose personal liability primarily or secondarily for the obligation towards the satisfaction of which execution issues Such writ and the notice thereof shall set forth the value of the and/or personal property sought to be sold upon execution

Upon the issuance of such writ and before the return day thereof the defendant in execution any other persons who are subject to liability upon the pricipal obligation or any lienees subsequent to the execution creditor may petition the court to set the fair value of the property as the "upset" price which must be procured upon sale before confirmation thereof will be granted Such petition shall contain an affidavit of the petitioner as to the value of the property against which execution is sought to be issued as well as the affidavits of two disinterested persons who are familiar with the values of such property and the locality where the sale of similar personal property was had and/or personal property to be sold that in their several opinions the fair market value of the same as stated in said petition is not greater than the true market value thereof

The substance of the prayer of such petition shall be that the fair market value of the real and/or personal property so sold shall be determined and that the court will refuse to confirm such sale unless

(1) Where the judgment plus interest and costs on execution exceeds fair value

(a) Such fair market value is realized upon sale or

(b) The judgment creditor agrees to credit the judgment plus interest and costs with such fair market value or

(2) Where the fair market value exceeds judgment plus interest and costs

(a) The purchaser upon execution is content to take the property subject to a lien in an amount equal to the excess of the fair market value over the judgment in execution and the judgment creditor agrees that execution shall be a full satisfaction of the judgment plus interest and costs or

(b) The judgment creditor agrees that the execution shall be a full satisfaction of the judgment plus interest and costs and further agrees to pay to the debtor or other lienee to whom the benefit should enure the difference between the fair market value and judgment plus interest and costs Such lien or repayment of excess is to enure to the benefit of lienees junior to the execution creditor or the judgment debtor in the order of their priority If any junior lienee accepts the lien or repayment of excess so created his rights against the principal debtor shall be relinquished pro tanto

(3) The purchaser upon execution is content to take the property subject to a lien in an amount equal to the excess of the fair market value over the judgment in execution in cases where such market value exceeds the judgment in execution and the judgment creditor agrees that execution shall be a full satisfaction of his judgment plus interest and costs

Section 2 If no petition is presented the value of the property as stated in the writ shall be conclusive as to the fair market value and the court shall refuse to confirm the sale unless in accordance with conditions 1(a) and (b) or 2(a) and (b) as set forth in section 1

Section 3 If a petition is filed the court shall grant a rule on the plaintiff or plaintiffs in execution returnable not less than te nnor more than twenty days thereafter to show cause why the prayer of the petitioner should not be granted

Section 4 If no answer is filed to such rule on or before the return day thereof the value of the property as alleged in the petition shall be conclusive as to the fair market value and the court shall decree that the sale under the writ shall not be confirmed unless in accordance with conditions 1 (a) and (b) or 2(a) and (b) as set forth in section 1

Section 5 If an answer to such rule is filed by or on behalf of the plaintiff which answer raises on issue os to the fair market value of the property described in the writ the court shall appoint three viewers from among the County Board of Viewers to determine such fair market value The viewers so appointed after giving at least five days' notice of the time and place of hearing to the plaintiff or plaintiffs and the petitioner or petitioners shall hear the evidence produced by or on behalf of both parties and shall determine such fair market value and such viewers shall file their report and a record of the evidence submitted on such return day as the court shall fix within thirty days after the plaintiffs answer to the petitioner's rule

Section 6 Forthwith on the filing of such report by the viewers the prothonotary shall give notice by mail to the plaintiff or plaintiffs and the petitioner or petitioners and within but not after fifteen days after such notice is mailed either party may appeal to the court by which the viewers were appointed and therein have a review and/or a revision of the determination of the viewers by the court sitting without a jury upon a consideration only of that evidence which appears in the record of the proceedings before the viewers Except that upon the demand of either party and the payment of costs therefor the hearing shall be before a court sitting a jury There shall be no appeal from the findings of such court Such reviews shall be made as expeditiously as possible giving the same precedence over other business of the court

Section 7 Fifteen days after the filing of shch report by the viewers or in case sof appeals after the review and/or revision of the viewers determination of fair market value the court shall decree that the sale under such writ shall not be confirmed unless in accordance with conditions 1(a) or 2(a) and (b) as set forth in section one

Section 8 In all cases where execution is issued against property either in the foreclosure of a mortgage or in the enforcement of any other judgment the failure of the judgment creditor to notify all persons who might be personally liable either primarily or secondarily for the debt or obligation in the enforcement of which execution is issued shall act as a release of the personal liability of such unnotified persons Failure of the execution creditor to notify a junior lienee shall subject the execution creditor to an action for any damages which such lack of notice may result in to such junior lienee

Section 9 This act is meant to apply to all forms of writs of execution issued after the date of this act irrespective of whether the judgment or mortgage agreement upon which such execution was issued antedated this act The protection of this act is intended to be extended to guarantors sureties persons liable on extension of mortgage agreements or extension agreements and all other persons secondarily liable to the same extent as the principal debtor

Section 10 Any waiver of the provisions of this act by the terms of any contract agreement or in any other manner is declared to be against public policy and void

Section 11 If any section part or provision of this act shall be declared unconstitutional or invalid or ineffective by any court of competent jurisdiction such declaration shall be limited to the section part or provision directly involved in the controversy in which such declaration was made and shall not affect any other section provision or part hereof in as much as it is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional section part or provision of this act not been included therein

Section 12 All acts and parts of acts inconsistent with this act are hereby repealed

Section 13 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 135, as follows:

An Act relating to past executions providing for the entry of deficiency judgments and limiting the amount collectible thereafter

Whereas the serious public emergency affects and threatens the welfare comfort and safety of the people of this Commonwealth which emergency is resultant from the abnormal disruptions in economic and financial processes the abnormal credit and currency situation in the State and Nation the abnormal deflation of real property values and the curtainment of incomes by unemployment and other adverse conditions

Whereas many honest prudent and worthy property owners are having their property foreclosed or sold upon execution in these hard stringent and depressed times when their real and personal property is being bought in at foreclosure and execution sales in many instances by the mortgagee lienee or judgment creditor for an unconscionably low price

Whereas the unconscionable price procured at such public sales usually leaves the debtors liable upon deficiency judgments for the unpaid balances of the mortgages or liens held against their property and/or leaves them liable upon judgments remaining unsatisfied in whole or in part solely because of the inadequate price secured upon execution and such continued indebtedness harass and embarrass honest worthy people by burdening them with unconscionable judgments and subjecting their acquired properties to execution therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any property real or personal has heretofore been sold to the plaintiff in execution or foreclosure proceedings and the price for which such property has been sold was not sufficient to satisfy the amount of the judgment interest and costs and the plaintiff seeks to secure or enforce by the issuance of execution thereon a deficiency judgment or the original judgment or obligation to the extent that execution has not resulted in its satisfaction the defendant in such proceedings whether he be the principal obligor a secondary obligor or a joint obligor if he believes that the price for which such property sold was less than the fair market value of such property at the time of sale may present to the court in which such proceedings are instituted a petition Such petition shall set forth the amount of such judgment or obligation and the costs thereon and on the said execution or executons or foreclosure and shall also set forth the real and/or personal property sold on such execution or foreclosure with a statement of the fair market value thereof on the day of such sale And if such property be realty such petition shall also state the assessment thereof Such petition shall be accompanied by the affidavit of two disinterested persons who are familiar with the values of such property in the locality where the sale of the personal property was had and/or in the locality where the real estate is situate and are familiar with the real and/or personal property sold that in their several opinions the fair market value of the same as stated in said petition is not greater than the true market value thereof

The substance of the prayer of such petition shall be that the fair market value of the real and/or personal property so sold is the value stipulated as the fair market value in the petition and that the securing of a deficiency judgment or the enforcement of a deficiency judgment already granted or the enforcement of the original judgment or obligation to the extent it has remained unsatisfied by the prior execution against the principal obligor joint obligor or secondary obligor shall be limited to the difference between such judgment or obligation plus interest and costs and the fair market value as set forth in the petition of the real and/or personal property sold but that if such fair market value is contested then the court shall have the fair market value established and that the securing of a deficiency judgment or the enforcement of a deficiency judgment already granted or the enforcement of the original judgment or obligation to the extent that it has remained unsatisfied by the prior execution against the principal obligor joint obligor or secondary obligor shall be limited to the difference between such judgment or obligation plus interest and costs and the fair value of the real and/or personal property as determined by the court

Section 2 Upon such petition the court shall grant a rule on the plaintiff or plaintiffs returnable not less than ten nor more than twenty days thereafter to show cause why the prayer of the petitioner should not be granted If so answer is filed to such rule on or before the return day thereof the rule shall be made absolute

Section 3 If the plaintiff is not satisfied with the value of the property as set forth in the petition he may file an answer to such rule If such answer properly raises the issue as to the value of the property sold the court shall appoint three viewers from among the county board of viewers The viewers so appointed after giving at least five days' notice of the time and place of hearing to the plaintiff or plaintiffs and the petitioner or petitioners shall hear the evidence produced by or on behalf of both parties and shall determine such fair market value as of the date of the sale and such viewers shall file their report and a record of the evidence submitted on such return day as the court may fix which return day the court must fix within thirty days after the plaintiff's answer

Section 4 Forthwith on the filing of such report by the viewers the prothonotary shall give notice by mail to the plaintiff or plaintiffs and the petitioner or petitioners and within but not after fifteen days after such notice is mailed either party may appeal to the court by which the viewers were appointed and there have the action of the viewers reviewed and/or revised by the court sitting without a jury upon a consideration anly of that evidence which is in the record

of the proceedings before the viewers Except that upon demand of either party and his payment therefor the review shall be before a court sitting with a jury Such reviews shall be made as expeditiously as possible and the court shall give the same precedence over any other business

Fifteen days after the filing of the report of the viewers or in cases of appeals after the review and/or revision of the action of the viewers the court shall decree that the plaintiff be granted a deficiency judgment or the power of enforcement of the original judgment or obligation only to the extent that the judgment or obligation plus interest and costs exceeds the fair market valuation so determined There shall be no further appeal from the decree of the court appointing the viewers as to the determination of the fair value

Section 5 After the petitioner's petition has been filed and until final decree of the court has been entered no alias or other writ of execution to sell any other property real or personal shall issue except for the balance of the original judgment or obligation plus interest and costs after deducting the amount of the value of the property already sold as set forth in the petition

After the decree has been entered establishing the deficiency judgments or defining the limits of enforcement of unsatisfied judgments already granted to the extent of their excess over the fair value of the property sold upon a prior execution any appropriate writ of execution may issue thereon for the amount so determined

If the fair value established by the decree is at least equal to the judgment or obligation plus interest and costs the court shall further decree that the obligation is satisfied and that no further executions shall issue thereon against any person primarily or secondarily liable upon such obligation

Section 6 Where any obligor has suffered a judgment or a lien to be acquired to secure the payment of a debt for money or property procured by false representation fraud or defalcation that obligor shall in no case be permitted to plead that the property sold at less than its actual valuation upon the prior execution but any sale fairly made under such execution issued thereon shall be conclusively presumed to have been made for the actual value of such property sold However this shall not preclude such a plea for the crediting of the judgment or obligation with the fair value of property sold in execution by any other persons liable jointly or secondarily upon the obligation who have not been party to the fraud

Section 7 If any section part or provision of this act shall be declared unconstitutional or invalid or ineffective by any court of competent jurisdiction such declaration shall be limited to the section part or provision directly involved in the controversy in which such declaration was made and shall not affect any other section provision or part hereof inasmuch as it is declared as the legislative intent that this act would have been adopted had such unconstitutional section part or provision not been included therein

Section 8 All acts and parts of acts inconsistent herewith are hereby repealed

Section 9 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 43, as follows:

An Act to protect the lives and secure the safety and health of the people by making it unlawful to evict persons from dwellings under certain conditions or to levy upon and sell household goods of such persons

Whereas All power is inherent in the people and all free governments are founded on their authority and instituted for their peace safety and happiness and

Whereas The paramount duty of every government is to protect the lives and insure the health and safety of its citizens and

Whereas The proper protection of the lives of its citizens and the preservation of their health and safety demands not only food and clothing but proper and adequate shelter and

Whereas The present economic depression by causing unemployment loss of income and creating inability on the part of tenants and home owners to pay rent or installments of principal and interest on liens against their homes and places of shelter has resulted in widespread eviction proceedings against tenant and former home owners throughout the State who now have no adequate shelter by reason thereof and

Whereas It is for the ultimate benefit and safety of the Commonwealth that shelter be afforded to such unfortunate citizens to safeguard their health and thus to preserve the peace and well-being of the Commonwealth and

Whereas The General Assembly finds as a fact that existing economic conditions throughout the State necessitate the exercise of the police power for the protection of the health and safety of the people therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That subject to the conditions hereinafter set forh no person who occupies any property used by him and his family as a dwelling and who because of involuntary unemployment or other involuntary conditions arising out of economic depression is unable to pay rent therefor shall hereafter be evicted therefrom or dispossessed thereof by reason of any writ of any kind issued by any court magistrate or person whatsoever nor shall any household goods of such person be levied upon or sold under or by reason of any writ issued by any court or magistrate upon any judgment entered against any such person for failure to pay the rent of the dwelling so occupied

Section 2 Before any distress for rent or any execution issued on any such judgment for rent entered or final writ of possession to evict any individual who as owner lessee or occupant under an agreement of sale or otherwise lawfully occupies real property in this Commonwealth used by him as a dwelling shall be served by any sheriff constable or other officer or individual having the legal right to serve such writ a notice in writing of the intention to distrain or levy or to serve such writ shall be given to such individual lawfully in possession as owner lessee occupant under agreement of sale or otherwise at least five days prior to the actual levy or service of the writ whereupon within said period of five days the individual receiving such notice may petition the court of common pleas of the county in which the permises are located setting forth the income that he has received during the six months immediately preceding the above stated notice and what disposition has been made of such income that because of his inability to secure employment he is unable to pay the amount owing to the plaintiff issuing the distress or execution or writ of possession to evict and praying the court to enjoin said levy or writ until such time as it may deem reasonable and just under all the circumstances

Section 3 The several courts of common pleas are hereby empowered to hear all petitions made under section two of this act and to pass upon all questions of the petitioner's ability or inability to secure employment and of his inability to pay the amount owing to the plaintiff about to issue the distress or execution or writ of possession to evict and in such cases as the courts may deem proper they may grant injunctions against such levy or writ of possession to evict for such period or periods of time as may seem reasonable and just to the court under all the circumstances and to require the petitioner to pay such sums on account of his obligations as the court shall direct and it may continue such injunction from time to time as in the opinion of the court may be necessary and just but not later than the first Monday of June one thousand nine hundred and thirty-five and may dissolve such injunction at any time for cause shown

Section 4 Any sheriff constable or other officer or person who shall sell any household goods belonging to any person in possession of any property theretofore used as a dwelling or shall evict or remove or attempt to evict or remove any person or persons or any property from such property contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not more than five hundred dollars or suffer imprisonment for a period not exceeding one year or both in the discretion of the court

Section 5 The powers hereby conferred upon the courts of common pleas of this Commonwealth shall terminate on

the thirty-first day of March one thousand nine hundred and thirty-five

Section 6 All acts and parts of acts inconsistent with this act are hereby repealed

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 229 (Senate Bill No. 52), entitled:

An Act to amend the title and sections one, two, and three of the act approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand two hundred twenty-nine), entitled, "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption, conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," as amended, by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 231 (Senate Bill No. 56), entitled:

An Act authorizing counties poor districts boroughs towns townships and school districts having moneys borrowed for one purpose to use the same for other purposes which will aid recovery from existing economic depression and requiring in certain such cases the assent of the electors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 238 (Senate Bill No. 10), entitled:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 245, as follows:

An Act to amend section three clause (b) and sections nineteen and twenty-three of the act approved the fifth day of December one thousand nine hundred thirty-three (Act Number Six) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three clause (b) of the act approved the fifth day of December one thousand nine hundred thirty-three (Act Number Six) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties" is hereby amended to read as follows

Section 3 Imposition of Tax

(a) Except as otherwise in this act provided every manufacturer shall be subject to pay to the Commonwealth of Pennsylvania the taxes imposed in this section for the privilege of producing manufacturing distilling rectifying or compounding distilled spirits rectified spirits or wines in this Commonwealth when such distilled spirits rectified spirits or wines are withdrawn from bond or if not required by Act of Congress to be stored or placed in bond when prepared for market or for use in the manufacture or production of any beverage intended for sale

Such taxes shall be measured by the amount of such distilled spirits rectified spirits and wines so produced manufactured distilled rectified or compounded by the manufacturer on or after the effective date of this act and shall be computed thereon at the following rates

On distilled spirits one dollar ($1) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On rectified spirits thirty cents ($.30) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon in addition to the tax imposed herein on the privilege of manufacturing or producing using or selling within this Commonwealth and distilled spirits or wines from which said rectified spirits are produced manufactured or compounded

On wines one-half cent ($.005) per unit or proof per wine gallon and a proportionate tax at a like rate on all fractional parts of such wine gallon

Provided however that the rate of tax on the privilege of manufacturing producing or distilling in this Commonwealth distilled spirits or wines until January first one thousand nine hundred thirty-four shall be two dollars on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon and that until January first one thousand nine hundred thirty-four the tax of thirty cents ($.30) per proof gallon or wine gallon when below proof shall not be imposed for the privelege of rectifying spirits

(b) Except as otherwise in this act provided every importer shall be subject to pay to the Commonwealth of Pennsylvania the taxes imposed in this section for the privilege of selling or using in this Commonwealth distilled spirits rectified spirits or wines [produced manufactured distilled rectified or compounded without] brought into this Commonwealth Such taxes shall be measured by the amount of such distilled spirits rectified spirits and wines so sold or used by the importer in this Commonwealth on or after the effective date of this act except as hereinafter provided and shall be computed thereon at the following rates

On distilled spirits one dollar ($1.) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On rectified spirits one dollar and thirty cents ($1.30) per proof gallon or wine gallon when below proof and a pro-

portionate tax at a like rate on all fractional parts of such proof or wine gallon

On wines one-half cent ($.005) per unit of proof per wine gallon and a proportionate tax at a like rate on all fractional parts of such wine gallon

Provided however that until the first day of January one thousand nine hundred thirty-four the rate of tax for the privilege of selling or using in this Commonwealth distilled spirits rectified spirits orw nies [produced manufactured distilled rectified or compounded without] brought into this Commonwealth shall be two dollars on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon unless a tax shall have been paid upon the privilege of producing manufacturing distilling rectifying or compounding such distilled spirits rectified spirits or wines under clause (a) of this section or unless a floor tax shall have been paid upon such distilled spirits rectified spirits or wines under the provisions of Act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties"

Also provided that the tax imposed by this [clause] section shall not be payable on any distilled spirits and wines sold to or used by [the] any manufacturer or importer in this Commonwealth [in] for the manufacture of rectified spirits which are exempt from tax under the provisions of this act

Section 2 That section nineteen of said act is hereby amended to read as follows

Section 19 Exemption from Tax [From and after the date upon which the Commonwealth of Pennsylvania begins to operate Pennsylvania Liquor Stores no] No taxes shall be imposed or collected under the provisions of this act upon the privilege of producing selling or using such distilled spirits rectified spirits and wines as are sold to or sold or used by the Commonwealth or are sold to the United States or any governmental agency thereof or for the use of any university or college of learning any laboratory for use exclusively in scientific research or any hospital sanatorium or eleeomosonary dispensary

Section 3 That section twenty-three of said act is hereby amended to read as follows

Section 23 Effective Date and Effective Period This act shall become effective the day after the day the Twenty-first Amendment of the Constitution of the United States is ratified by conventions in at least three-fourths of the several states

This act shall cease to be effective upon the effective date of any act of Congress providing for participation by the states or by those states which do not tax distilled spirits in the proceeds of the tax imposed and collected by the United States upon distilled spirits

Section 4 This act shall be effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 246, as follows:

An Act to amend act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" by providing for an extension of time for payment in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" be and the same is hereby amended to read as follows

Section 3 Imposition and Lien of Tax A State floor tax is hereby imposed upon spirituous and vinous liquors lodged or stored in this Commonwealth at any time between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states inclusive Such tax shall be at the rate of two dollars on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon and such tax together with interest thereon as hereinafter set forth shall be a lien upon such spirituous and vinous liquors from the date the tax is herein imposed until paid or until an extension of the time for payment is granted by the department as hereinafter provided

Section 2 Section five of the said act is hereby amended as read as follows

Section 5 Payment of Tax Interest The tax herein imposed shall be due and payable ninety days after the effective date of this act except that when any spirituous and vinous liquors are used or removed within a period of ninety days from the place wherein they are lodged or stored after the effective date of this act the tax thereon shall be due and payable at the time of the use or removal thereof Provided That upon written application by any person liable for the tax imposed by this act filed with the department the department may grant an extension of time for payment of such tax in whole or in part for a period not later than the thirty-first day of December one thousand nine hundred and thirty-four The tax or portion thereof in respect to which the extension is granted shall thereupon be due and payable upon the date of the expiration of the period of the extension The amount of all taxes imposed under the provisions of this act shall bear interest at the rate of one per centum per month or fractional part of a month from the date they are due and payable until paid The tax herein imposed upon spirituous and vinous liquors shall be paid into the State Treasury through the department by the owner of such spirituous and vinous liquors at the time the tax is due and payable as specified in this act and he shall be liable to the Commonwealth as a taxpayer for the payment of such tax

Section 3 Section six of the said act is hereby amended to read as follows

Section 6 Use or Removal of Spirituous Liquor and Place of Storage before Payment of Tax Prohibited Penalty Any person having in his possession or custody spirituous and vinous liquors between the effective date of this act and the date of the ratification of the Twenty-first Amendment to the Constitution of the United States inclusive who shall thereafter use or remove or cause or permit to be used or removed any of such spirituous and vinous liquors from the place or places in which they are lodged or stored before the tax herein imposed shall have been paid or before an extension of the time for payment of the tax thereon shall have been granted by the department shall be guilty of a misdemeanor and upon conviction thereof be sentenced to suffer imprisonment for a term of not less than one year or more than three years

Any person who shall be convicted of a misdemeanor under this section shall in addition to the punishment herein described be adjudged to pay to the Commonwealth the tax due upon the spirituous and vinous liquors so used or removed or permitted to be used or removed by him together with interest at the rate of one per centum per month or fraction of a

month from the date when such tax was due and payable under the provisions of this act Such adjudication shall be certified to the prothonotary and shall be indexed as and have the effect of a judgment for the amount of such tax and interest

Section 4 Section seven of the said act is hereby amended to read as follows

Section 7 Report upon Payment of Tax Application for Extension [and] Certificate of Payment or Extension (a) Any person making payment of the tax imposed herein on spirituous and vinous liquors shall at the time of making payment transmit to the department on a form prescribed by the department a report specifying and identifying the containers in which are contained the spirituous and vinous liquors upon which tax is paid the person in whose possession or custody and the exact place or places where such spirituous and vinous liquors are lodged and stored the amount thereof in proof gallons or wine gallons when below proof and the kinds and quantities thereof together with such further information as the department shall prescribe

Immediately upon receipt of payment of any of the tax herein imposed and the report required by this section it shall be the duty of the department to furnish to the person making such payment a certificate setting forth the amount of tax paid and specifying and identifying the spirituous and vinous liquors upon which tax has been paid and such other information as the department shall deem necessary

(b) Any person desiring an extension of time for payment of the tax imposed herein shall file with the department written application therefor in a form satisfactory to the department within the time hereinbefore provided together with a report on a form prescribed by the department specifying and identifying the containers in which are contained the spirituous or vinous liquors in respect to the tax on which an extension for payment is desired the person in whose possession or custody and the exact place or places where such spirituous or vinous liquors are lodged or stored the amount thereof in proof gallons or wine gallons when below proof and the kinds and quantities thereof together with such other information as the department shall prescribe Thereafter if an extension is granted by the department and until the deferred tax is paid such person shall file with the department at such time as the department shall prescribe reports specifying and identifying the containers in which are contained any spirituous or vinous liquors which shall be used or removed without payment of the tax thereon and such other information as the department shall prescribe

Immediately upon the granting of any such extension it shall be the duty of the department to furnish to the applicant a certificate setting forth the granting of such extension specifying and identifying the spirituous or vinous liquors in respect to the tax on which the time of payment shall have been extended and such other information as the department shall prescribe

Section 5 Section eight of the said act is hereby amended to read as follows

Section 8 Labels of Be Affixed to Containers Intended for Sale (a) The owner of any spirituous and vinous liquors upon which tax is herein imposed and upon which such tax has been paid and certificate thereof has been issued and is in the possession of such owner shal affix to each container in which such spirituous or vinous liquors are placed for sale a label upon which shall appear the words "Pennsylvania Spirituous and Vinous Liquor Floor Tax Paid" Such label shall be affixed in such manner that its removal shall require the continued application of steam or water

(b) The owner of any spirituous and vinous liquors upon which tax is herein imposed and for the payment of which tax the department has granted an extension of time and a certificate of extension therefor has been issued and is in the possession of such owner as heretofore provided shall affix to each container in which such spirituous or vinous liquors are placed for sale a label upon which shall appear the words "Pennsylvania Spirituous and Vinous Liquor Floor Tax Deferred" Such label shall be affixed in such manner that its removal shall require the continued application of steam or water

Section 6 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. HUTTON. Mr. Speaker, on behalf of the gentleman from Bucks, Mr. Haines, I ask that House Bill No. 139, Senate No. 35, on page 4 of today's calendar, bills on second reading, be passed over for the present, and with the consent of the House return to it at a later time during the present session for the purpose of offering amendments which are not now ready.

The SPEAKER. The bill will be passed over temporarily.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 212, entitled:

An Act to amend section two hundred and four of the act approved the fifteenth day of May, one thousand nine hundred and thirty-three, (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations, authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothontaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts;" regulating the establishment and maintenance of branch banks, offices and agencies.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Gallagher, T. J.,	Lynch, J. R.,	Roan,
Baker,	Gallagher, W. J.,	Lynch, M.,	Roth,
Baldi,	Gartner,	Male,	Royle,
Barnhardt,	Gillette,	Malina,	Ruby,
Bechtel,	Gorman,	Maloney,	Ruth,
Beech,	Green,	Marcks,	Sautter,
Bennett,	Greenstein,	Mason,	Schrock,
Bernhard,	Griffith,	McBride,	Schrope,
Boyd,	Haines,	McCandless,	Schwab,
Brancato,	Hamilton,	McClure,	Schwartz,
Brennan,	Harmuth,	McCreary,	Scorza,
Brown, J. E.,	Harris,	McGinnis,	Scott,
Brown, W. L.,	Hart,	McGrail,	Sheffer,
Brownfield,	Hartman,	McGregor,	Shellenberger,
Cannon,	Heffernan,	McHenry,	Shenkel,
Caputo,	Hefferon,	McKinney,	Shortz,
Carey,	Heffner,	Melchiorre,	Shreiner,
Carson,	Hermansen,	Meredith,	Sinwell,
Chervenak,	Hewitt,	Merrell,	Snyder,
Cohen,	Himes, H. E.,	Mohn,	Sowers,
Conner,	Himes, L. R.,	Moore,	Spann,
Cooke,	Hoffman,	Mumford,	Stank,
Cordier,	Holmes, J. B.,	Munley,	Steedle,
Craig,	Hoopes,	Murphy,	Sterling, P.,
Cramer,	Horst,	Myers,	Surface,
Davies,	Hough,	Negley,	Wagner,
DeFrehn,	Howard,	Nothnagle,	Walker, G. E.,
Denning,	Hutton,	O'Connor,	Way,
Downey, G. E.,	Jaffe,	O'Keefe,	Weidemann,
Downey, J. J.,	Jones,	O'Neill,	Welsh,

Duffy,	Kane, J. J.,	O'Rourke,	Wike,
Dunmire,	Kane, L. P.,	Patterson,	Williams, G. W.,
Ederer,	King,	Pennock,	Williams, J. J.,
Emhardt,	Kinney,	Perry, D. R.,	Witkin,
Eroe,	Labar,	Perry, J. J.,	Wood,
Evans,	Lane,	Peters,	Woodside,
Fitzgerald,	Laubach,	Powell,	Yeakel,
Flanagan,	Lenahan,	Powers,	Yourishin,
Fleisher,	Lewis,	Quinn,	Zimmerman,
Flinchbaugh,	Long,	Rectenwald,	Talbot,
Flynn, J. M.,	Lord,	Reed,	Speaker.
Flynn, J. W.,	Lovett, J. E.,	Reilly,	
Furman,	Lovett, W. S.,	Rice,	

NAYS—14

Forrest,	McKay,	Simon,	White,
Hester,	Peelor,	Stevenson,	Wright,
Holmes, J. L.,	Rhodes,	Wall,	
McElwee,	Shugarts,	Westrick,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 174, entitled:

An Act authorizing the county commissioners of the several counties to secure from Federal agencies funds for the erection and acquisition of bridges.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Green,	McElwee,	Shellenberger,
Baker,	Greenstein,	McGinnis,	Shenkel,
Barnhardt,	Griffith,	McGrail,	Shettel,
Bechtel,	Habbyshaw,	McGregor,	Shortz,
Beech,	Haines,	McKay,	Shreiner,
Bennett,	Hamilton,	McKinney,	Shugarts,
Bernhard,	Harmuth,	Meredith,	Simon,
Blumberg,	Hart,	Merrell,	Snyder,
Boyd,	Hartman,	Mohn,	Sowers,
Brancato,	Heffernan,	Moore,	Spann,
Brennan,	Hefferon,	Mumford,	Stank,
Brown, J. E.,	Heffner,	Munley,	Steedle,
Brown, W. L.,	Hermansen,	Murphy,	Sterling, P.,
Brownfield,	Hester,	Myers,	Sterling, R. B.,
Cannon,	Hewitt,	Negley,	Stevens,
Carey,	Himes, H. E.,	Nothnagle,	Stevenson,
Carson,	Himes, L. R.,	O'Connor,	Stiteler,
Chervenak,	Hoffman,	O'Keefe,	Stone,
Cohen,	Holmes, J. B.,	O'Neil,	Storb,
Conner,	Hoopes,	O'Rourke,	Stott,
Cooke,	Horst,	Patterson,	Surface,
Cordier,	Hough,	Peelor,	Tahl,
Craig,	Howard,	Pennock,	Trout,
Cramer,	Hutton,	Perry, D. R.,	Turner,
Dane,	Jaffe,	Perry, J. J.,	Wade,
Davies,	Jones,	Peters,	Wagner,
DeFrehn,	Kane, J. J.,	Powell,	Walker, G. E.,
Denning,	Kane, L. P.,	Powers,	Walker, W. A.,
Downey, G. E.,	King,	Price,	Wall,
Downey, J. J.,	Kinney,	Quinn,	Wasserman,
Duffy,	Labar,	Raub,	Way,
Dunmire,	Lane,	Rectenwald,	Weidemann,
Ederer,	Laubach,	Reed,	Welsh,
Emhardt,	Lewis,	Rhodes,	Westrick,
Eroe,	Long,	Rice,	White,
Evans,	Lord,	Roan,	Wike,
Fitzgerald,	Lovett, J. E.,	Roth,	Williams, G. W.,
Flanagan,	Lovett, W. S.,	Royle,	Williams, J. J.,
Flinchbaugh,	Lynch, M.,	Ruby,	Wilson, L. M.,
Flynn, J. M.,	Male,	Ruth,	Witkin,
Flynn, J. W.,	Malina,	Sautter,	Wood,
Forrest,	Maloney,	Schrock,	Woodside,
Furman,	Marcks,	Schrope,	Wright,
Gallagher, T. J.,	Mason,	Schwab,	Yeakel,
Gallagher, W. J.,	McBride,	Schwartz,	Yourishin,
Gartner,	McCandless,	Scorza,	Zimmerman,
Gillette,	McClure,	Scott,	Talbot,
Gorman,	McCreary,	Sheffer,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 191, entitled:

An Act to amend section one of the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred thirty-seven) entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two and validating the liens of such taxes" further extending the period for such returns and providing for returns for the year one thousand nine hundred and thirty-three.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—195

Andrews,	Greenstein,	McGinnis,	Shettel,
Baker,	Griffith,	McGrail,	Shortz,
Baldi,	Habbyshaw,	McGregor,	Shreiner,
Barnhardt,	Haines,	McHenry,	Shugarts,
Bechtel,	Hamilton,	McKay,	Simon,
Beech,	Harmuth,	McKinney,	Sinwell,
Bennett,	Harris,	Melchiorre,	Snyder,
Bernhard,	Hart,	Meredith,	Sowers,
Blumberg,	Heffernan,	Merrell,	Spann,
Boyd,	Heffner,	Mohn,	Stank,
Brancato,	Hermansen,	Moore,	Steedle,
Brennan,	Hester,	Mumford,	Sterling, P.,
Brown, J. E.,	Hewitt,	Munley,	Stevens,
Brown, W. L.,	Himes, H. E.,	Murphy,	Stevenson,
Brownfield,	Himes, L. R.,	Myers,	Stiteler,
Caputo,	Hoffman,	Nothnagle,	Stone,
Carey,	Holmes, J. B.,	O'Connor,	Storb,
Carson,	Holmes, J. L.,	O'Keefe,	Stott,
Chervenak,	Hoopes,	O'Neill,	Surface,
Cohen,	Horst,	O'Rourke,	Tahl,
Conner,	Hough,	Patterson,	Terry,
Cooke,	Howard,	Peelor,	Trout,
Cordier,	Hutton,	Pennock,	Turner,
Craig,	Jaffe,	Perry, D. R.,	Wade,
Cramer,	Jones,	Perry, J. J.,	Wagner,
Dane,	Kane, J. J.,	Peters,	Walker, G. E.,
Davies,	Kane, L. P.,	Powell,	Walker, W. A.,
DeFrehn,	King,	Powers,	Wall,
Denning,	Kinney,	Price,	Wasserman,
Downey, G. E.,	Labar,	Quinn,	Way,
Downey, J. J.,	Lane,	Raub,	Weidemann,
Duffy,	Laubach,	Rectenwald,	Welsh,
Dunmire,	Lenahan,	Reed,	Westrick,
Ederer,	Lewis,	Reilly,	White,
Emhardt,	Long,	Rhodes,	Wike,
Eroe,	Lord,	Rice,	Williams, G. W.,
Evans,	Lovett, J. E.,	Roan,	Williams, J. J.,
Fitzgerald,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Flanagan,	Lynch, J. R.,	Ruby,	Witkin,
Flinchbaugh,	Lynch, M.,	Ruth,	Wood,
Flynn, J. M.,	Male,	Sautter,	Woodside,
Flynn, J. W.,	Malina,	Schrock,	Wright,
Forrest,	Maloney,	Schrope,	Yeakel,
Furman,	Marcks,	Schwab,	Yourishin,
Gallagher, T. J.,	Mason,	Schwartz,	Zimmerman,
Gallagher, W. J.,	McBride,	Scorza,	Talbot,
Gartner,	McCandless,	Scott,	Speaker.
Gillette,	McClure,	Sheffer,	
Gorman,	McCreary,	Shellenberger,	
Green,	McElwee,	Shenkel,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 65, as follows:

An Act requiring all deputy sheriffs to be paid by the counties in which they are employed prohibiting all contracts and agreement for repayment or reimbursement to any county or the sheriff thereof by any person copartnership association or corporation of compensation to such deputy sheriffs and fixing penalties

Section 1 Be it encated by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the compensation of all deputy sheiffs appointed or employed in any county of this Commonwealth shall be paid only by such county and in the amunt and in the manner now or hereafter fixed by law

Section 2 Any and all contracts or agreements between the sheriff and any county in this Commonwealth or between such county and any person copartnership association or corporation for the payment of any compensation or expenses to any such sheriff or any such county on account of the employment of any deputy sheriff or for the reimbursement to the sheriff or such county or any compensation or expenses by any person copartnership association or corporation be and the same are hereby declared to be against public policy and void and are forbidden and declared unlawful

Section 3 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not less than fifty dollars nor more than five hundred dollars or shall undergo an imprisonment of not more than six months or both at the discretion of the court

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Haines,	McGinnis,	Shellenberger,
Barnhardt,	Hamilton	McGrail,	Shenkel,
Bechtel,	Harmuth,	McGregor,	Shettel,
Beech,	Harris,	McHenry,	Shortz,
Bennett,	Hart,	McKay,	Shugarts,
Bernhard,	Hartman,	McKinney,	Simon,
Boyd,	Heffernan,	Melchiorre,	Sinwell,
Brancato,	Hefferon,	Meredith,	Snyder,
Brown, W. L.,	Heffner,	Mohn,	Sowers,
Brownfield,	Hermansen,	Moore,	Spann,
Caputo,	Hester,	Mumford,	Stank,
Carey,	Hewitt,	Munley,	Steedle,
Carson,	Hines, H. E.,	Myers,	Sterling, P.,
Chervenak,	Himes, L. R.,	Negley,	Sterling, R. B.,
Cohen,	Hoffman,	O'Connor,	Stevens,
Conner,	Holmes, J. B.,	O'Keefe,	Stevenson,
Cooke,	Holmes, J. L.,	O'Neill,	Stone,
Cordier,	Hoopes,	O'Rourke,	Stott,
Cramer,	Horst,	Patterson,	Surface,
Dane,	Hough,	Peelor,	Tahl,
Davies,	Howard,	Pennock,	Terry,
DeFrehn,	Hutton,	Perry, D. R.,	Trout,
Denning,	Jaffe,	Perry, J. J.,	Wade,
Downey, G. E.,	Jones,	Powell,	Wagner,
Downey, J. J.,	Kane, J. J.,	Powers,	Walker, G. E.,
Duffy,	Kane, L. P.,	Price,	Walker, W. A.,
Dunmire,	King,	Quinn,	Wall,
Emhardt,	Kinney,	Raub,	Wasserman,
Eroe,	Labar,	Rectenwald,	Way,
Evans,	Lane,	Reed,	Weidemann,
Fitzgerald,	Laubach,	Reilly,	Welsh,
Flanagan,	Lenahan,	Rhodes,	Westrick,
Fleisher,	Lewis,	Roan,	White,
Flinchbaugh,	Long,	Root,	Wike,
Flynn, J. M.,	Lord,	Roth,	Williams, G. W.,
Flynn, J. W.,	Lovett, J. E.,	Ruby,	Williams, J. J.,
Furman,	Lynch, J. R.,	Ruth,	Wilson, L. M.,
Gallagher, T. J.,	Lynch, M.,	Sautter,	Witkin,
Gallagher, W. J.,	Male,	Schrock,	Wood,
Gartner,	Malina,	Schrope,	Wright,
Gillette,	Maloney,	Schwab,	Yeakel,
Gorman,	Mason,	Schwartz,	Yourishin,
Green,	McBride,	Scorza,	Talbot,
Greenstein,	McCandless,	Scott,	Speaker.
Griffith,	McClure,	Sheffer,	

NAYS—12

Baker,	Forrest,	Rice,	Storb,
Craig,	Habbyshaw,	Shreiner,	Turner,
Ederer,	Peters,	Stiteler,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Mr. SCHWARTZ. Mr. Speaker, I desire to call up at this time House Bill No. 151, Printer's No. 148, on page 8 of today's calendar, bill on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Schwartz.

The House resumed the consideration on final passage of House Bill No. 151, entitled:

An Act to amend sections two three five six seven eight nine ten eleven twelve section thirteen as amended sections fourteen nineteen twenty twenty-one twenty-two twenty-four twenty-six thirty-two thirty-three thirty-four thirty-six forty section forty-three as amended sections forty-seven forty-nine of and to add sections eight and one-tenth twelve and one-tenth twenty-three and one-tenth twenty-three and two-tenths twenty five and one-tenth forty-nine and one-tenth forty-nine and two-tenths forty-nine and three-tenths to the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven) entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualifications clerks and counsel fixing their qualifications terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registers shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons

applying for registration and the procedure for the correction of registers and for appealing from actions of registrars to said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith" providing a system of permanent personal registration for such cities changing the number of the members of the registration commission removing the existing registration commissioners and providing for the appointment of the new members thereof and imposing additional duties and restrictions upon the registration commissioners county commissions registrars and inspectors of registration

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. SCHWARTZ. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

BILL RECOMMITTED

Mr. SCHWARTZ. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of amendment.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 185, entitled:

An Act relating to income taxes for school purposes in counties of the third, fourth, fifth, sixth, seventh and eighth classes of this Commonwealth; providing for the assessment of the potential annual income of every piece of real estate and the return of the actual net income of every natural person of the age of twenty-one years and upwards residing in the county, and every copartnership, unincorporated association, company, limited partnership and company doing business within the county; providing a method of determining said actual net income; providing that rates and levies for school purposes (except for the payment of existing indebtedness) shall be based on the sum of said potential annual income of real estate and said actual net income, and providing for the levying thereof; giving the right of appeal; and repealing all inconsistent laws.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McELWEE. Mr. Speaker, pursuant to the understanding in the Committee at the time this bill was reported out, I move that it be recommitted to the Committee on Counties for the purpose of further study.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 230 (Senate Bill No. 55), as follows:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction and providing for the repayment of such moneys from the General Fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five million dollars ($5,000,000) is hereby specifically appropriated out of the Motor License Fund to the Department of Public Instruction of the Commonwealth of Pennsylvania for the two fiscal years commencing June first one thousand nine hundred and thirty-three for aiding financially handicapped and distressed local public school districts The Superintendent of Public Instruction shall apportion the sum hereby appropriated to such local public school districts and in such amounts as he shall deem expedient The sum hereby appropriated shall be in addition to any appropriation made to the said Department of Public Instruction by the general appropriation bill for said biennium

Section 2 The General Assembly hereby declares that a moral obligation rests on the General Assembly to return such money to the Motor License Fund within a period of four years from the effective date of this act

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pas finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—141

Andrews,	Ederer,	Hutton,	Peters,
Baker,	Emhardt,	Jaffe,	Price,
Baldi,	Eroe,	Kane, L. P.,	Quinn,
Barnhardt,	Flanagan,	Kinney,	Raub,
Bechtel,	Fleisher,	Labar,	Rectenwald,
Beech,	Flynn, J. M.,	Lane,	Reed,
Bennett,	Flynn, J. W.,	Laubach,	Reilly,
Bernhard,	Forrest,	Lenahan,	Roan,
Blumberg,	Furman,	Lewis,	Roth,
Boyd,	Gallagher, T. J.,	Long,	Ruby,
Brancato,	Gallagher, W. J.,	Lovett, J. E.,	Ruth,
Brennan,	Gartner,	Lynch, J R.,	Schrock,
Brown, J. E.,	Gorman,	Maloney,	Scorza,
Brown, W. L.,	Green,	McBride,	Scott,
Brownfield,	Griffith,	McCandless,	Shettel,
Cannon,	Habbyshaw,	McClure,	Shortz,
Caputo,	Hamilton,	McCreary,	Steedle,
Carey,	Harris,	McElwee,	Stiteler,
Carson,	Hart,	McGinnis,	Turner,
Chervenak,	Hartman,	McGrail,	Walker, G. E.,
Cohen,	Hefferon,	Mohn,	Walker, W. A.,
Conner,	Heffner,	Moore,	Wasserman,
Cooke,	Hermansen,	Munley,	Weidemann,
Cordier,	Hewitt,	Murphy,	Westrick,
Craig,	Himes, L. R.,	Myers,	Wilson, L. M.,
Cramer,	Hoffman,	O'Connor,	Witkin,
Davies,	Holmes, J. B.,	O'Keefe,	Woodside,
DeFrehn,	Hoopes,	O'Neill,	Yourishin,
Denning,	Hough,	O'Rourke,	Talbot,
Downey, J. J.,	Howard,	Pennock,	Speaker.

NAYS—45

Dane,	Lovett, W. S.,	Rhodes,	Stott,
Downey, G. E.,	Lynch, M.,	Sheffer,	Surface,
Dunmire,	Male,	Shellenberger,	Terry,
Evans,	McKay,	Shenkel,	Trout,
Flinchbaugh,	McKinney,	Shreiner,	Wade,
Gillette,	Meredith,	Sinwell,	Wall,
Hester,	Mumford,	Stank,	Way,
Holmes J. L.,	Patterson,	Sterling, P.,	White,
Horst,	Peelor,	Stevens,	Williams, G. W.
King,	Perry, J. J.,	Stevenson,	Wood,
Lord,	Powell,	Stone,	Wright,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 66, as follows:

An Act for the relief of financially distressed taxpayers providing for the payment in installments of delinquent county city borough incorporated town township school and poor taxes in certain cases and abating additional penalties and interest thereon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That upon the payment of any tax assessed and levied upon any person for the year one thousand nine hundred and thirty-four by the taxing authorities of any county city (except a city of the first class) borough incorporated town township school or poor district on or before the first day of January one thousand nine hundred and thirty-five and upon the presentation of a proper receipt therefor to the taxing authorities of such county city (except a city of the first class) borough incorporated town township school or poor district such person many and such authorities shall if such person is in default in the payment of any tax levied by the same taxing authority enter into an agreement for the payment by such person of such delinquent taxes assessed and levied against him for any years or years prior to the year one thousand nine hundred and thirty-four together with the penalty then due thereon in ten annual installments

Section 2 Upon the payment of any tax assessed and levied for the year one thousand nine hundred and thirty-four by any person then in arrears in the payment of any taxes and the presentation of a receipt therefor and the execution of an agreement by such person with the corporate authorities assessing and levying such tax for the payment of any such delinquent taxes as aforesaid no further penalties or interest shall accrue thereon during such time as such person continued to promptly pay the installments agreed upon

Section 3 In case of the neglect or refusal of any person entering into such agreement to pay when due any installment payable under the terms of such agreement all of the delinquent taxes owing by such person together with penalties provided by existing laws and interest thereon shall become due and payable and shall be collected as now provided by law Provided however That credit shall be given on such amount as may be then due from such person to the amount of any installment or installments theretofore paid under the terms of such agreement

Section 4 The collection of all taxes assessed and levied and all penalties imposed on any tax levied by the duly constituted authorities of any county city (except a city of the first class) borough incorporated town township school or poor district for the year one thousand nine hundred and thirty-three or any year prior thereto whether entered as a lien or returned to the county treasurer or retained by the person charged with the collection of such tax is hereby postponed and all interest on such penalties is hereby abated as of the time of the passage of this act until such time as taxes levied by such authorities for the year one thousand nine hundred and thirty-four are paid but not for a longer period than the first of January one thousand nine hundred and thirty-five If persons from whom any such delinquent taxes are due shall not pay taxes levied and assessed against them for the year one thousand nine hundred and thirty-four on or before the first day of January one thousand nine hundred and thirty-five then such delinquent taxes together with penalties and interest thereon as provided by law shall be due and payable without any abatement in the same manner as if this act had not been passed and shall be collected as now provided by law

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191

Andrews,	Hamilton,	McHenry,	Shettel,
Barnhardt,	Harmuth,	McKay,	Shortz,
Bechtel,	Harris,	McKinney,	Shreiner,
Beech,	Hart,	Melchiorre,	Shugarts,
Bennett,	Hartman,	Meredith,	Simon,
Bernhard,	Heffernan,	Merrell,	Sinwell,
Blumberg,	Hefferon,	Mohn,	Snyder,
Boyd,	Heffner,	Moore,	Spann,
Brancato,	Hermansen,	Mumford,	Stank,
Brennan,	Hester,	Munley,	Steedle,
Brown, J. E.,	Hewitt,	Myers,	Sterling, P.,
Brown, W. L.,	Himes, H. E.,	Negley,	Sterling, R. B.,
Brownfield,	Himes, L. R.,	Nothnagle,	Stevens,
Cannon,	Hoffman,	O'Connor,	Stevenson,
Caputo,	Holmes, J. B.,	O'Keefe,	Stiteler,
Carey,	Holmes, J. L.,	O'Neill,	Stone,
Carson,	Hoopes,	O'Rourke,	Storb,
Cohen,	Horst,	Patterson,	Stott,
Cordier,	Hough,	Peelor,	Surface,
Craig,	Howard,	Pennock,	Tahl,
Cramer,	Hutton,	Perry, D. R.,	Terry,
Davies,	Jaffe,	Perry, J. J.,	Trout,
DeFrehn,	Jones,	Peters,	Turner,
Denning,	Kane, J. J.,	Powell,	Wade,
Downey, G. E.,	Kane, L. P.,	Powers,	Wagner,
Downey, J. J.,	Lane,	Price,	Walker, G. E.,
Duffy,	Laubach,	Quinn,	Walker, W. A.,
Dunmire,	Lenahan,	Raub,	Wall,
Ederer,	Lewis,	Rectenwald,	Wasserman,
Emhardt,	Long,	Reed,	Way,
Eroe,	Lord,	Reilly,	Weidemann,
Evans,	Lovett, J. E.,	Rhodes,	Welsh,
Flanagan,	Lovett, W. S.,	Rice,	Westrick,
Fleisher,	Lynch, J. R.,	Roan,	White,
Flinchbaugh,	Lynch, M.,	Roth,	Wike,
Flynn, J. M.,	Male,	Royle,	Williams, G. W.,
Flynn, J. W.,	Malina,	Ruby,	Williams, J. J.,
Forrest,	Maloney,	Ruth,	Wilson, L. M.,
Furman,	Marcks,	Sautter,	Witkin,
Gallagher, T. J.,	Mason,	Schrock,	Wood,
Gallagher, W. J.,	McBride,	Schrope,	Woodside,
Gillette,	McCandless,	Schwab,	Wright,
Gorman,	McClure,	Schwartz,	Yeakel,
Green,	McCreary,	Scorza,	Yourishin,
Greenstein,	McElwee,	Sheffer,	Zimmerman,
Griffith,	McGinnis,	Shellenberger,	Talbot,
Habbyshaw,	McGregor,	Shenkel,	Speaker.
Haines,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 109, entitled:

An act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled "An act authorizing the abatement of penalties on local taxes" as amended by providing for the extension of time during which such abatements may be allowed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Greenstein,	McElwee,	Shellenberger,
Baker,	Griffith,	McGinnis,	Shenkel,
Barnhardt,	Habbyshaw,	McGrail,	Shettel,
Bechtel,	Hamilton,	McHenry,	Shortz,
Beech,	Harmuth,	McKay,	Shreiner,

Bennett,	Harris,	McKinney,	Shugarts,
Bernhard,	Hart,	Melchiorre,	Simon,
Blumberg,	Hartman,	Meredith,	Sinwell,
Boyd,	Heffernan,	Merrell,	Snyder,
Brancato,	Hefferon,	Mohn,	Sowers,
Brennan,	Heffner,	Moore,	Spann,
Brown, J. E.,	Hermansen,	Mumford,	Stank,
Brown, W. L.,	Hester,	Munley,	Sterling, P.,
Brownfield,	Hewitt,	Murphy,	Sterling, R. B.,
Cannon,	Himes, H. E.,	Myers,	Stevens,
Caputo,	Himes, L. R.,	Negley,	Stevenson,
Carey,	Hoffman,	Nothnagle,	Stiteler,
Chervenak,	Holmes, J. B.,	O'Connor,	Stone,
Cohen,	Holmes, J. L.,	O'Keefe,	Storb,
Conner,	Hoopes,	O'Neill,	Stott,
Cooke,	Horst,	O'Rourke,	Surface,
Cordier,	Hough,	Patterson,	Tahl,
Craig,	Howard,	Peelor,	Terry,
Cramer,	Hutton,	Pennock,	Trout,
Dane,	Jaffe,	Perry, D. R.,	Turner,
Davies,	Jones,	Perry, J. J.,	Wade,
DeFrehn,	Kane, J. J.,	Peters,	Wagner,
Denning,	Kane, L. P.,	Powell,	Walker, G. E.,
Downey, G. E.,	King,	Powers,	Walker, W. A.,
Downey, J. J.,	Kinney,	Price,	Wall,
Duffy,	Labar,	Quinn,	Wasserman,
Dunmire,	Lane,	Raub,	Way,
Ederer,	Laubach,	Rectenwald,	Weidemann,
Emhardt,	Lenahan,	Reed,	Welsh,
Eroe,	Lewis,	Reilly,	Westrick,
Evans,	Long,	Rhodes,	White,
Fitzgerald,	Lovett, J. E.,	Rice,	Wike,
Flanagan,	Lovett, W. S.,	Roan,	Williams, G. W.,
Flinchbaugh,	Lynch, J. R.,	Roth,	Williams, J. J.,
Flynn, J. M.,	Lynch, M.,	Ruby,	Wilson, L. M.,
Flynn, J. W.,	Male,	Ruth,	Witkin,
Forrest,	Malina,	Sautter,	Wood,
Furman,	Maloney,	Schrock,	Woodside,
Gallagher, T. J.,	Marcks,	Schrope,	Wright,
Gallagher, W. J.,	Mason,	Schwab,	Yeakel,
Gartner,	McBride,	Schwartz,	Yourishin,
Gillette,	McCandless,	Scorza,	Zimmerman
Gorman,	McClure,	Scott,	Talbot,
Green,	McCreary,	Sheffer,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

MOTION TO RECONSIDER VOTE

Mr. STEVENS. Mr. Speaker, I move that the vote by which House Bill No. 154, Printer's No. 74, entitled

An Act to amend sections one two nine and eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred ninety-five) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" extending the provisions thereof to all toll bridges wholly within the Commonwealth and providing for the payment of the cost of acquiring such bridges out of the Toll Bridge Fund

was defeated on December 13th, 1933, be reconsidered.

Mr. WESTRICK. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Westmoreland, Mr. Stevens, vote on the bill?

Mr. STEVENS. Mr. Speaker, I voted "no."

The SPEAKER. How did the gentleman from Cambria, Mr. Westrick, vote?

Mr. WESTRICK. Mr. Speaker, I voted "no."

On the question,

Will the House agree to the motion?

It was not agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 137, entitled:

An act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four by installments and for a discount for prompt payment of such taxes in cities of the second class and in school districts of the first class

On the question,

Will he House agree to the bill on third reading?

Mr. PHILIP STERLING. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. The sponsor of the bill apparently is not in the Hall of the House.

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 232 (Senate Bill No. 41), entitled:

An Act to amend paragraph (a) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand forty-six), entitled "An act appropriating the moneys in the Motor License Fund," by appropriating such fund to the Board of Finance and Revenue for redemption of bonds issued to acquire toll bridges.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Andrews,	Gorman,	McElwee,	Sheffer,
Baker,	Greenstein,	McGinnis,	Shellenberger,
Baldi,	Griffith,	McGrail,	Shenkel,
Barnhardt,	Habbyshaw,	McGregor,	Shettel,
Bechtel,	Haines,	McHenry,	Shortz,
Beech,	Hamilton,	McKay,	Shreiner,
Bennett,	Harmuth,	McKinney,	Shugarts,
Bernhard,	Harris,	Melchiorre,	Simon,
Blumberg,	Hartman,	Meredith,	Sinwell,
Boyd,	Heffernan,	Merrell,	Snyder,
Brancato,	Hefferon,	Mohn,	Spann,
Brennan,	Heffner,	Moore,	Stank,
Brown, J. E.,	Hermansen,	Mumford,	Steedle,
Brown, W. L.,	Hester,	Munley,	Sterling, P.,
Brownfield,	Hewitt,	Murphy,	Sterling, R. B.,
Cannon,	Himes, H. E.,	Myers,	Stevens,
Caputo,	Himes, L. R.,	Negley,	Stevenson,
Carey,	Hoffman,	Nothnagle,	Stiteler,
Carson,	Holmes, J. B.,	O'Connor,	Stone,
Chervenak,	Holmes, J. L.,	O'Keere,	Storb,
Cohen,	Hoopes,	O'Neill,	Stott,
Conner,	Horst,	O'Rourke,	Surface,
Cooke,	Hough,	Patterson,	Tahl,
Cordier,	Howard,	Peelor,	Terry,
Craig,	Hutton,	Pennock,	Trout,
Cramer,	Jaffe,	Perry, D. R.,	Turner,
Dane,	Kane, J. J.,	Perry, J. J.,	Wade,
Davies,	Kane, L. P.,	Peters,	Wagner,
DeFrehn,	King,	Powell,	Walker, G. E.,
Denning,	Kinney,	Powers,	Walker, W. A.,
Downey, G. E.,	Labar,	Price,	Wall,
Downey, J. J.,	Lane,	Quinn,	Wasserman,
Duffy,	Laubach,	Raub,	Way,
Dunmire,	Lenahan,	Rectenwald,	Weidemann,

Ederer,	Lewis,	Reed,	Welsh,
Emhardt,	Long,	Reilly,	Westrick,
Eroe,	Lovett, J. E.,	Rhodes,	White,
Evans,	Lovett, W. S.,	Rice,	Wike,
Fitzgerald,	Lynch, J. R.,	Roan,	Williams, G. W.,
Flanagan,	Lynch, M.,	Roth,	Williams, J. J.,
Flinchbaugh,	Male,	Ruby,	Wilson, L. M.,
Flynn, J. M.,	Malina,	Ruth,	Wood,
Flynn, J. W.,	Maloney,	Sautter,	Woodside,
Forrest,	Marcks,	Schrock,	Wright,
Furman,	Mason,	Schrope,	Yeakel,
Gallagher, T. J.,	McBride,	Schwab,	Yourishin,
Gallagher, W. J.,	McCandless,	Schwartz,	Zimmerman,
Gartner,	McClure,	Scorza,	Talbot,
Gillette,	McCreary,	Scott,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 226 (Senate Bill No. 31), entitled:

An Act authorizing the Department of Property and Supplies to act as purchasing agency for certain Federal agencies and making an appropriation of moneys received to reimburse the department for the cost of so acting.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Andrews,	Greenstein,	McGinnis,	Shellenberger,
Baker,	Griffith,	McGrail,	Shenkel,
Baldi,	Habbyshaw,	McGregor,	Shettel,
Barnhardt,	Haines,	McHenry,	Shortz,
Bechtel,	Hamilton,	McKay,	Shreiner,
Beech,	Harmuth,	McKinney,	Shugarts,
Bennett,	Harris,	Melchiorre,	Simon,
Bernhard,	Hart,	Meredith,	Sinwell,
Blumberg,	Hartman,	Merrell,	Snyder,
Boyd,	Heffernan,	Mohn,	Spann,
Brancato,	Hefferon,	Moore,	Stank,
Brennan,	Heffner,	Mumford,	Steedle,
Brown, J. E.,	Hermansen,	Munley,	Sterling, P.,
Brown, W. L.,	Hester,	Murphy,	Sterling, R. B.,
Brownfield,	Hewitt,	Myers,	Stevens,
Cannon,	Himes, H. E.,	Negley,	Stevenson,
Caputo,	Himes, L. R.,	Nothnagle,	Stiteler,
Carey,	Hoffman,	O'Connor,	Stone,
Carson,	Holmes, J. B.,	O'Keefe,	Storb,
Chervenak,	Holmes, J. L.,	O'Neill,	Stott,
Cohen,	Hoopes,	O'Rourke,	Surface,
Cooke,	Horst,	Patterson,	Tahl,
Cordier,	Hough,	Peelor,	Terry,
Craig,	Hutton,	Pennock,	Trout,
Cramer,	Jaffe,	Perry, D. R.,	Turner,
Dane,	Jones,	Perry, J. J.,	Wade,
Davies,	Kane, J. J.,	Peters,	Wagner,
DeFrehn,	Kane, L. P.,	Powell,	Walker, G. E.,
Denning,	King,	Powers,	Walker, W. A.,
Downey, G. E.,	Kinney,	Price,	Wall,
Duffy,	Labar,	Quinn,	Wasserman,
Dunmire,	Lane,	Raub,	Way,
Ederer,	Laubach,	Rectenwald,	Weidemann,
Emhardt,	Lenahan,	Reed,	Welsh,
Eroe,	Lewis,	Reilly,	Westrick,
Evans,	Lord,	Rhodes,	White,
Fitzgerald,	Lovett, J. E.,	Rice,	Wike,
Flanagan,	Lovett, W. S.,	Roan,	Williams, G. W.,
Flinchbaugh,	Lynch, J. R.,	Roth,	Williams, J. J.,
Flynn, J. M.,	Lynch, M.,	Ruby,	Wilson, L. M.,
Flynn, J. W.,	Male,	Ruth,	Witkin,
Forrest,	Maloney,	Sautter,	Wood,
Furman,	Marcks,	Schrock,	Woodside,
Gallagher, T. J.,	Mason,	Schrope,	Wright,
Gallagher, W. J.,	McBride,	Schwab,	Yeakel,
Gartner,	McCandless,	Schwartz,	Yourishin,
Gillette,	McClure,	Scorza,	Zimmerman,
Gorman,	McCreary,	Scott,	Talbot,
Green,	McElwee,	Sheffer,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 227 (Senate Bill No. 34), entitled:

An Act authorizing the State Treasurer to act as custodian of moneys and securities contributed to or deposited wit hthe Commonwealth or officers departments boards or commissions of the Commonwealth prescribing the manner in which such moneys or securities shall be held and dismursed or delivered up and making an appropriation to the Treasury Department for the cost of administering such moneys and securities

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189

Andrews,	Gorman,	McCreary,	Shellenberger,
Baker,	Green,	McElwee,	Shenkel,
Baldi,	Greenstein,	McGinnis,	Shortz,
Barnhardt,	Griffith,	McGrail,	Shreiner,
Bechtel,	Haines,	McGregor,	Shugarts,
Beech,	Hamilton,	McKay,	Simon,
Bennett,	Harmuth,	McKinney,	Sinwell,
Bernhard,	Harris,	Melchiorre,	Snyder,
Blumberg,	Hart,	Meredith,	Sowers,
Boyd,	Hartman,	Merrell,	Spann,
Brancato,	Heffernan,	Mohn,	Stank,
Brennan,	Hefferon,	Moore,	Steedle,
Brown, J. E.,	Heffner,	Mumford,	Sterling, R. B.,
Brown, W. L.,	Hermansen,	Munley,	Stevens,
Brownfield,	Hester,	Murphy,	Stevenson,
Cannon,	Hewitt,	Myers,	Stiteler,
Caputo,	Himes, H. E.,	Negley,	Stone,
Carson,	Himes, L. R.,	Nothnagle,	Stott,
Chervenak,	Hoffman,	O'Connor,	Surface,
Cohen,	Holmes, J. B.,	O'Neill,	Tahl,
Conner,	Holmes, J. L.,	O'Rourke,	Terry,
Cooke,	Hoopes,	Patterson,	Trout,
Cordier,	Horst,	Peelor,	Turner,
Craig,	Hough,	Pennock,	Wade,
Cramer,	Howard,	Perry, D. R.,	Wagner,
Dane,	Hutton,	Perry, J. J.,	Walker, G. E.,
DeFrehn,	Jaffe,	Peters,	Walker, W. A.,
Denning,	Jones,	Powell,	Wall,
Downey, G. E.,	Kane, L. P.,	Powers,	Wasserman,
Downey, J. J.,	King,	Price,	Way,
Duffy,	Kinney,	Quinn,	Weidemann,
Dunmire,	Labar,	Raub,	Welsh,
Emhardt,	Lane,	Rectenwald,	Westrick,
Eroe,	Laubach,	Reed,	White,
Evans,	Lenahan,	Reilly,	Wike,
Fitzgerald,	Lewis,	Rhodes,	Williams, G. W.,
Flanagan,	Lord,	Rice,	Williams, J. J.,
Fleisher,	Lovett, J. E.,	Roan,	Wilson, L. M.,
Flinchbaugh,	Lovett, W. S.,	Roth,	Witkin,
Flynn, J. M.,	Lynch, J. R.,	Ruby,	Wood,
Flynn, J. W.,	Lynch, M.,	Sautter,	Woodside,
Forrest,	Male,	Schrock,	Wright,
Furman,	Malina,	Schrope,	Yeakel,
Gallagher, T. J.,	Maloney,	Schwab,	Yourishin,
Gallagher, W. J.	Mason,	Scorza,	Zimmerman,
Gartner,	McCandless,	Scott,	Talbot,
Gillette,	McClure,	Sheffer,	Speaker.

NAYS—1

Ederer,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 225 (Senate Bill No. 62), entitled:

An Act reducing to five days the period during which municipal subdivisions of the Commonwealth are required to advertise notice of proposed awards of contracts for articles to be used on projects financially by the Federal Civil Works Administration.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190

Andrews,	Harris,	McKay,	Shettel,
Baker,	Hart,	McKinney,	Shortz,
Baldi,	Hartman,	Melchiorre,	Shreiner,
Bechtel,	Heffernan,	Meredith,	Shugarts,
Beech,	Hefferon,	Merrell,	Simon,
Bennett,	Heffner,	Mohn,	Sinwell,
Bernhard,	Hermansen,	Moore,	Snyder,
Boyd,	Hester,	Mumford,	Spann,
Brancato,	Hewitt,	Munley,	Stank,
Brennan,	Himes, H. E.,	Murphy,	Steedle,
Brown, W. L.,	Himes, L. R.,	Myers,	Sterling, P.,
Caputo,	Hoffman,	Negley,	Sterling, R. B.
Carey,	Holmes, J. B.,	Nothnagle,	Stevens
Chervenak,	Holmes, J. L.,	O'Connor,	Stevenson,
Conner,	Hoopes,	O'Keefe,	Stiteler,
Cooke,	Horst,	O'Neill,	Stone,
Cordier,	Hough,	O'Rourke,	Stott,
Cramer,	Howard,	Patterson,	Surface,
Dane,	Hutton,	Pennock,	Tahl,
Davies,	Jaffe,	Perry, D. R.,	Terry,
DeFrehn,	Jones,	Perry, J. J.,	Trout,
Denning,	Kane, J. J.,	Peters,	Turner,
Downey, G. E.,	Kane, L. P.,	Powell,	Wade,
Downey, J. J.,	King,	Powers,	Wagner,
Duffy,	Kinney,	Price,	Walker, G. E.,
Dunmire,	Lane,	Quinn,	Walker, W. A.,
Ederer,	Laubach,	Rectenwald,	Wall,
Emhardt,	Lenahan,	Reed,	Wasserman,
Eroe,	Lewis,	Reilly,	Way,
Evans,	Lord,	Rhodes,	Weidemann,
Fitzgerald,	Lovett, J. E.,	Rice,	Welsh,
Flanagan,	Lovett, W. S.,	Roan,	Westrick,
Flinchbaugh,	Lynch, J. R.,	Roth,	White,
Flynn, J. M.,	Lynch, M.,	Royle,	Wike,
Flynn, J. W.,	Male,	Ruby,	Williams, G. W.,
Forrest,	Malina,	Ruth,	Williams, J. J.,
Furman,	Maloney,	Sautter,	Wilson, L. M.,
Gallagher, T. J.,	Marcks,	Schrock,	Witkin,
Gallagher, W. J.,	Mason,	Schrope,	Wood,
Gartner,	McBride,	Schwab,	Woodside,
Green,	McCandless,	Schwartz,	Wright,
Greenstein,	McClure,	Scorza,	Yeakel,
Griffith,	McCreary,	Scott,	Yourishin,
Habbyshaw,	McElwee,	Sheffer,	Zimmerman,
Haines,	McGinnis,	Shellenberger,	Talbot,
Hamilton,	McGrail,	Shenkel,	Speaker.
Harmuth,	McHenry,		

NAYS—1

Brown, J. E., Peelor,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 181, entitled:

An Act to amend section five hundred and twenty-four, as amended, and section five hundred and twenty-five, of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special, or local or any parts thereof, that are or may be inconsistent therewith;" by providing that in school districts of the first class, taxes for school purposes shall be assessed and collected in the same manner, at the same proportional rates upon the several classes of property, and with the same exemptions as the municipal taxes for the municipality comprising the respective school districts.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188

Andrews,	Gorman,	McCandless,	Scorza,
Baker,	Green,	McCreary,	Scott,
Baldi,	Greenstein,	McElwee,	Shellenberger,
Barnhardt,	Griffith,	McGinnis,	Shenkel,
Bechtel,	Habbyshaw,	McGrail,	Shettel,
Beech,	Haines,	McGregor,	Shortz,
Bennett,	Hamilton,	McHenry,	Shugarts,
Bernhard,	Harris,	McKay,	Simon,
Blumberg,	Hart,	McKinney,	Sinwell,
Boyd,	Hartman,	Melchiorre,	Snyder,
Brancato,	Heffernan,	Meredith,	Sowers,
Brennan,	Hefferon,	Merrell,	Stank,
Brown, J. E.,	Heffner,	Mohn,	Steedle,
Brown, W. L.,	Hermansen,	Moore,	Sterling P.,
Brownfield,	Hester,	Mumford,	Sterling, R. B.,
Cannon,	Hewitt,	Munley,	Stevens,
Caputo,	Himes, H. E.,	Myers,	Stevenson,
Carey,	Himes, L. R.,	Negley,	Stiteler,
Carson,	Hoffman,	Nothnagle,	Stone,
Chervenak,	Holmes, J. B.,	O'Connor,	Stott,
Cohen,	Holmes, J. L.,	O'Keefe,	Surface,
Conner,	Hoopes,	O'Neil,	Tahl,
Cooke,	Horst,	O'Rourke,	Terry,
Cordier,	Hough,	Patterson,	Trout,
Craig,	Howard,	Peelor,	Turner,
Cramer,	Hutton,	Pennock,	Wagner,
Davies,	Jaffee,	Perry, D. R.,	Walker, W. A.,
DeFrehn,	Kane, J. J.,	Perry, J. J.,	Wall,
Denning,	Kane, L. P.,	Peters,	Wasserman,
Downey, G. E.,	King,	Powell,	Way,
Downey, J.,	Kinney,	Powers,	Weidemann,
Duffy,	Labar,	Quinn,	Welsh,
Dunmire,	Lane,	Raub,	Westrick,
Ederer,	Laubach,	Rectenwald,	White,
Emhardt,	Lenahan,	Reed,	Wike,
Eroe,	Lewis,	Reilly,	Williams, G. W.
Evans,	Long,	Rhodes,	Williams, J. J.,
Fitzgerald,	Lord,	Rice,	Wilson, L. M.,
Flanagan,	Lovett, W. S.,	Roan,	Witkin,
Flinchbaugh,	Lynch, J. R.,	Roth,	Wood,
Flynn, T. J.,	Lynch, M.,	Royle,	Woodside,
Flynn, W. J.,	Male,	Ruth,	Wright,
Forrest,	Malina,	Sautter,	Yeakel,
Furman,	Maloney,	Schrock,	Yourishin,
Gallagher, T. J.,	Marcks,	Schrope,	Zimmerman,
Gallagher, W. J.,	Mason,	Schwab,	Talbot,
Gartner,	McBride,	Schwartz,	Speaker.
Gillette,			

NAYS—1

Price.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 138, as follows:

An Act to further amend clause (e) of section three hundred and six of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws

seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establish an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" by permitting the extension of time for hospitalization to ninety days at the option of the employer or insurer and fixing the date when this act becomes effective

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (e) of section three hundred and six of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by the act approved the thirteenth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws one hundred eighty-six) is hereby further amended to read as follows

(e) During the first thirty days after disability begins the employer shall furnish reasonable surgical and medical services medicines and supplies as and when needed unless the employe refuses to allow them to be furnished by the employer The cost of such services medicines and supplies shall not exceed one hundred dollars ($100) Provided however that the State Workmen's Insurance Fund shall have the right to furnish additional surgical and medical services medicines and supplies to any injured employee in the same manner and to the same extent as the same may be lawfully furnished by any private corporation engaged in the business of insuring Workmen's Compensation If the employer shall upon application made to him refuse to furnish such services medicines and supplies the employe may procure the same and shall receive from the employer the reasonable cost thereof within the above limitations In addition to the above service medicines and supplies hospital treatment services and supplies shall be furnished by the employer for the said period of thirty days The cost for such hospital treatment service and supplies shall not in any case exceed the prevailing charge in the hospital for like services to other individuals If the employe shall refuse reasonable surgical medical and hospital services medicines and supplies tendered to him by his employer he shall forfeit all right to compensation for any injury or any increase in his incapacity shown to have resulted from such refusal

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191

Andrews,	Griffith,	McGinnis,	Shenkel,
Baker,	Habbyshaw,	McGrail,	Shettel,
Baldi,	Hamilton,	McGregor,	Shortz,
Barnhardt,	Harmuth,	McHenry,	Shreiner,
Bechtel,	Harris,	McKay,	Shugarts,
Beers,	Hart,	McKinney,	Simon,
Bennett,	Hartman,	Melchiorre,	Sinwell,
Bernhard,	Heffernan,	Meredith,	Snyder,
Boyd,	Hefferon,	Merrell,	Sowers,
Brancato,	Heffner,	Mohn,	Spann,
Brown, J. E.,	Hermansen,	Moore,	Stank,
Brown, W. L.,	Hester,	Mumford,	Steedle,
Brownfield,	Hewitt,	Munley,	Sterling, P.,
Cannon,	Himes, H. E.,	Murphy,	Stevens,
Caputo,	Himes, L. R.,	Myers,	Stevenson,
Carey,	Hoffman,	Negley,	Stiteler,
Carson,	Holmes, J. B.,	Nothnagle,	Stone,
Chervenak,	Holmes, J. L.,	O'Connor,	Stott,
Cohen,	Hoopes,	O'Keefe,	Surface,
Conner,	Horst,	O'Neill,	Tahl,
Cooke,	Howard,	O'Rourke,	Terry,
Cordier,	Hutton,	Patterson,	Trout,
Craig,	Jaffe,	Peelor,	Turner,
Cramer,	Kane, J. J.	Pennock,	Wade,
Dane,	Kane, L. P.,	Perry, D. R.,	Wagner,
Davies,	King,	Peters,	Walker, G. E.,
DeFrehn,	Kinney,	Powell,	Walker, W. A.,
Downey, G. E.	Labar,	Powers,	Wall,
Duffy,	Lane,	Price,	Wasserman,
Dunmire,	Laubach,	Quinn,	Way,
Ederer,	Lenahan,	Raub,	Weidemann,
Emhardt,	Long,	Rectenwald,	Welsh,
Eroe,	Lord,	Reed,	Westrick,
Evans,	Lovett, J. E.	Reilly,	White,
Fitzgerald,	Lovett, W. S.,	Rhodes,	Wike,
Flanagan,	Lynch, J. R.,	Rice,	Williams, G. W.,
Flinchbaugh,	Lynch, M.,	Roan,	Williams, J. J.,
Flynn, J. M.	Male,	Roth,	Wilson, L. M.,
Flynn, J. W.	Malina,	Royle,	Witkin,
Forrest,	Maloney,	Ruby,	Wood,
Furman,	Marcks,	Sautter,	Woodside,
Gallagher, T. J.	Mason,	Schrock,	Wright,
Gallagher W. J.,	McBride,	Schrope,	Yeakel,
Gillette,	McCandless,	Schwab,	Yourishin,
Gorman,	McClure,	Schwartz,	Zimmerman,
Green,	McCreary,	Scorza,	Talbot,
Greenstein,	McElwee,	Shellenberger,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

RESOLUTION

MODIFICATION OF CIVIL SERVICE EXAMINATION.

Mr. EDERER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 18, 1933.

Whereas, The Pennsylvania Liquor Control Act provides for the appointment of employes of the Pennsylvania Liquor Stores pursuant to civil service examinations to be conducted by the Department of Public Instruction in order to determine the qualifications of applicants for such service, which qualifications are by said act expressly required to be "such as will best permit the efficient operation and management of such stores"; and

Whereas, In the first examinations held under said act for the position of truck drivers, the examinations have been intellectual rather than practical, requiring educational knowledge far beyond the necessity of a truck driver, and neglecting the really important qualifications for this work: therefore be it

Resolved, That it is the sense of the House of Representatives, that in the examination of applicants for the position of truck drivers for the Pennsylvania Liquor Stores, that all questions requiring educational learning be eliminated, and that such examinations be limited to inquiries as to the number of years of experience in truck driving which the applicant has had, an accurate, truthful and detailed statement of all vehicle accidents in which the applicant has been involved, the general personal experience of the applicant, and a knowledge of the essential requirements of the law in reference to the operation of motor vehicles.

Resolved, That the Acting Chief Clerk of the House of Representatives transmit a copy of this resolution to the Pennsylvania Liquor Control Board and to the Department of Public Instruction.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 18, 1933.

Whereas, Under Act of Congress of the United States known

as the National Industrial Recovery Act the sum of $3,300,000,000 has been appropriated for the purpose of Public Works allotted to the various States as they may be approved by the Federal Emergency Administration of Public Works upon proper application filed, and

Whereas, Corporations have been formed and are to be formed for enabling projects for public and quasi-public purposes in the Commonwealth of Pennsylvania, to qualify for receiving loans and grants under said act of Congress and,

Whereas, In order to obtain loans and grants for such projects, it is necessary that the corporations thus formed be under public control and to insure the same provisions are made that a majority of the directors and trustees of said corporations shall be appointed by the Governor of the Commonwealth of Pennsylvania.

Resolved, By the Senate of the Commonwealth of Pennsylvania (if the House of Representatives concur), That the Governor of the Commonwealth is hereby authorized and empowered to appoint such number of directors and trustees as is necessary to constitute a majority of the Board of Directors of any nonprofit corporation formed for public purposes applying to the Federal Emergency Administration of Public Works, or other Federal agency, for a loan and grant for projects erected in this Commonwealth under the terms of the National Industrial Recovery Act so that said corporations may be under public control for public benefit and to enable them to meet the requirements of the said act.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concured in.

Ordered, That the Clerk inform the Senate accordingly.

ADJOURNMENT

Mr. CONNER. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11 o'clock.

The motion was agreed to and (at 10:50 o'clock P. M.) the House adjourned until Tuesday, December 19, 1933, at 11 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., TUESDAY, DECEMBER 19, 1933. No. 20.

SENATE

TUESDAY, December 19, 1933.

The Senate met at 10:30 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Acting Chaplain, Rev. Oscar R. Treder, offered the following prayer:

O Sovereign Lord God, Heavenly Father, we adore Thy goodness in making Thy will known to us in Thy Holy Word. May this, Thy Word, be the rule of our law, of our desires and of our lives. May we ever sacrifice our will to Thine, be pleased with all Thy choices for ourselves and others, and adore Thy providence in the government of the world.

Convince us, O God, if we are under any mistake. Direct, assist and support us under all the difficulties we shall meet. Dispose the hearts of those with whom we have to do with justice and peace. Give us grace to rest satisfied with whatever shall be the issues of our deliberations.

In all that we undertake preserve us from evil counsels and from rash enterprises. In the work of this House of Legislation, O Lord, Thy will, not ours, be done. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. NORTON, the further reading was dispensed with, and the Journal was approved.

PETITIONS

FAVORING ALL MEASURES PERTAINING TO SOCIAL LEGISLATION

The Chair laid before the Senate petitions from the City Business Club of Philadelphia and the American Federation of Hosiery Workers urging the passage of all social legislation.

Which were referred to the Committee on Judiciary General.

PROTESTING AGAINST PUBLIC SERVICE COMMISSION'S GENERAL ORDER No. 29.

Mr. STAUDENMEIER presented petition from citizens of Pine Grove protesting against the Public Service Commission's General Order No. 29.

Which was referred to the Committee on Public Roads and Highways.

LEAVE OF ABSENCE

Mr. SCOTT asked and obtained leave of absence for the Senator from Lackawanna, Mr. Howell, on account of illness.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 19, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation.

BEAVER COUNTY

Earl F. Blank, Aliquippa.

LUZERNE COUNTY

Miss Kathryn E. Raeder, Pittston.

PHILADELPHIA COUNTY

Winifred S. Hurst, 21 S. 12th St., Philadelphia.

VENANGO COUNTY

H. Wade Lee, Oil City.

WESTMORELAND COUNTY

Gus A. Beard, Greensburg.

GIFFORD PINCHOT.

HOUSE MESSAGES

HOUSE CONCURS IN RESOLUTION AUTHORIZING THE GOVERNOR TO APPOINT DIRECTORS AND TRUSTEES OF ANY NON-PROFIT CORPORATION APPLYING TO FEDERAL AGENCY FOR EMERGENCY LOAN.

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution of the Senate as follows:

In the Senate, December 18, 1933.

Whereas, Under Act of Congress of the United States known as the National Industrial Recovery Act the sum of $3,300,000,000 has been appropriated for the purpose of Public Works allotted to the various States as they may be approved by the Federal Emergency Administration of Public Works upon proper application filed, and

Whereas, Corporations have been formed and are to be formed for enabling projects for public and quasi-public pur-

poses in the Commonwealth of Pennsylvania, to qualify for receiving loans and grants under said act of Congress and,

Whereas, In order to obtain loans and grants for such projects, it is necessary that the corporations thus formed be under public control and to insure the same provisions are made that a majority of the directors and trustees of said corporations shall be appointed by the Governor of the Commonwealth of Pennsylvania.

Resolved by the Senate of the Commonwealth of Pennsylvania (if the House of Representatives concur) that the Governor of the Commonwealth is hereby authorized and empowered to appoint such number of directors and trustees as is necessary to constitute a majority of the Board of Directors of any non-profit corporation formed for public purposes applying to the Federal Emergency Administration of Public Works, or other Federal agency, for a loan and grant for projects erected in this Commonwealth under the terms of the National Industrial Recovery Act so that said corporations may be under public control for public benefit and to enable them to meet the requirements of the said act.

RESOLUTION RELATIVE TO LIQUOR CONTROL

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Law and Order:

In the House of Representatives, December 18, 1933.

Whereas, In many political subdivisions of the State, the electors, at the municipal election in the year 1933, voted against the grant of beverage licenses; and

Whereas, The Pennsylvania Liquor Control Act, as adopted, fails to prohibit the grant of liquor licenses in territory where the electors voted dry at the municipal election in 1933, under the beverage license law; and

Whereas, It conclusively follows that where the electors of a political subdivision voted against the grant of licenses to sell malt beverages, they are also opposed to the grant of licenses to sell spirits and wine; and

Whereas, The Pennsylvania Liquor Control Act fails to vest in the Liquor Control Board the absolute discretion to refuse to grant liquor licenses in particular territory until the electors have voted against such grant under said act, but vests discretion to refuse licenses for the reason that the applicant is not reputable or the place not a proper one; therefore be it

Resolved (if the Senate concur), That it is the sense of the General Assembly that all persons should refrain from applying for the grant of liquor licenses in territory where the electors at the election in 1933, voted against the grant of malt beverage licenses, and that where applications for licenses are so filed, that the Liquor Control Board should thoroughly investigate the person applying for the license and the place proposed to be licensed, and should not in any case grant such a license unless it is clearly of the opinion that under all the facts and circumstances it has no discretion whatever to refuse the license.

Resolved, That a copy of this resolution be transmitted to the Liquor Control Board by the acting Chief Clerk of the House of Representatives.

RESOLUTION RELATING TO UNEMPLOYMENT CENSUS

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Judiciary General:

In the House of Representatives, December 18, 1933.

Whereas, In the planning of future unemployment relief activities, public works programs, and other projects relating to the welfare of the citizens of Pennsylvania, it is of vital importance to obtain information and statistics regarding the extent of unemployment; and

Whereas, The Federal Civil Works Administration of Pennsylvania has indicated its approval of a State-wide unemployment census for the dual purpose of obtaining information and providing work for the unemployed; and

Whereas, the Federal Civil Works Administration has indicated its willingness to finance such surveys from Federal Civil Works Administration funds;

Therefore, Be It Resolved (if the Senate concur), that it is the sense of the General Assembly that if the making of such survey is financed by the Federal Civil Works Administration, the people of the State should co-operate to the fullest extent to make such surveys or studies complete and accurate; and

Be It Further Resovled, That the Governor of the Commonwealth be requested to issue a proclamtion calling upon all citizens to afford to the persons making such surveys or studies all information which may be requested.

RESOLUTION RELATIVE TO BIDDING ON MOTOR VEHICLES

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Judiciary General.

In the House of Representatives, December 18, 1933.

Whereas, The Ford Motor Company is one of the important industries of the State as the following statistics show:

(a) It paid out in wages at its Chester plant alone, $2,394,000 during the year 1933 not including the month of December;

(b) It pays a capital stock tax to the State of approximately $8,500 a year;

(c) It pays a real estate tax to local government in excess of $75,000 a year;

(d) It pays taxes on liquid fuels of about $30,000 a year;

(e) It employs, directly at the present time, approximately 3,000 persons in this State;

(f) It has 500 authorized dealers in the State employing approximately 3,000 employes;

(g) It purchases parts and supplies from 240 different manufacturers in this State; and

Whereas, The Ford Motor Company has complied fully with the National Industrial Recovery Act, as is best evidenced by the recent purchases of its products by agencies of the Federal Government; and

Whereas, The agencies representing the Ford Motor Company have recently been unable to do any business with the Commonwealth, not by reason of inability to meet specifications contained in requests for bids, but for the reason that makes of cars have been specified, and the products of the Ford Motor Company have seemingly been discriminated against by being omitted from said specifications, although the Ford Motor Company products come in the same class as, and in direct competition with, those set forth in the specifications; and

Whereas, The Ford Motor Company is the only industry which maintains and operates plants in this State for the production of certain types of motor vehicles: and

Whereas, The establishment of industry in this State should at all times be encouraged and supported, therefore be it

Resolved (if the Senate concur), That it is the demand of the members of the General Assembly that agencies of the Ford Motor Company should be permitted to become bidders on motor equipment in this State when bids are requested for types of equipments similar to those manufactured by said company, to the end that Pennsylvania industry may be aided and encouraged.

Resolved, That a copy of this resolution be transmitted to the Governor, the purchasing agent of the Commonwealth i. e., the Department of Property and Supplies and to the Department of Highways by the Acting Chief Clerk of the House.

RESOLUTION RELATIVE TO LIQUOR TAX REVENUE

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Finance:

In the House of Representatives, December 18, 1933.

Whereas, There is grave danger, that the anticipated benefits of repeal will be destroyed by unrestrained and competitive taxation of alcoholic beverages by the Federal Government and by the government of the states, counties and cities, and

Whereas, The imposition by the Federal Government of taxes or other imports on alcoholic beverages without regard to similar burdens imposed by the states, counties and cities may

result in a combined load of taxation so heavy as to encourage illicit traffic in these beverages, and

Whereas, Before Federal prohibition the states, counties and cities depended on liquor taxes and license fees for a substantial proportion of their tax revenues, thus lightening the load of taxation on real property, and

Whereas, If liquor taxes are again to carry a reasonable share of the State and local tax burden, it is essential that the taxation of alcoholic beverages by the Federal Government be not excessive, and

Whereas, There is grave danger that unless immediate action is taken by the states, counties and cities in establishing a line of communication with the Federal Government through such bodies as the Interstate Assembly and the Interstate Commission on Conflicting Taxation, the opportunity to secure a fair division of liquor tax revenues will be lost;

Now, Therefore, Be It Resolved, that Congress be urged to adopt the recommendation formulated by the Interstate Commission on Conflicting Taxation at a meeting in Washington, D. C., November 10-11, 1933, and ratified by the Interstate Assembly, which provide that, of the combined gross revenues from the liquor traffic derived by the Federal and State Governments from all sources, one-half should inure to the benefit of the states and their localities and the remaining half should be retained by the Federal Government.

Be It Further Resolved, That the President of the United States be respectfully urged and requested to approve any bill embodying the principles of the above recommendations in order that the provisions thereof may become effective at an early date; and

Be It Further Resolved, That a certified copy of this Joint Resolution be sent to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, and to each of the members of the Congressional Delegation of this State.

RESOLUTION RELATIVE TO UNEMPLOYMENT CENSUS

He also presented extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Judiciary General:

In the House of Representatives, December 18, 1933.

Whereas, In a planning of future unemployment relief activities, public works programs, and other projects relating to the welfare of the citizens of Pennsylvania, it is of vital importance to obtain information and statistics regarding the extent of unemployment; and

Whereas, The Federal Civil Work Administration of Pennsylvania has indicated its approval of a State-wide unemployment census for the duel purpose of obtaining information and providing work for the unemployed; and

Whereas, The Federal Civil Works Administration has indicated its willingness to finance such surveys from Federal Civil Works Administration funds;

Therefore, Be It Resolved (if the Senate concur), That it is the sense of the General Assembly that if the making of such survey is financed by the Federal Civil Works Administration, the people of the State should co-operate to the fullest extent to make such surveys or studies complete and accurate; and

Be It Further Resolved, That the Governor of the Commonwealth be requested to issue a proclamation calling upon all citizens to afford to the persons making such surveys or studies all information which may be requested

The foregoing is a true and correst copy of the resolution adopted by the House of Representatives, the eighteenth day of December, one thousand nine hundred and thirty-three, and concurred in by the Senate, the day of December, one thousand nine hundred and thirty-three.

SENATE BILL No. 55 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 55, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction, and providing for the repayment of such moneys from the General Fund.

with the information that the House has passed the same with amnedments, in which the concurrence of the Senate is requested.

Mr. SCOTT. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. FAY. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 2, page 2, line 8, by striking out after the word "Fund" the following: "in the future whenever the financial condition of the General Fund permits an appropriation from the General Fund for such purpose without incurring an over appropriation liability" and inserting in lieu thereof "within a period of four years from the effective date of this act

"Section 3 This act shall become effective immediately upon final enactment"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER, from the Committee on Public Printing reported amended, the following Resolution:

Resolved (if the Senate concur), That the Legislative Reference Bureau is hereby directed to have printed, as a Legislative document, five thousand copies of the General Borough Act of May 4, 1927, P. L. 519, with all amendments thereto, to be distributed as follows: one thousand (1000) copies for the use of the Senate, two thousand (2000) copies for the use of the House of Representatives and the remaining copies to be distributed and sold by the Division of Documents of the Department of Property and Supplies in the manner provided by law.

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions, reported from committee to lie on the table one day, be suspended, and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there any objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

Mr. STAUDENMEIER. Mr. President, for the benefit of the Senators I may say that the resolution pertains to the printing of Borough Codes, the supply of which has been exhausted; and the resolution was so amended that the members of the Senate and the House shall be entitled to so many copies each for distribution.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION OF SYMPATHY TO SENATE CHAPLAIN

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, December 19, 1933.

It is with great sorrow that the Senate of Pennsylvania learns of the illness of the Reverend George P. Donehoo, D. D., Chaplain of the Senate, and it expresses the hope that he will speedily recover and be restored to health. The members of the Senate extend their sympathy and best wishes to Chaplain Donehoo and his family.

REPORT FROM COMMITTEE

Mr. SCOTT, from the Committee on Appropriations, reported as amended, Senate Bill No. 148 (House Bill No. 62), entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An Act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," by making additional appropriations to certain administrative departments.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until twelve o'clock noon.

Mr. ARON. Mr. President, I second the motion

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. BATCHELOR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BATCHELOR, from the Committee on Judiciary General, reported as committed, Senate Bill No. 169 (House Bill No. 153), entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

Also from the Committee on Judiciary General, reported as amended, Senate Bill No. 105 (House Bill No. 16), entitled:

An Act to amend Whereas clauses and sections one two and four of and to add sections eight and nine to the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred and twenty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs."

Mr. REED. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED, from the Committee on Judiciary General, reported as committed, the following resolution, which was laid on the table.

In the House of Representatives, December 18, 1933.

Whereas, In the planning of future unemployment relief activities, public works programs, and other projects relating to the welfare of the citizens of Pennsylvania, it is of vital importance to obtain information and statistics regarding the extent of unemployment; and

Whereas, The Federal Civil Works Administration of Pennsylvania has indicated its approval of a State-wide unemployment census for the dual purpose of obtaining information and providing work for the unemployed; and

Whereas, The Federal Civil Works Administration has indicated its willingness to finance such surveys from Federal Civil Works Administration funds;

Therefore, Be It Resolved, If the Senate concur, that it is the sense of the General Assembly that if the making of such survey is financed by the Federal Civil Works Administration, the people of the State should co-operate to the fullest extent to make such surveys or studies complete and accurate; and

Be It Further Resolved, That the Governor of the Commonwealth be requested to issue a proclamation calling upon all citizens to afford to the persons making such surveys or studies all information which may be requested.

Mr. BOYD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BOYD, from the Committee on Judiciary General reported as committed, Senate Bill No. 175 (House Bill No. 138), entitled:

An Act to further amend clause (e) of section three hundred and six of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" by permitting the extension of time for hospitalization to ninety days at the option of the employer or insurer and fixing the date when this act becomes effective

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Judiciary General, reported as committed, Senate Bill No. 166 (House Bill No. 196), entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board

Mr. GELDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 157 (House Bill No. 197), entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board.

Mr. SONES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SONES, from the Committee on Judiciary General, reported as committed, the following resolution, which was laid on the table:

In the House of Representatives, December 18, 1933.

Whereas, In planning of future unemployment relief activities, public works programs, and other projects relating to the welfare of the citizens of Pennsylvania, it is of vital importance to obtain information and statistics regarding the extent of unemployment; and

Whereas, The Federal Civil Works Administration of Pennsylvania has indicated its approval of a State-wide unemployment census for the duel purpose of obtaining information and providing work for the unemployed; and

Whereas, The Federal Civil Works Administration has indicated its willingness to finance such surveys from Federal Civil Works Administration funds;

Therefore, Be It Resolved, If the Senate concur, that it is the sense of the General Assembly that if the making of such survey is financed by the Federal Civil Works Administration, the people of the State should co-operate to the fullest extent to make such surveys or studies complete and accurate; and

Be It Further Resolved, That the Governor of the Commonwealth be requested to issue a proclamation calling upon all citizens to afford to the persons making such surveys or studies all information which may be requested

The foregoing is a true and correct copy of the resolution adopted by the House of Representatives, the eighteenth day of December, one thousand nine hundred and thirty-three, and concurred in by the Senate, the day of December, one thousand nine hundred and thirty-three.

Mr. HOMSHER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 167 (House Bill No. 199), entitled:

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER, from the Committee on Judiciary General, reported as committed, the following resolution, which was laid on the table:

SUITABLE EMPLOYMENT FOR PHYSICALLY HANDICAPPED PERSONS TO BE CONSIDERED.

In the House of Representatives, December 4, 1933.

Urging that a suitable part of public employment be given to physically handicapped persons.

Whereas, The employment of crippled and other physically handicapped persons in tasks which they are competent to perform is in accord with a wise social economy and was so recognized by the State of Pennsylvania in 1919 when it led other States of the Union in establishing a Division for the Vocational rehabilitation and placement of Disabled Persons and

Whereas, In recent years the tendency to discriminate against the employment of physically handicapped persons has been increasing as a result of certain general industrial policies rather than diminishing as a social good requires and

Whereas, A greater recognition of the physically handicapped in public employment would be beneficial both as an equitable course in itself and as setting an example for private industry and business.

Now Therefore Be It Resolved, By the House of Representatives of the State of Pennsylvania the Senate concurring that the appointing authorities in every State Department and in every county, city and town be urged to give consideration to the suitable employment of crippled and other physically handicapped persons to the end that a fair proportion shall be represented in public employment and that all rules and policies in conflict therewith be revised.

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 168 (House Bill No. 200), entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liablty of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule in compensation and providing procedure for the determination of liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 163 (House Bill No. 86), entitled:

An Act to prohibit discrimination and intimidation on account of race or color in employment under contracts for public buildings or public works and fixing penalties therefor

Also from the Committee on Judiciary General, reported as committed, the following resolution, which was laid on the table:

JOINT COMMITTEE TO MAKE AN INVESTIGATION OF CONDITIONS EXISTING AT THE EASTERN PENITENTIARY.

In the House of Representatives, December 5, 1933.

Whereas, Several serious outbreaks have occurred recently at the Eastern Penitentiary in Philadelphia; and

Whereas, The public is entitled to know whether such outbreaks are the result of negligence in the management of said

institution, and due to conditions which have existed for some time, or whether they were unavoidable and due to the character of prisoners detained in said institution; therefore be it

Resolved (if the Senate concur), That the Speaker of the House of Representatives shall appoint three members, and the President Pro Tempore shall appoint two Senators, who together shall constitute a joint legislative committee whose duty it shall be to make a searching and impartial investigation of conditions existing at the Eastern Penitentiary, and to determine the causes of the recent outbreaks among the prisoners in said institution and to make report of its findings and recommendations to the General Assembly not later than February 1st, 1935;

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Mr. ARON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 174 (House Bill No. 109), entitled:

An act to amend section one of the act, approved the twenty-sixth day of August, one thousand nine hundred and thirty-two (P. L. 100), entitled "An act authorizing the abatement of penalties on local taxes," as amended, by providing for the extension of time during which such abatements may be allowed.

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 164 (House Bill No. 171), entitled:

An Act to amend section one of article six of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An act for the government of cities of the second class" as amended by providing for the assessment of a less rate of tax upon buildings than upon land graded over a period of years until the rate upon buildings shall become one-fifth of the rate upon land

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 178 (House Bill No. 191), entitled:

An Act to amend section one of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 237), entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two, and validating the liens of such taxes," further extending the period for such returns and providing for returns for the year one thousand nine hundred and thirty and for the year one thousand nine hundred and thirty-three.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House of Representatives as follows:

House Bill No. 137 (Senate Bill No. 180), entitled:

An Act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four, by installments and for a discount for prompt payment of such taxes, in cities of the second class and in school districts of the first class.

Which was committed to the Committee on Municipal Affairs.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 118, as follows:

An Act to protect the owners of mortgaged property during the present emergency by limiting the amount of deficiency judgments during a certain period

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any real property is sold on any execution on the foreclosure of any mortgage or on a judgment entered on any obligations secured by mortgage and the sum for which such property was sold is not sufficient to satisfy the debt interest and costs the plaintiff or use plaintiff shall within six months after such sale petition the court out of which such writ of execution issued to fix the fair value of the property sold At least ten days' notice of the presentation of such petition shall be give nto the defendant or defendants and to all parties whose interest appears on the record Such petition shall be heard by a judge of such court sitting without a jury or may by rule adopted by such court be referred to a master for hearing and determination subject to confirmation by the court. Provided That the fee of any such matter shall in no case exceed one hundred dollars nor the costs of any proceedings before a master the sum of fifty dollars

At all such hearings any party in interest may introduce in evidence testimony of the fair value of the premises sold at the time of the sale In the event that the fair value so determined is greater than the price for which the property was sold the amount of such fair value shall be deducted from the amount of the judgment interest and costs and a deficiency judgment entered for the balance

If the plaintiff or use plaintiff shall fail to present such petition within six months after such sale the prothonotary shall upon application of the defendant or other party in interest enter satisfaction of such judgment Such satisfaction shall have the effect of terminating as well the liability of all persons bond by any obligation securing the payment of such mortgage debt

The defendant in the foreclosure proceedings or judgment or the real owner of the property sold or any other person or persons bound by any obligation securing the payment of the said mortgage debt or other person in interest may at any time after the sale petition the court in like manner to fix the fair value of the property sold and shall give to the plaintiff and use plaintiff at least ten days' notice of the presentation of such petition whereupon the court shall determine the fair value in the same manner as hereinbefore provided in the case of a petition by the plaintiff or use plaintiff

Section 2 All acts and parts of acts inconsistent herewith are hereby suspended during the period this act shall remain in effect

Section 3 The provisions of this act shall become effective immediately upon its final enactment and shall remain in force only until the first day of July one thousand nine hundred and thirty-five

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,

Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield.		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 130 (House Bill No. 128), as follows:

An Act to amend section one of article one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended empowering mine inspectors to inspect mines where from two to five persons are employed or engaged in work and to require proper safety measures

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as last amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred ten) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall apply to every anthracite coal mine or colliery in the Commonwealth that where five or more persons are employed or engaged in work [Provided however The inspector shall have the right to enter and inspect all mines employing from two to five persons for the purpose of determining whether or not the mine is generally safe] But any mine inspector shall nevertheless have the right to enter and inspect all mines where from two to five persons are employed or engaged in work for the purpose of determining the conditions of safety in any such mine In case a mine inspector shall find any such mine to be unsafe or to be operated in any unsafe manner he shall order such unsafe conditions to be forthwith corrected and in default of the owner or operator doing so shall order such mine closed until the unsafe conditions are corrected Mandatory enforcement of any such order may be had by injunction proceedings

Section 2 The provisions of this act shall become effective on the first day of January one thousand nine hundred and thirty-four

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 131 (House Bill No. 129), as follows:

An Act to amend section three of article twenty-eight of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending the provisions of said act to all bituminous coal mines where five or more persons are employed or engaged in work and empowering mine inspectors to inspect mines where from two to five persons are employed or engaged in work and to require proper safety measures

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of article twenty-eight of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended to read as follows

Section 3 The provisions of this act shall not apply to any mine [employing] where less than [ten] five persons are employed or engaged in work inside the mine in any one period of twenty-four hours but any mine inspector shall nevertheless have the right to enter and inspect all mines [employng] where from two to five persons are employed or engaged in work for the purpose of determining the conditions of safety in any such mine in case a mine inspector shall find any such mine to be unsafe or to be operated in any unsafe manner he shall order such unsafe conditions to be forthwith corrected and in default of the owner or operator doing so shall order such mine closed until the unsafe conditions are corrected Mandatory enforcement of any such order may be had by injunction proceedings

Section 2 This act shall become effective January first one thousand nine hundred and thirty-four

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Einstein,	Miller,	Salus,
Aron,	Fay,	Norton,	Scott,
Baumer,	Frazier,	Owlett,	Shapiro,
Bell,	Gelder,	Parkinson,	Snyder,
Bennett,	Graff,	Pethick,	Sones,
Brandt,	Harris,	Pierson,	Sordoni,
Buckman,	Harvey,	Prince,	Thompson,
Chapman,	Homsher,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,	Mansfield,	Roberts,	

NAYS—3

Batchelor,	Boyd,	Staudenmeier

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1, as follows:

An Act authorizing the Governor to accept funds from agencies of the Federal Government appropriating such funds for construction of public works for the Commonwealth and providing for repayment to the Federal Government of part of such funds with interest under certain conditions and making an appropriation for such repayment

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor is hereby authorized to accept on behalf of the Commonwealth grants of money from the President of the United States or any Federal agency authorized to make such grants under the National Industrial Recovery Act approved the sixteenth day of June one thousand nine hundred and thirty-three or any amendments thereof or supplements thereto or any other Federal act for the construction of public works by or on behalf of the Commonwealth

Section 2 All moneys so received shall be paid into the State Treasury and they are hereby appropriated to the Department of Property and Supplies for payment of the cost of the construction with the consent of the Governor of public works projects for the Commonwealth The term "cost of construction" as used in this section shall include the cost of the necessary plans specifications supervision architectural and engineering fees whether paid to persons within or without the Department and all other incidental expenses necessary for construction and completion of the project unless payment of any such costs from said funds shall be expressly forbidden by the Federal agency making the grant Among such projects shall be the following Such buildings for State welfare institutions as shall be determined by the Department of Welfare with the approval of the Governor such buildings for State sanitoria as shall be determnied by the Department of Health with the approval of the Governor and such armory buildings as shall be determined by the State Armory Board with the approval of the Governor Provided however That not more than two million dollars ($2,000,000.00) of the total amount received from any agency or agencies of the Federal government hereunder may be used for construction of armories

Section 3 For the purpose of the succeeding sections of this act the term "advancement" shall mean such portion of the total amount received from the President or a Federal agency under the foregoing provisions of this act as the President or such Federal agency shall require the Commonwealth to repay

Section 4 The sum of ten million dollars ($10,000,000) or so much thereof as shall be necessary is hereby appropriated to the Treasury Department out of the moneys in The State Stores Fund which represent net profits from the operation of Pennsylvaia Liquor Stores to be repaid to the Federal agency which shall have made any grant here inabove mentioned as follows

(a) On June first one thousand nine hundred thirty-four one-thirtieth (1/30) of the advancement together with interest on the entire advancement to that date

(b) On June first one thousand nine hundred thirty-five one thirtieth (1/30) of the advancement together with interest on the balance of the advancement remaining unpaid on June first one thousand nine hundred thirty-four

(c) On June first one thousand nine hundred thirty-five the entire unpaid balance of the advancement Provided however That this payment of the entire remaining unpaid balance need not be paid if prior to June first one thousand nine hundred thirty-five the General Assembly shall have made and the Governor shall have approved an appropriation providing for the payment of one-thirtieth (1/30) of the advancement on June first one thousand nine hundred and thirty-six together with interest on all unpaid balances one-thirtieth (1/30) of the advancement on June first one thousand nine hundred thirty-seven together with interest on all unpaid balances and also payment on June first one thousand nine hundred thirty-seven of the entire balance of the advancement then remaining unpaid subject to the condition however that the last mentioned payment of the entire balance need not be paid on June first one thousand nine hundred thirty-seven if prior to that date the General Assembly shall have passed and the Governor shall have so approved a similar act providing for payments of one-thirtieth (1/30) of the advancement on June first one thousand nine hundred thirty-eight and on June first one thousand nine hundred thirty-nine respectively with interest as above and also for full payment of the entire unpaid balance on June first one thousand nine hundred thirty-nine unless the General Assembly of one thousand nine hundred thirty-nine shall have prior thereto made provision for similar payments on account in one thousand nine hundred forty and one thousand nine hundred forty-one and for similarly conditioned payment of the entire unpaid balance on June first one thousand nine hundred forty-one and so onward until the full amount of the advancement and interest shall have been repaid

It is the intention of this act that during each biennium repayment of one-thirtieth (1/30) of the advancement with interest on unpaid balances each year during the succeeding biennium shall be provided for absolutely and that appropriation shall be made for the full payment of the entire unpaid balance with interest at the end of the next biennium unless prior thereto similar provision for absolute payment of installments and conditional provision for payment of the unpaid balance shall be made for the succeeding biennium

Section 5 If at the time when payment of all or any part of the advancement of any interest thereon shall become due to the Federal agency which made the grant there shall not be in The State Stores Fund moneys available to make such payment in full any deficiency shall be paid out of the General Fund and such amount as shall be necessary for that purpose is specifically appropriated to the Treasury Department

Section 6 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Einstein,	Miller,	Salus,
Aron,	Fay,	Norton,	Scott,
Batchelor,	Frazier,	Owlett,	Shapiro,
Baumer,	Gelder,	Parkinson,	Snyder,
Bell,	Graff,	Pethick,	Sones,
Bennett,	Harris,	Pierson,	Sordoni,
Boyd,	Harvey,	Prince,	Staudenmeier,
Brandt,	Homsher,	Quigley,	Thompson,
Buckman,	Hunsicker,	Reed,	Trainer,
Chapman,	Lanius,	Rice,	Williamson,
Clark,	Mansfield,	Roberts,	Ziesenheim.
Coyne,			

NAYS—1

Ealy,

A majority of all the Senators having voted "aye" the question was determined in the affirmative,

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 87 (House Bill No. 74), as follows:

A Supplement to act number three hundred-A approved the third day of June one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the Ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to the Executive Legislative and Judicial Departthe Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the appropriations made by the act to which this act is a supplement the following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund in the State Treasury to the several hereinafter named agencies of the Executive and Judicial Departments of the Commonwealth for the purposes hereinafter set forth for the two fiscal years ending the thirty-first day of May one thousand nine hundred thirty-five

To the Department of Forests and Waters

For further flood prevention work along the Darby Creek in Delaware County in cooperation with the Federal Government the sum of ten thousand dollars ($10,000)

EXECUTIVE DEPARTMENT

To the Department of Health

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and incidental expenses necessary for the proper conduct of the work of the department and the Sanitary Water Board the Advisory Health Board and other boards including the continuation of the investigation and study of the effect of the diversion of water from the tributaries of the Delaware River as authorized by the law the sum of thirty-seven thousand dollars ($37,000)

To the Department of Labor and Industry

For the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees the members of the Industrial Board and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and incidental expenses necessary for the proper conduct of the work of the Department including the work formerly performed by the Bureau of Industrial Relations the Workmen's Compensation Board the Workmen's Compensation Referees and the Industrial Board and for the purchase of artificial appliances for and the payment of maintenance costs of physically handicapped persons in training and all other expenses necessary to carry out the provisions of rehabilitation acts the sum of two hundred twelve thousand dollars ($212,000)

To the Department of Military Affairs

For the preparation of the new State Military Reservation at Indiantown Gap for occupancy by the Pennsylvania National Guard including necessary grading and improvements to the new site the construction or repair of roads sewers sewage lines tent floors and electric lines the construction and furnishing of buildings and the purchase of labor horses supplies equipment and materials the sum of seventy-five thousand dollars ($75,000)

To the Department of Property and Supplies

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of postage traveling expenses mileage charges to the department for the use of automobile telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and incidental expenses necessary for the proper conduct of the work of the department the Capitol Police the Board of Commissioners of Public Grounds and Buildings and other boards attached to the department for the care maintenance and preservation of public grounds and buildings including the Executive Mansion for the payment of the cost of advertising schedules of supplies the sale of unserviceable property proposals for executing the State printing and binding proposals for any contract work readvertising any schedules or proposals when necessary and all other advertising necessary for the proper conduct of the work of the department the sum of two hundred twenty-five thousand dollars ($225,000) Provided however That the department shall not use any part of this appropriation for the payment of the salaries wages or other compensation of employes necessary for the cleaning and care of offices or other quarters either in the Capitol Building or elsewhere used by the Department of Banking the Department of Highways the Department of Revenue to the extent to which appropriations for this purpose shall have been made to them from special funds the General Assembly the Judicial Department the Department of the Auditor General the Treasury Department the Board of Game Commissioners the Board of Fish Commissioners or the State Workmen's Insurance Board for the cleaning and care of offces or other quarters outside the city of Harrisburg used by any other department board or commission or for the cleaning and care of the State Arsenal or any barracks used by the Pennsylvania State Police

For the purchase of supplies including medicines medical surgical laboratory chemical biological and electrical supplies military stores and supplies stationery and office supplies for the purchase of food and forage and other animal foods for the purchase of furniture and equipment including office chemical laboratory medical surgical biological and electrical equipment furniture furnishings utensils military and police equipment fire arms and other accoutrements artifical appliances fire protection and fire fighting equipment for the purchase of animals poultry seedlings and transplants for the purchase of legal and other books periodicals maps charts manuscripts pamphlets exchanges records lantern slides archaeological and historical markers and for the purchase of all other materials supplies or equipment as set forth in the schedules of the Department of Property and Supplies or for which requisition is made but the want of which was not anticipated at the time of the making of said schedules for the cost of repairing office equipment for the cost of miscellaneous services for the payment of rental charges for telephones and other patented leased office devices for the payment of the cost of printing and printing processes such as binding ruling lithographing color printing and engraving for the purchase of paper envelopes cloth and other substances on which printing is done cuts electrotypes dies stamps and other printing and binding supplies as may be required for the Executive Mansion and the several administrative departments boards and commissions of the State Government except the Department of Highways the Department of Banking and the Department of Revenue to the extent to which appropriations for these purposes shall have been made to them from special funds the Department of the Auditor General the Treasury Department the Board of Fish Commissioners the Board of Game Commissioners the State Farm Products Show Commission the State Workmen's Insurance Board and departmental administrative boards or commissions having control of State institutions or supervision over or the duty of planning for State parks harbors or canals for the payment of the cost of making tests of materials supplies and equipment whether purchased by the Department of Property and Supplies directly or as purchasing agency for the payment of the cost of preparation of plans designs and specifications including necessary tests or borings and the preparation of same required for the performance of the work of the Department of Property and Supplies (when said cost is not other-

wise provided for) including those to be purchased or altered at the expense of a fund other than the General Fund and for the payment of expenses incident to condemnation proceedings in the event such expenses are not provided for in any Act of the General Assembly authorizing the acquisition of land for the Commonwealth the sum of seventy five thousand dollars ($75,000)

To the Department of Public Instruction

For aid to financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine the sum of five million dollars ($5,000,000)

To the Department of Revenue

For the payment of salaries wages or other compensation of deputies and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and incidental expenses necessary for the proper conduct of the work of the department for the payment of the cost of filing liens and for the payment of costs of advertising required by any Act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of two hundred fifteen dollars ($215.00) Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purposes

To the Pennsylvania State Police

For the payment of salaries wages or other compensation of the State Police Force a deputy superintendent and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and incidental expenses necessary for the proper conduct of the work of the Pennsylvania State Police for medical attendance and hospital charges not covered by insurance for members of the State Police Force injured in the line of duty and for the maintenance and operation of a radio broadcasting station the sum of ninety-three thousand dollars ($93,000)

LEGISLATIVE DEPARTMENT

To the Secretary of the Senate for the purpose of paying unpaid bills of joint legislative or Senate or House investigations held prior to the ninth of November one thousand nine hundred thirty-three in amounts not exceeding those hereinafter specified

Banking Code Hearings	$ 353.60
Investigation of closed banks	978.08
Investigation of Securities Commission	45.00
Investigation of the finances of the State Government	500.00
Investigation of the production and distribution of milk	1,000.00
Investigation of Philadelphia Poor Boards	13,739.20
Investigation by the House of Representatives of the Public Service Commission session of 1931	21,640.40
Investigation by the Senate of the Public Service Commission 1931	16,842.00
Investigation by the Senate of the Public Service Commission 1932-1933	47,026.13
Investigation of sweatshops	2,700.00
Investigation of the purchase and use of voting machines in Allegheny County	1,000.00
Total	$105,824.41

Provided that the amounts hereby appropriated to the Secretary of the Senate shall be disbursed by him only after the receipt by him of detailed itemized vouchers satisfactory to the Department of the Auditor General and the Treasury Department covering the several amounts disbursed

JUDICIAL DEPARTMENT

To the Juvenile Court of Allegheny County

For the payment of the salary of the Judge of the Juvenile Court of the County of Allegheny the sum of fifteen thousand dollars ($15,000)

Section 2 This act shall become effective on the date of its final enactment

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with the information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 99, entitled:

An Act to amend section three of the act approved the tenth day of June, one thousand eight hundred and ninety-three (Pamphlet Laws, four hundred nineteen) entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended, by prescribing a cash deposit as a condition precedent to the validity and effectiveness of a nomination paper, prescribing the amount of such deposit and the officer with whom it is to be made in each case, providing that it shall either be returned to the political body making the same, or shall be allocated among and retained by the counties interested, depending upon the number of votes polled by the nominee or the most successful nominee presented by such political body, imposing duties upon the State Treasurer, the Secretary of the Commonwealth, County Treasurers, and County Return Judges and Return Boards, fixing the date when the act shall become effective and repealing inconsistent legislation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,

Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 104 (House Bill No. 77), as follows:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare the trustees who administer mothers' assistance in the several counties and others making counties liable for certain expenses providing penalties and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be administered by the Department of Welfare of this Commonwealth and the Boards of Trustees of the Mothers' Assistance Funds of the several counties who when acting under the provisions of this act shall be known as the Boards of Trustees of the Old Age Assistance Fund

In the event that any county shall not have a Board of Trustees of the Mothers' Assistance Fund because of the failure of such county to have accepted the provisions of the Mothers' Assistance Act the Governor shall appoint a board of trustees composed of seven women residents of the county who shall be called a Board of Trustees of the Old Age Assistance Fund If at any time thereafter a Board of Trustees of a Mothers' Assistance Fund shall be appointed for such county it shall immediately take over the work of the Board of Trustees of the Old Age Assistance Fund and this act shall be administered as in other counties

Any trustees of the Old Age Assistance Fund appointed under the provisions of this section shall hold office for a term of six years or until a Board of Trustees of the Mothers' Assistance Fund has been appointed in their county

Section 2 Such supervisors and assistants as shall be necessary to exercise general supervision over the administration of this act shall be appointed by the Secretary of Welfare subject as in other cases to the approval by the Governor of the number and compensation of such supervisors and assistants

Section 3 The boards of trustees in the several counties shall appoint such additional investigators and clerical assistants as may be necessary to enable them to distribute old age assistance in their respective counties but as far as possible the investigators engaged in the administration of the Mothers' Assistance Law shall also perform the work necessary for the administration of this act At no time shall the additional expense of administering this act in any county exceed in amount six per centum of the allocation to such county from the appropriation for Old Age Assistance

Section 4 The county commissioners of the several counties shall upon requisition of the boards of trustees pay the expense of investigation and clerk hire required in their respective counties for the administration of this act subject always to the limitations upon such expenses imposed by the preceding section of this act

Section 5 Financial assistance may be granted under this act only to an applicant who

(a) Has attained the age of seventy years or upwards

(b) Has been a citizen of the United States for at least fifteen years before making application for assistance

(c) Resides in the Commonwealth and (1) has so resided continuously for at least fifteen years immediately preceding the date of application but continuous residence in the State shall not be deemed to have been interrupted by periods of absence therefrom if the total of such periods does not exceed three years or (2) has so resided forty years at least five of which have immediately preceded the application Provided That absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the State if a domicile be not acquired outside the State

(d) Is not at the date of making application an inmate of any prison jail workhouse insane asylum or other public reform or correctional institution

(e) For six months or more during the fifteen years preceding the date of application for relief if a husband has not deserted his wife or without just cause failed to support her and his children under the age of fifteen years or if a wife has not deserted her husband or without just cause failed to support such of her children as were under age and as she was bound to support

(f) Has not within two years preceding such application for assistance been a professional tramp or beggar

(g) Is indigent and has no child or other person responsible under the law of this State and able to support him or her

Section 6 An application for old age assistance shall not be approved until the board of trustees are satisfied after proper investigation that the applicant is entitled thereto under the provisions of this act

Section 7 The maximum payment allowed by any board of trustees under the provisions of this act shall be thirty dollars per month for the first person in any family entitled to assistance and fifteen dollars per month for other persons in the same family entitled to assistance

Section 8 Before any payment is made to any person under the provisions of this act a complete report shall be made of all matters stated in the application giving the name of the beneficiary the number and kinds of relatives the financial condition of relatives and all other matters which shall be from time to time required by the Department of Welfare All such reports shall be made upon forms supplied for the purpose by the Department of Welfare All such reports shall be made in triplicate One copy shall be retained in the local office one copy shall be forwarded to the Department of Welfare and one copy to the Auditor General All reports shall be sworn to by the investigator and shall be approved by a majority of the board of trustees

Section 9 On the death of any person receiving old age assistance such reasonable funeral expenses for burial shall be paid to such persons as the board directs Provided Such expenses do not exceed one hundred dollars and the estate of the deceased is insufficient to defray the same

Section 10 All payments made under the provisions of this act shall be made direct to the recipient thereof by warrant after requisition as provided by law in other cases

Section 11 No person receiving assistance under this act shall at the same time receive any other relief from the Commonwealth or from any political subdivision thereof except for medical and surgical assistance

Section 12 The initial appropriation made by the General Assembly for Old Age Assistance shall be allocated among the several counties of the State according to population Any amount so allocated and unused in any fiscal year in any county shall be added to the amount of the appropriation subject to allocation for the following fiscal year under the current or any future appropriation For the second and subsequent fiscal years allocations of amounts available for Old Age Assistance shall be made among the several counties according to the number of persons receiving assistance and who have applied for and are eligible for assistance up to the end of the tenth month of the previous fiscal year

Section 13 Any person securing any allowance contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 14 This act shall not relieve any county city or poor district from responsibility for the maintenance either in an institution or otherwise of any person more than seventy years of age who cannot qualify for assistance under this act or who cannot be provided for under the current appropriation for carrying out the provisions of this act

Section 15 This act shall become effective immediately upon its approval by the Governor but the first payments

hereunder shall be made for the month of December one thousand nine hundred and thirty-four

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 107 (House Bill No. 45), entitled:

An act making home loan bonds issued by the Federal Home Owners' Loan Corporation legal investments for trust funds and other purposes in certain cases

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 108 (House Bill No. 78), entitled:

An Act making an appropriation out of The State Stores Fund to the Department of Welfare for old age assistance.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Frazier,	Owlett,	Shapiro,
Baumer,	Gelder,	Parkinson,	Snyder,
Bell,	Graff,	Pethick,	Sones,
Bennett,	Harris,	Pierson,	Sordoni,
Boyd,	Harvey,	Prince,	Staudenmeier,
Brandt,	Homsher,	Quigley,	Thompson,
Buckman,	Hunsicker,	Reed,	Trainer,
Chapman,	Lanius,	Rice,	Williamson,
Clark,	Mansfield,	Roberts,	Ziesenheim,
Coyne,			

NAYS—1

Fay,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 110 (House Bill No. 102), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges defining the powers and duties of the Governor the Auditor General and State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 111 (House Bill No. 103), entitled:

An Act to amend sections one two nine and eleven of the act approved the twenty-seventh day of April one thousand

nine hundred and twenty-seven (Pamphlet Laws three hundred ninety-five) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" extending the provisions thereof to all toll bridges wholly within the Commonwealth and providing for the payment of the cost of acquiring such bridgeh out of the Toll Bridge Fund the construction maintenance and repair of such bridges by the Department of Highways and further regulating the collection of tolls and reimbursing the Commonwealth for the cost of acquiring such bridges and making an appropriation

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 125, as follows:

An Act to amend the act approved the fifteenth day of May One Thousand Nine Hundred and Thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated coporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by providing for establishment maintenance and operation of branch banks branch offices and agencies and by further providing for the powers and limitations upon the facts of corporations and persons authorized to engage in a banking or a fiduciary business or both and of affiliates of such corporations or persons and of officers directors trustees and employees of such corporations and persons.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Sections 2 204 409 513 808 906 1001 1003 1017 1202 1208 and 1506 of the Act approved the fifteenth day of May One Thousand Nine Hundred and Thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts are hereby amended to read as follows.

Section 2 Definintions A The following terms shall be construed in this act to have the following meaning except in those instances where the context clearly indicates otherwise

"Affiliated corporations or persons" means such an affiliate corporation or person as is defined by any Federal law or any regulation issued by any Federal authority pursuant to law to be a corporation or person affiliated with a national banking association or a member of a Federal Reserve Bank or as a holding company affiliate

"Articles" include the original articles of incorporation any or all amendments thereto articles of merger consolidation or conversion and also what have heretofore been designated by law as certificates of incorporation or charters

"Assets" includes all the property and rights of every kind of an institution as herein defined

"Attorney" includes any attorney at law who receives a general retainer as solicitor or as counsel for an institution

"Authorized capital" means the sum of the par value of the shares authorized to be issued in the articles of incorporation or in any amendment thereto

"Bank" includes any bank which does not have the power to act as trustee guardian executor administrator or in other fiduciary capacities incorporated under this act or under the act approved the thirteenth day of May One Thousand Eight Hundred and Seventy-six (Pamphlet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" its amendments and supplements or under any special act of the General Assembly of this Commonwealth

"Bank and Trust Company" includes any bank and trust company incorporated under this act or any bank incorporated under the act approved the thirteenth day of May One Thousand Eight Hundred and Seventy-six (Pamplet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" its amendments and supplements which has acquired the power to act as fiduciary under the act approved the seventeenth day of July One Thousand Nine Hundred and Nineteen (Pamphlet Laws one thousand thirty-two) entitled "An act authorizing banking companies incorporated and organized under the laws of the Commonwealth and having capital stock at least equal to the capital stock which trust companies are required by law to have to act in any fiduciary capacity in which trust companies organized under the laws of the Commonwealth are empowered to act and prescribing the method of acquiring such rights" or any corporation organized "for insurance of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and incumbrances" under the act approved the twenty-ninth day of April One Thousand Eight Hundred and Seventy-four (Pamphlet Laws seventy-three) its amendments and supplements and which has acquired the power to engage in the business of banking and to act as fiduciary under the supplement to that act approved the ninth day of May One Thousand Eight Hundred and Eighty-nine (Pamphlet Laws one hundred fifty-nine) or a corporation organized under any special act of the General Assembly of this Commonwealth which has the power to engage in a banking business and to act as fiduciary

"Banking" means discounting and negotiating promissory notes drafts bills of exchange and other evidences of debt receiving money and commercial paper on deposit or for transmission lending money on real or personal security buying and selling gold and silver bullion foreign exchange coin or bills of exchange

"Capital" means the sum of the par value of the common shares issued and outstanding

"Corporation" means a corporation or a joint stock association organized under the laws of this Commonwealth of the United States or of any other state territory foreign country or dependency

"Department" means the Department of Banking of this Commonwealth

"Director" includes any individual who is a member of a board of directors board of managers or board of trustees of a bank bank and trust company or trust company

"Incorporator" means a signer of the original articles of incorporation

"Incorporated Institution" includes any bank bank and trust company savings bank or trust company

"Institution" includes any bank bank and trust company savings bank trust company or private bank

"Net Worth" means the total of all the assets of every kind employed in the business of a private bank less the total of all the liabilities of every kind of such business

"Person" means an individual or an unincorporated association including a partnership a limited partnership or any other form of incorporated enterprise owned by two or more individuals

"Private Bank" means a banking business other than those specifically exempted by this act owned and operated in this Commonwealth by an individual a partnership or any other unincorporated association but this shall not include clubs and hotels which receive money from members and guests for temporary safe-keeping express steamship or telegraph companies which receive money for transmission attorneys at law real estate agents fiscal agents and attorneys in fact who are not engaged in the business of receiving moneys in this Commonwealth for deposit or for transmission but receive and transmit moneys only as an incident to their general business or profession and brokers licensed under the laws of this Commonwealth holding membership in a lawfully constituted brokerage exchange who do and have authority to do only such banking as is incident to their brokerage business.

"Private Banker" means an individual who by himself or as a member of a partnership or other unincorporated association owns or operates a private bank

"Recognized Stock Exchange" means the stock exchange of any city having a population of more than five hundred thousand according to the latest official census

"Savings Bank" includes any savings bank incorporated under this act or under the act approved the twentieth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred forty-six) entitled "An act to provide for the incorporation and regulation of savings banks and institutions without capital stock established for the encouragement of saving money" or under any special act of the General Assembly of this Commonwealth

"Shares" means the units into which the shareholders' right to participate in the control of an incorporated institution in its undivided profits or in the distribution of its assets are divided

"Shareholder" means a registered owner of shares in an incorporated institution

"Share Certificate" means a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the corporation or person therein named is the registered owner of the shares thereindescribed It also includes the term "certificate of stock" as used in existing laws

"Trust Company" includes any trust company incorporated under this act or any corporation organized for insurance of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and encumbrances under the act approved the twenty-ninth day of April One Thousand Eight Hundred and Seventy-four (Pamphlet Laws seventy-three) its amendments and supplements and which has acquired the power to engage in the business of banking and acting as a fiduciary under the supplement to the act approved the ninth day of May One Thousand Eight Hundred and Eighty-nine (Pamphlet Laws one hundred fifty-nine) or any other bank and trust company which renounces or has renounced its power to transact a banking business or a corporation organized under any special act of the General Assembly of this Commonwealth which has the power to engage in the banking business and act as a fiduciary but which renounces or has renounced its power to transact a banking business.

"Trustee" includes any individual who is a member of the board of managers or board of trustees of a savings bank

"Written" includes printed typewritten engraved lithographed photographed photostated or telephotographed

B The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 204 Branh Offices and Sub-Agencies A An institution shall not establish maintain or operate either directly or indirectly any branch bank branch office or agency sub-office sub agency or branch place of business within this Commonwealth for the transaction of any part of its business but all of the business of such institution shall be carried on solely and exclusively at its principal place of business except as may be permitted by this act

This section shall not apply to branches sub-offices and sub-agencies established or those for which locations had been purchased or leased by deed recorded or leases actually delivered prior to the first day of March One Thousand Nine Hundred and Twenty-seven or to branches sub-offices and sub-agencies which resulted from mergers or consolidations of institutions effective prior to the first day of April One Thousand Nine Hundred and Twenty-seven and such institutions shall have the right to relocate the same within the corporate limits of the city borough or township in which the principal place of business is located at the time of such relocation provided that such relocation is made with the approval of the department in the manner provided by this act for any removal of the place of business of an institution

This section shall not apply to any institution which has its principal place of business in a city borough or township within this Commonwealth in which one or more national banking associations incorporated under the laws of the United States was on the first day of March one thousand nine hundred and twenty-seven operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business for the transaction of any part of its business and any such institution may hereafter establish subject to the approval of the department and thereafter maintain and operate branch banks branch offices agencies sub-offices sub-agencies and branch places of business for the transaction of any part of its business but only within the corporate limits of the city borough or township in which its principal office is located and in which such national banking association was on the first day of March one thousand nine hundred and twenty-seven operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business The right to establish and maintain branch banks branch offices agencies sub-offices sub-agencies or branch places of business under the provisions of this subsection shall be limited to the territory included within the corporate limits on the first day of March one thousand nine hundred and twenty-seven of the respective cities boroughs or townships in which such national banking associations were on that date operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business and such right shall not extend to additional territory which may after the first day of March one thousand nine hundred and twenty-seven be added to such cities boroughs or townships by annexation consolidation with one or more municipal corporations or otherwise nor shall it extend to other portions or divisions of municipal corporations to which such cities boroughs or townships may be annexed or with which they may be consolidated after that date the intention being to limit to the respective corporate limits such cities boroughs or townships as they existed on the first day of March one thousand nine hundred and twenty-seven the right to establish and maintain the branch banks branch offices agencies sub-offices sub-agencies and branch places of business authorized in this section

Any institution may continue to maintain and operate any branch bank branch office agency sub-office sub-agency or branch place of business lawfully established by such institution

Any institution may in the manner provided by this act section for any amendment to its articles establish a branch bank branch office agency sub-office sub-agency or branch place of business at any place within this Commonwealth where at the time such institution proposes to establish such branch bank branch office agency sub-office sub-agency branch place of business any national banking association having its principal office in the same county as that in which the principal office of the institution proposing to take such action is located would have the power under the laws of the United States now or hereafter enacted to establish a branch bank branch office agency sub-office sub-agency or branch place of business of such national banking association

Section 409 Issuance of Fractional Shares or Scrip A bank a bank and trust company or a trust company may in paying a dividend or in pursuance of a plan of merger consolidation or reorganization issue a certificate for a fractional share and by action of its board of directors may issue in lieu thereof scrip or other evidence of ownership which shall entitle the holder to receive a certificate for a full share upon the surrender of such scrip or other evidence of ownership aggregating a full share but for which shall not entitle the holder to exercise any voting right or to receive any dividend However any such holder shall be entitled to participate proportionately in any of the assets of the bank bank and trust company or trust company in the event of liquidation The board of directors may cause such scrip or evidence of ownership to be issued subject to the condition that it shall become void if not exchanged for share certificates before a specified date or subject to the condition that the shares for which such scrip or evidence of ownership is exchangeable may be sold by the bank the bank and trust company or the trust company and the proceeds thereof distributed to the holders of such scrip or other evidence of ownership or subject to any other conditions not prohibited by this act which the board of directors may deem advisable

Section 513 Bonds of Officers and Employees A The officers and employees of every institution as well as any director or trustee of an incorporated institution who is authorized to receive payments of moneys or to handle negotiable securities on behalf of such incorporated institution shall before entering upon the performance of their duties furnish to it bonds in such amount as is specified with such surety as is approved in the case of an incorporated institution by the directors or trustees and in the case of a private bank by the private banker or bankers Such bond shall be conditioned upon the faithful performance of the duties of such officers directors trustees or employees The cost of such bonds may be paid by the institution

B The Departments shall have the power to require any such officer director trustee or employee at any time during his term of office or employment to furnish a bond in an amount greater than that required by the board of directors or trustees of the incorporated institution or by the private banker or bankers as the case may be or it may require new or additional surety

Section 808 Approval of Articles of Amendment by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles of amendment from the Department of State conduct such examination as it may deem necessary to ascertain from the best sources of information at its command whether such amendment or amendments will be lawful not injurious to the community and in accordance with the purposes of the articles of incorporation The costs of such examination and any other charges of the Department of Banking bearing upon the filing of articles of amendment shall be assessed upon the incorporated institution in the manner provided by law or assessments by the Department of Banking of costs of examinations or other charges

B Within thirty days after the receipt of the articles of amendment from the Department of State the Department of Banking shall upon bases of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action It if shall approve the articles of amendment it shall endorse its approval thereon and shall return them to the Department of State [If the purpose of the amendment is to establish a branch bank branch office agency sub-office sub-agency or branch place of business and if the Department of Banking shall approve such amendment any person aggrieved by the action of the Department of Banking in approving the articles of amendment may appeal to the court of common pleas of the county in which it is proposed to establish such branch bank branch office agency sub-office sub-agency or branch place of business The court shall hear such appeal promptly and shall decide the matter upon its merits The court shall send to the Department of Banking a certified copy of its order

C If the Department of Banking disapproves the articles of amendment it shall return them to the Department of State stating in detail its reasons for doing so The Deparment of State shall immediately give notice to the incorporated institution of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The decision of the Department of Banking [in disapproving any articles of amendment] shall be conclusive and not subject to any review

Section 906 Deposits with Other Corporations or Persons Authorize to Receive Deposits Reserve Agents A Except as otherwise specifically provided in this act any institution may deposit any of its funds in any other institution national banking association or any corporation or person [doing business in another state] authorized by [the laws of such other state] law to receive deposits and subject to the supervision of the banking authorities of [such other state] the United States of the State in which such corporation or person transacts business but an incorporated institution shall not deposit any of its funds in such other institution national banking association or corporation or person unless it has been designated as a depository by a majority of all the members of the board of directors or of the board of trustees as the case may be of the depositing incorporated institution

B An institution shall not have on deposit at any one time with any other institution national banking association or other corporation or person [doing business in another state authorized by the laws of such other state to receive deposits and subject to the supervision of the banking authorities of such other state] an amount in excess of ten per centum of the unimpaired capital plus ten per centum of the unimpaired surplus of the depositing institution if a bank or a bank and trust company or an amount in excess of ten per centum of its unimpaired surplus if a savings bank or an amount in excess of ten per centum of its net worth if a private bank unless such other institution national banking association or other corporation or person has been duly approved for this purpose by the department

C A Director of a bank a bank and trust company or a trust company or a trustee of a savings bank shall not have a vote in designating as a depository any institution national banking association or other corporation or person of which he is an officer or director or if the proposed depository is a private bank of which he is one of the owners or if it is an incorporated institution a national banking association or any other corporation of which he owns five per centum or more of the shares of its capital

D A reserve agent of an institution for the purposes of this act shall be any institution national banking association or corporation or person designated as a depository of such institution in the manner provided by this act and approved by the department as a depository for any moneys of such institution which are part of the reserve fund against deposits and demand liabilities as defined herein which is required by this act to be established and maintained by such institution

Section 908 Reserve Fund against Deposits and Demand Liabilities A Every bank bank and trust company or private bank shall establish and maintain a reserve fund in an amount equal to at least fifteen per centum of the total of its net demand deposits and net demand ialibilities plus seven and one-half per centum of its total net time deposits as herein defined

B Except in the case of a savings bank the term "demand deposits" shall be construed to refer to all deposits payment of which can legally be required on demand or within any period less than thirty days after demand

The term "demand liabilities" shall be construed to refer to all obligations of the institution other than deposits payment of which can legally be required on demand

Except in the case of a savings bank the term "time deposits" shall be construed to refer to all deposits payment of which cannot legally be required within thirty days

C Except in the case of a savings bank the total of such reserve fund may and at least one-third [thereof] of the reserve fund against demand deposits and demand liabilities shall consist of gold bullion gold coin United States gold or silver certificates notes or bills issued by any national banking association or Federal reserve bank or any other form of currency of the United States and be kept on hand at the place of business of the institution unpledged unassigned and unhypothecated

One-third of such reserve fund may consist of bonds or other interest-bearing obligations of the United States the Commonwealth of Pennsylvania or any political subdivision thereof Such bonds while being carried in the reserve fund shall be computed at their current market value They shall be the absolute property of the institution and shall not be pledged assigned or hypothecated in any manner whatsoever

[The balance of such reserve fund or any] Any part [thereof but] of such reserve fund not [exceeding two-thirds of the total reserve fund] required to consist of gold bullion gold coin or any form of currency kept on hand at the place of business of the institution may consist of an actual net balance of moneys on deposit subject to call without notice in any reserve agent as hereinbefore defined

D Every savings bank shall establish and maintain a reserve fund in an amount equal to at least seven and one-half per centum of the total of its net deposits

E In the case of savings banks the total of such reserve fund may and at least two-thirds thereof shall consist of gold bullion gold coin United States gold or silver certificates notes or bills issued by any national banking association or Federal reserve bank or any other form of currency of the United States kept on hand at the place of business of the institution unpledged unassigned and unhypothecated or an actual net balance of moneys on deposit subject to call without notice in any reserve agent as hereinbefore defined

The balance of such reserve fund may consist of bonds or other interest-bearing obligations of the United States the Commonwealth of Pennsylvania or any political subdivision thereof Such bonds while being carried in the reserve fund shall be computed at their current market value They shall be the absolute property of the institution and shall not be pledged assigned or hypothecated in any manner whatsoever

Section 1001 Powers of Banks Bank and Trust Companies or Trust Companies A In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a bank or a bank and trust company elsewhere in this act a bank or a bank and trust company shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To receive money on deposit and to pay interest thereon

(2) To receive money for transmission either to a foreign country or otherwise

(3) To rediscount and borrow money bonds or other securities and to pledge collateral therefor

(4) To lend money either upon the security of real or person property or otherwise to charge or to receive in advance interest therefor

(5) To discount buy sell negotiate or assign promissory notes drafts bills of exchange trade and bank acceptances stocks bonds or other evidences of debt

(6) To buy and sell exchange coin and bullion

(7) To purchase hold or convey real property

(8) To improve or to lease real property for its accommodation

(9) To accept for payment at a future date drafts or bills of exchange drawn upon it

(10) To issue letters of credit authorizing the holders thereof to draw drafts or bills of exchange upon it or its correspondents

(11) To become a member of a Federal Reserve Bank

(12) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(13) To invest in the shares of an institution engaged in a foreign banking business

(14) To become a member of a clearing house association and to pledge such assets therewith as will qualify it for membership therein

(15) To establish branch banks branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(16) To become a member of the Federal Deposit Insurance Corporation in accordance with the provisions of the Federal "Banking Act of one thousand nine hundred and thirty-three" approved the sixteenth day of June one thousand nine hundred and thirty-three its amendments and supplements or of any other corporation hereafter organized by the United States for the purpose of insuring deposits in banks or bank and trust companies and to purchase and hold so much of the capital of the Federal Deposit Insurance Corporation or of such other corporation as will qualify it for membership therein

B In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a trust company elsewhere in this act a trust company shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To purchase hold or convey real property

(2) To improve or to lease real property for its accommodation

(3) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(4) To establish branch trust companies branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(5) To make any investments subject to the same limitations as in the case of savings banks incorporated hereunder including such investments as are specifically authorized by its articles

Section 1003 Interest on Deposits A A bank or a bank and trust company shall have the power to credit and pay on all deposits such interest as may be established from time to time by agreement or regulation Such interest shall be paid to the respective depositors or credited to their accounts at least annually and in the case of certificates of deposit interest shall be paid or accrued a least annually

B A bank or a bank and trust company shall not credit or pay any interest on any deposit for a longer period than it has been deposited with the bank or bank and trust company except that deposits made not later than the fifth business day of the month or deposits withdrawn upon one of the last three business days of the month ending any annual semi-annual or quarterly interest period may have interest declared upon them for the whole of the period or month in which they were so deposited or withdrawn It shall also be lawful for deposit accounts closed between interest periods to be credited with interest computed from the last interest period to the date when closed

Section 1017 Protection against Loss on Previous Loan or Investment The restrictions imposed by this act shall not be construed to prevent a bank or a bank and trust company in order to protect itself from loss upon a loan or investment previously made lawfully and in good faith from acquiring ownership of or otherwise taking and holding any kind of property or security whether real or personal Except as otherwise provided by this act any property so acquired unless of the character and nature by this act authorized to be purchased or held by such bank or bank and trust company shall be sold by it within five years but the department may upon application of a bank or bank and trust company grant to it in writing the power to hold such property for a longer period

Section 1202 Powers of Savings Banks In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a savings bank elsewhere in this act a savings bank shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To receive money on deposit and pay interest thereon

(2) To receive money for transmission to a foreign country or otherwise and to forward such money through any bank bank and trust company private bank national banking association or any other corporation or person authorized by the laws of any state to receive deposits and subject to the supervision of the banking authorities of such state

(3) To borrow money to repay the demands of depositors and to pledge its assets therefor

(4) To make investments

(5) To lend money upon the security of real or personal property and to charge or to receive in advance interest therefor

(6) To purchase hold or convey real property

(7) To improve or to lease real property for its accommodation

(8) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(9) To establish branch savings banks branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(10) To become a member of a Federal Reserve Bank and for such purpose to purchase and hold so much of the capital of such Federal Reserve Bank as will under any Federal law qualify it for membership therein

(11) To become a member of the Federal Deposit Insurance Corporation in accordance with the provisions of the Federal "Banking Act of one thousand nine hundred thirty-three" approved the sixteenth day of June one thousand nine hundred thirty-three its amendments and supplements or of any other corporation hereafter organized by the United States for the purpose of insuring deposits in savings banks and to purchase and hold so much of the capital of the Federal Deposit Insurance Corporation or of such other corporation as will qualify it for membership therein

Section 1208. Authorized Investments of Savings Banks Not Under Special Charter A Except as otherwise specifically provided in this act a savings bank other than a savings bank organized under a special act of the General Assembly shall not make any investments except as follows

(1) Bonds or other interest-bearing obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged including the bonds or other interest-bearing obligations of the District of Columbia

(2) Farm loan bonds issued by Federal land banks operating under the provisions of the Federal Farm Loan Act approved the seventeenth day of July one thousand nine hundred sixteen its amendments and supplements

[(3)] (3) Bonds or other interest-bearing obligations of the Commonwealth of Pennsylvania or of any state of the United States or those for the payment of the principal and interest on which the faith and credit of this Commonwealth or of such state is pledged provided that it has not at any time within the ten years immediately preceding the date of the purchase of such bonds or other obligations by the savings bank defaulted in the payment of any part of any principal or interest due by it

[(4)] (4) Bonds or other interest-bearing obligations of any county city borough township school district or other political subdivision of the Commonwealth of Pennsylvania or of any city borough township school district or other political subdivision of any state of the United States or those for the payment of the principal and interest on which the faith and credit of such political subdivisions is pledged provided that it has not within the ten years immediately preceding the date of the purchase of such bonds or other obligations by the savings bank defaulted in the payment of any part of any principal or interest due by it

[(5)] (5) Obligations issued assumed or guaranteed as to principal and interest by or equipment bonds of any railroad corporation whether incorporate under the laws of this Commonwealth of any other state or of the Dominion of Canada provided that such railroad corporation has not at any time within the five years immediately preceding the date of the investment in such obligations or bonds by the savings bank failed punctually to pay the matured principal and interest on all of its indebtedness

[(6)] (6) The bonds of any corporation whether incorporated under the laws of the United States of any other state or of the District of Columbia which transacts the business of supplying electrical energy artificial gas or natural gas purchased from another corporation and supplied in substitution for or in mixture with artificial gas for light heat power and other purposes or which transacts any two or all of such businesses but at least seventy-five per centum of the gross operating revenues of such corporation shall be derived from such business and not more than fifteen per centum of the gross operating revenues shall be derived from any one kind of business other than supplying electricity and gas and such corporation shall be subject to regulation by a public service commission a public utility commission or any other similar regulatory body duly established by the laws of the United States or of any state in which such corporation operates subject to the following conditions

(a) Such corporation shall have all the franchises necesary to operate in territory in which at least seventy-five per centum of its gross income is earned which franchises shall either be made indeterminate permits of or agreements with or subject to the jurisdiction of a public service commission or other duly constituted regulatory body or shall extend at least five years beyond the maturity of such bond and such corporation shall file with the department and make public in each year a statement and a report giving the income account covering the previous fiscal year and a balance sheet showing in reasonable detail the assets and liabilities at the end of the year

(b) The outstanding full-paid capital stock of such corporation shall at the time of such investment be equal to at least two-thirds of the total debt secured by mortgage liens on any part or all of its property but in the case of a corporation having non-par value shares the amount of capital which such shares represent shall be the capital as shown by the books of the corporation

(c) Such corporation shall have been in existence for a period of not less than eight fiscal years and at no time within such period of eight fiscal years immediately preceding the date of such investment shall such corporation have failed to pay promptly and regularly the matured principal and interest of all its indebtedness direct assumed or guaranteed but the period of life of the corporation together with the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation merger or purchase shall be considered together in determining such required period

(d) For period of five fiscal years immediately preceding such investment the net earnings of such corporation shall have averaged per year not less than twice the average annual interest charges on its total funded debt applicable to that period and for the last fiscal year preceding such investment such net earnings shall have been not less than twice the interest charges for a full year on its total funded debt outstanding at the time of such investment and for such period the gross operating revenues of any such corporation shall have averaged per year not less than one million dollars and such corporation shall have for each such year either earned an amount available for dividends or paid an amount in dividends equal to four per centum upon a sum equivalent to two-thirds of its funded debt

(e) In determining the qualifications of any bond under this clause where a corporation shall have acquired its property or any substantial part thereof within the five years immediately preceding the date of such investment by consolidation or by merger or by the purchase of all or a substantial portion of the property of any other corporation or corporations the gross operating revenues net earnings and interest charges of the several predecessor or constituent corporations shall be consolidated and adjusted so as to ascertain whether the requirements of the paragraph immediately preceding this one as to net and gross earnings and as to dividends have been complied with

(f) The gross operating revenues and expenses of a corporation for the purpose of this clause shall be respectively the total amount earned from the operation of and the total expense of maintaining and operating all property owned and operated by or leased and operated by such corporation as determined by the system of accounts prescribed by the public service commission or public utility commission or other similar regulatory body having jurisdiction in the matter The gross operating revenue and expenses as defined above of subsidiary companies may be included provided that all the mortgage bonds and a controlling interest in shares of such subsidiary companies are pledged as part of the security for the mortgage debt of the principal company

The net earnings of any corporation for the purpose of this clause shall be the balance obtained by deducting from its gross operating revenues its operating and maintenance expenses taxes other than Federal and State income taxes rentals and provision for renewals and retirements of the physical assets of the corporation and by adding to such balance its income from securities and miscellaneous sources but not however exceeding fifteen per centum of such balance

(g) Such bonds must be part of an issue of not less than one million dollars and must be mortgage bonds secured by a first or refunding mortgage secured by property owned and operated by the corporation issuing or assuming them or must be underlying mortgage bonds secured by property owned and operated by the corporations issuing or assuming them but such bonds shall be refunded by a junior mortgage providing for their retirement the bonds under such junior mortgage shall comply with the requirements of this section and such underlying mortgage shall be either a closed mortgage or shall remain open solely for the issue of additional bonds which are to be pledged under such junior mortgage The aggregate principal amount of bonds secured by such first or refunding mortgage plus the principal amount of all the underlying outstanding bonds shall not exceed sixty per centum of the value of the physical property owned as shown by the books of the corporation and subject to the lien of such mortgage or mortgages securing the total mortgage debt However if such mortgage is a refunding mortgage it must provide for the retirement on or before the date of their maturity of all bonds secured by prior liens on the property

(h) The term funded debt shall be construed to mean all interest-bearing debts maturing more than one year from date of issue

[(7)] (7) The bonds of any corporation whether incorporated under the laws of the United States of any other state or of the District of Columbia which engages and is authorized to engage in the business of furnishing telephone service in the United States provided that such corporation is subject to regulation by the interstate commerce commission a public service commission a public utility commission or any other similar Federal or State regulatory body duly established by the laws of the United States or by the laws of any state in which such corporation operates subject to the following conditions

(a) Such corporation shall have been in existence for a period of not less than eight fiscal years and at no time within such period of eight fiscal years immediately preceding the date of such investment shall such corporation have failed to pay promptly and regularly the matured principal and interest of all its indebtedness direct assumed or guaranteed but the period of life of the corporation together with the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation merger or purchase shall be considered together in determining the required period of such corporation shall file with the department and make public in each year a statement and a report giving the income account covering the previous fiscal year and a balance sheet showing in reasonable detail the assets and liabilities at the end of the year

(b) The outstanding full-paid capital stock of such corporation shall at the time of such investment be equal to at least two-thirds of the total debt secured by mortgage liens on any part or all of its property

(c) For a period of five fiscal years immediately preceding such investment the net earnings of such corporation shall have averaged per year not less than twice the average annual interest charges on its total funded debt applicable to that period and for the last fiscal year preceding such investment such net earnings shall have been not less than twice the interest charges for a full year on its total funded debt outstanding at the time of such investment and for such period the gross operating revenues of any such corporation shall have averaged per year not less than five million dollars and such corporation shall have for each such year either earned an amount available for dividends or paid an amount in dividends equal to four per centum upon all its outstanding capital stock

(d) Such bonds must be part of an issue of not less than five million dollars and must be secured by a first or refunding mortgage and the aggregate principal amount of bonds secured thereby plus the principal amount of all underlying outstanding bonds shall not exceed sixty per centum of the value of the property real and personal owned absolutely and subject to the lien of such mortgage However if such mortgage is a refunding mortgage it must provide for the retirement of all bonds secured by prior liens on the property Not more than thirty-three and one-third per centum of the property constituting the specific security for such bonds may consist of shares or unsecured obligations of affilated or other telephone companies or both

(e) In determining the qualifications of any bond under this clause where a corporation shall have acquired its property or any substantial part thereof within five years immediately preceding the date of such investment by consolidation by merger or by the purchase of all or a substantial portions of the property of any other corporation or corporations the gross operating revenues net earnings and interest charges of the several predecessor or constituent corporations shall be consolidated and adjusted so as to ascertain whether the requirements of this clause as to earnings and dividends have been complied with

(f) The gross operating revenues and expenses of a corporation for the purpose of this clause shall be respectively the total amount earned from the operation of and the total expense of maintaining and operating all property owned and operated by or leased and operated by such corporation as determined by the system of accounts prescribed by the interstate commerce commission or the public service commission or the public utility commission or any other similar Federal or State regulatory body having jurisdiction in the matter

(g) The net earnings of any corporation for the purpose of this clause shall be the balance obtained by deducting from its gross operating revenues its operating and maintenance expenses provision for depreciation of the physical assets of the corporation taxes other than Federal and State income taxes rentals and miscellaneous charges and by adding to such balance its income from securities and miscellaneous sources but not however to exceed fifteen per centum of such balance

(h) The term funded debt shall be construed to mean all interest-bearing debts maturing more than one year from date of issue

[(8)] (8) Bonds secured by mortgages which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years unless amortized in equal annual installments over a period not exceeding fifteen years Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of the savings bank by the mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the savings bank making the investment It shall be lawful for a savings bank to renew such policies at the expense of such mortgagor from year to year or for a longer or shorter period not however exceeding the term of the bond in case the mortgagor shall fail to do so All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such mortgagor In the event that the mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so mortgaged All expenses of searchers examinations certificates of titles or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the savings bank.

B A savings bank other than a savings bank organized under a special act of the General Assembly may make such additional investments as are authorized by its articles but

it shall not purchase or invest in bonds secured by mortgage upon real property other than such as are expressly authorized by this act nor shall it invest in the shares of capital of any corporation whatsoever except a Federal Reserve Bank

Section 1506 Prohibition upon Corporations Acting as Fiduciary Penalty A The only corporations organized under the laws of this Commonwealth which shall have authority to act in this Commonwealth as trustees guardians executors administrators or in any similar fiduciary capacity shall be bank and trust companies and trust companies

B A corporation organized under the laws of any state of the United States other than Pennsylvania shall not have authority to act in this Commonwealth as trustee guardian executor administrator or in any other similar fiduciary capacity unless it shall be appointed such fiduciary by any last will and testament or codicil thereto or other testamentary writing or by deed of trust inter vivos or by any court of register of wills of this Commonwealth and unless the laws of such other state confer like powers upon corporations organized under the laws of this Commonwealth but such corporations organized under the laws of another state shall be required to give such bond or other security as shall be deemed adequate by the court or register of wills in the Commonwealth having jurisdiction over the estate of which the corporation is acting as trustee guardian executor administrator or similar fiduciary

C The provisions of this section shall not be construed to permit a corporation organized under the laws of any state other than this Commonwealth to establish in this Commonwealth a place of business for the conducting of the business of acting as fiduciary

D The provisions of this section shall not apply to any nonprofit corporation nor shall they be construed to prevent any court or testator from appointing any corporation as trustee to execute a trust for its own use within the purposes of such corporation or to prevent any corporation from liquidating and winding-up the business and affairs of another corporation

E Any national banking association having authority under the laws of the United States to act as trustee guardian executor administrator or similar fiduciary shall upon the adoption by its board of directors of a resolution agreeing to place its trust department under the supervision of the Department of Banking and upon the transmission of a certified copy of such resolution to the Department of Banking be authorized to act as such fiduciary in this Commonwealth

F Any corporation whether organized under the laws of this Commonwealth or of any other state which violates the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding five thousand dollars

Section 2 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 3 This act shall become effective immediately upon it approval by the Governor

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, I should like to call attention to the fact that Section 1506, Clause D, page 38, contains an amendment by striking out the words "other than a bank, a bank and trust company or a trust company"; and, read in the light of its present wording, this provision would give the right to any bank, being a creditor of another bank, to go into the District Court of the United States, if there were a diversity of citizenship, or any State court, and ask that it be appointed receiver for that particular bank.

That would demoralize the whole system of the State Department of Banking in its handling of closed banks.

This bill also carries a certain provision which is very important to banks in Pennsylvania. That provision applies to banks generally, and I am quite sure, from my discussion with the Attorney General's office, that if the bill goes through with that provision in the bill would have to be vetoed, because it would have destroyed the construction set up by the Department of Banking for the liquidation of banks.

I do not know of a single bank in the State of Pennsylvania that is in favor of this proposition. There has been much discussion to permit one bank to liquidate another corporation not a bank, and originally this bill contained such a provision; and I now desire to amend this bill by striking out the brackets, thus restoring the bill to its original form.

Mr. PRESIDENT, I ask unanimous consent to amend page 12, line 29, by striking out after the word "act" and before the word "for" the word "section"; also Section 1506, Clause D, page 38, line 14, by striking out the bracket before the word "other" and line 15 by striking out the bracket after the word "company."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 126, as follows:

An Act to amend sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations asso-

ciations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" by further limiting the exemption of certain private bankers and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Depjartment Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departmente commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts or parts of acts" are hereby amended to read as follows

Section 15 Act Not Applicable to Small Loan Companies and Certain Private Banks

A This act does not apply to and does not affect any act relating to corporations and persons licensed by the department to make small loans as provided by the act approved the seventeenth day of June one thousand nine hundred fifteen (Pamphlet Laws one thousand twelve) entitled "An act regulating the business of loaning money in sums of three hundred ($300.00) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rate of interest and charges therefore requiring the licensing of lenders and prescribing penalties for the violation of this act" its amendments and supplements

B This act does not apply to any individual partnership or unincorporated association engaged in business as a private banker or private bankers if such individual partnership or unincorporated association and his or their predecessors or one or more of the members thereof have continuously and in the same locality conducted the business since a date not less than seven years prior to the nineteenth day of June one thousand nine hundred eleven and if such individual partnership or unincorporated association on or before the sixteenth day of June one thousand nine hundred and thirty-four and continuously thereafter shall submit to periodic examination by the Comptroller of the Currency or by the Federal Reserve Bank of the district in which he or they are located and shall make and publish periodic reports of his or their condition exhibiting in detail his or their resources and liabilities such examination and reports to be made and published at the same times and in the same manner as are provided by Section twenty-one of the Federal "Banking Act of one thousand nine hundred and thirty-three' approved the sixteenth day of June one thousand nine hundred and thirty-three its amendments and supplements

Section 1005 Advance Payments of Dividends to Depositors [After the expiration of the period fixed by the secretary pursuant to the provisions of this act for the presentation of claims he] After filing a supplement to the certificate of possession setting forth his determination to liquidate the affairs of the institution the secretary may without leave of court and without filing an account make an advance payment of a dividend to all depositors the amounts of whose claims as they appear upon the books or other records of the institutions are undisputed The dividend shall be calculated as if the claims of all other depositors as they appear upon the books or other records of the institution and the claims of all creditors or other corporations or persons who assert priority over or parity with depositors in the order of distribution of the assets were valid and uncontested

However the secretary shall not make such an advance payment of a dividend to any depositor until he shall have set aside an amount sufficient to pay in full the claims of all creditors or other corporations or persons asserting or entitled to priority over depositors in the order of distribution and to pay the proportionate dividend on the accounts claimed by the other depositors and by any creditors or other corporations or persons who are entitled to or who claim parity with depositors in the order of distribution provided for by law. He shall likewise set aside before making such advance payment such amount as he shall deem necessary for the expenses of administration of the institution by him as receiver

Section 2 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 3 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 134 (House Bill No. 192), as follows:

An Act making appropriations out of The State Stores Fund to the Department of Welfare for pensions for the blind and for the administration of the distribution of such pensions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million three hundred ten thousand dollars ($1,310,000) or so much thereof as may be necessary is hereby appropriated out of the moneys in The State Stores Fund which represent net profits

from the operation of Pennsylvania Liquor Stores to the Department of Welware for use during the current biennium for payment of pensions to the blind in the manner provided by law and for the cost of administration of distribution of such pensions as hereinafter provided

Section 2 The sum of one million two hundred fifty thousand dollars ($1,250,000) of the above appropriation shall be available on and after the first day of June one thousand nine hundred thirty-four for the payment of pensions for the blind and expenses of county boards of trustees for Pension Funds for the Blind as provided by law and the sum of sixty thousand dollars ($60,000) shall be available upon the effective date of this act for the payment of the salaries wages and other compensation of deputies and other employes of the Department of Welfare for telephone service and toll charges telegrams freight express cartage the expenses of operating and maintaining automobiles for payment of the cost of eye examinations for applicants for pensions (provided that no more than five dollars ($5.00) may be paid for a complete eye examination of any applicant) and for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles and other incidental expenses necessary for the proper administration of such pensions by the Department of Welfare

Section 3 The amount of this appropriation shall be payable from time to time upon requisition of the Department of Welfare

Section 4 This act shall become effective immediately upon its final enactment but no pensions shall be paid from the appropriation made hereby before the first day of June one thousand nine hundred thirty-four

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 135 (House Bill No. 209), entitled:

An Act appropriating certain accumulations in the Insurance Tax Fund to cities, townships and boroughs for payment to firemen's relief, pension and retirement funds.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 141, entitled:

An Act to further amend section seven, as amended, and to amend section eight, of the act, approved the twelfth day of July, one thousand nine hundred thirteen (Pamphlet Laws, seven hundred nineteen) entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain party offices, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 143, entitled:

An Act requiring the Department of Property and Supplies to provide and install appliances to air condition in the Halls

of the Senate and House of Representatives, and to regulate temperatures therein, and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 144, as follows:

An Act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure fo the conduct of elections and primaries and the challenge and proof of qualifications of electors prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commisions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics and boards of school directors and imposing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That SHORT TITLE CITATION This act shall be known and may be cited as "The First Class City Permanent Registration Act

Section 2 DEFINITIONS (a) The word "commission" shall mean any registration commission having jurisdiction in any city of the first-class

(b) "Commissioner" shall mean a member of a registration commission

(c) "Oath" shall include affirmation and "swear" shall include affirm

(d) "Election" shall mean any general special municipal or primary election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any political party or body of electors one of whose candidates either at the last general or at the last municipal election shall have polled at least five per centum of the largest entire vote cast for any elected candidate in any city or the first class although such percentage of said vote may not have been attained in any particular election district thereof

(j) "Body of electors" shall mean any political body not recognized as a political party but entitled to make nominations of candidates for any public office by nomination papers on whose behalf proper affidavits shall have been filed with the prothonotary or elsewhere as required by law to obtain the exclusive right to use a party name or appellation for any election or primary

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commission as hereinafter provided

(m) "County" shall mean any county of this Commonwealth within which is located a city of the first class or with which such city is coextensive

(n) "City" shall mean only a city of the first class

(o) All references to mayors police officers clerks secretaries courts judges prothontaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the first class or to those of any county within which such city of the first class is located or with which it is coextensive or of any school district with which it is coextensive

(p) "Public office" shall mean and include any national state judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(q) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

(r) "District" shall mean any election district of the city

Section 3 REGISTRATION COMMISSIONS MEMBERSHIP BIPARTISAN TERM OF OFFICE VACANCIES REMOVAL COMPENSATION OATH OF OFFICE ORGANIZATION CHAIRMAN SECRETARY ACTIONS BY VOTE OF MAJORITY OF MEMBERS RECORD OF PROCEEDINGS ANNUAL REPORT (a) There shall be a registration commission in and for each city of the first class which commission shall have jurisdiction over the registration of electors of such city under the provisions of this act

(b) The registration commission shall consist of three commissioners who shall be qualified electors of the city nor more than two of whom shall be enrolled members of the same political party who shall be appointed by the Governor with the advice and consent of the Senate and shall hold office for terms of four years or until their successors qualify unless sooner removed or otherwise disqualified but the terms of office of the commisioners first appointed by the Governor under this act shall commence on the first day of June one thousand nine hundred thirty-four and shall expire on the first Monday of January one thousand nine hundred thirty-seven Upon the appointment of the Governor of the registration commission for any such city the terms of office of the existing registration commission of any such city shall terminate

(c) The Governor shall fill any such vacancy in any commission within ten days after the vacancy shall occur by appointing a qualified elector of the city to hold office during the remainder of the term of the commissioner whose place shall have become vacant

(d) The Governor may at any time remove any commissioner for cause and may appoint a duly qualified elector of the city as his successor for the remainder of his term

(e) Each commissioner shall receive compensation at the rate of four thousand dollars per annum

(f) As soon after their appointment or election as may be the members of each commission shall take the oath of office required by the Constitution of this Commonwealth and shall organize by selecting from their number a chairman and a secretary who shall not be members of the same party

(g) All actions of a commission shall be decided by a majority vote of all members except as may be otherwise provided herein

(h) Each commission shall keep a record in permanent form of all its proceedings and shall make an annual written report to the Governor

Section 4 POWERS OF COMMISSIONS REGULATIONS ENFORCEMENT CORRECTION OF ERRORS OR IRREGULARITIES CANCELLATION OF REGISTRATION POWERS OF COMMISSIONERS (a) The commission may make regulations not inconsistent with this act or the laws of this Commonwealth (1) to govern the public sessions of such commission and (2) for the performance of the duties imposed by this act and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the court of common pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

(b) The commission shall have power to correct any error or any irregularity in registration and to cancel the registration of any person whom it may find to be improperly registered subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration is cancelled

(c) The commission and any commissioner shall have power on its or his own motion (1) to summon and interrogate any person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses (4) to require the production of any relevant books and papers

(d) Each commissioner shall have power to administer oaths and affirmations Each person testifying before a commission shall be first duly sworn or affirmed

Section 5 EMPLOYES REGISTRARS INSPECTORS OF REGISTRATION DUTIES APPOINTMENT INCOMPATIBLE OFFICES (a) The commission shall have power to appoint such assistants and employes as from time to time it may deem necessary to carry out the provisions of this act and may at any time remove the same

(b) The employes to be appointed by the commission shall include registrars who shall be empowered to register the qualified electors of such cities and in so doing to administer oaths and affirmations and inspectors of registration who shall have and may exercise the powers conferred upon them by this act

(c) Registrars and inspectors of registration shall be qualified electors of the city An election officer may be appointed as a registrar or inspector of registration but no other person who holds or is a candidate for public or party office shall be appointed to hold any office or employment under any commission except as otherwise provided by this act Registrars and inspectors of registration shall receive such compensation either on a per diem basis for time actually employed or on the basis of work actually done by them as shall be fixed by the commission but not exceeding the maximum compensation hereinafter fixed

(d) No registrar or inspector of registration shall exercise any power of his office until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and address the date of his appointment and the length of time for which he shall have been appointed

(e) Each commissioner may appoint a chief clerk who shall have authority to administer oaths and to sign vouchers and may fix his compensation at a sum not exceeding thirty-five hundred dollars per annum an assistant clerk at a salary not over twenty hundred dollars per annum an assistant clerk not over eighteen hundred dollars per annum a stenographer (who may act as a clerk) at a salary not over fifteen hundred dollars per annum a chief inspector at a salary not over eighteen hundred dollars per annum two custodians of the records to guard same while they are open to public inspection each of whom shall receive not more than twelve hundred dollars per annum a messenger who shall receive not more than one thousand dollars per annum as many clerks as they may deem necessary from time to time at a compensation not exceeding four dollars per diem for the time actually employed a sufficient number of inspectors of registration and registrars at a compensation not exceeding six dollars per diem for the time actually employed

(f) Any inspector of registration on his own motion or on complaint of any person known to him may and when directed by the commission shall

(1) Investigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling inn lodging-house or hotel within such city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment

(2) Inspect in like manner and copy any register of lodgers in any lodging-house inn or hotel relating to or affecting the right of any person to vote or to be registered in any such city

(3) Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

(4) Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest

Section 6 COUNSEL COMPENSATION DUTIES The commission may employ special counsel at a compensation not exceeding three thousand dollars per annum Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent the commission on all appeals taken from its decisions or orders to a court of common pleas as herein provided

Section 7 APPROPRIATIONS UNEXPENDED BALANCES OF APPROPRIATIONS HERETOFORE MADE ADDITIONAL APPROPRIATIONS (a) The appropriating authorities of the county shall appropriate annually and from time to time the funds that shall be necessary for the maintenance and operation of the commission and the carrying out of the provisions of this act therein including the payment of the compensation of the commissioners counsel a sufficient number of registrars inspectors of registration and other assistants and employes and the fees of witnesses as herein provided and likewise for preparing in accordance with the direction of the commission securing and distributing or receiving and preserving all street lists registration cards affidavits vouchers notices account books stationery and other supplies which the commission shall consider necessary for the purpose of this act and for all other necessary expenses

(b) The appropriating authorities of the county shall provide the commission thereof with suitable and adequate offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties

(c) Any unexpected balances of any appropriations heretofore made by the appropriating authorities of the county for the purpose of carrying out any provisions of any existing registration act or the amendments thereto shall be transferred to and made available for the commission hereby created or constituted for the expenses of carrying out the provisions of this act immediately after the effective date of this act and all moneys required in addition to any original appropriation in the current year or any other year shall be appropriate dfrom time to time as soon as it shall appear what extra sums are needed

Section 8 ACTS OF EMPLOYES Any insertion or removal of names or other information in registers or the amending of any records done by any employe of the commission by order of the commission shall be construed to have been done by the commission itself which shall likewise be responsible for the correction of any erorrs in the doing thereof

Section 9 COMMISSIONERS MAY ACT AS REGISTRARS AND INSPECTORS A commissioner may act at any time as registrar or inspector of registration and when so acting shall have and may exercise the powers and shall perform the duties and obligations conferred by or in ac-

cordance with law upon registrars and inspectors of registration respectively

Section 10 IMMUNITY FROM ARREST Commissioners registrars and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrant of a court of record or judge thereof for felony for wanton breach of the peace or for a criminal violation of this act

Section 11 ACTS TO BE DONE ON LEGAL HOLIDAYS AND SUNDAYS No part of any day fixed for the performance of any duties by any person or official under this act shall be deemed a Sunday or a legal holiday so as to affect the legality of any work done for the purpose of carrying out the provisions hereof or the right of any person to any compensation herewith provided for rendering any service required hereby or so as to relieve any person from doing on such day whatever is necessary for such purposes and such services are hereby declared to be necessary public services

Section 12 RECORDS AND DOCUMENTS TO BE OPEN TO PUBLIC INSPECTION The records of each commission and all district registers streets lists voting check lists voters' certificates affidavits petitions appeals witness lists accounts contracts reports and other documents in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the city during ordinary business hours at any time when they are not necessarily being used by the commission or its employes having duties to perform in reference thereto provided that such public inspection thereof shall only be in the presence of a commissioner or authorized employe of a commission and shall be subject to proper regulation for safekeeping of the records and documents and subject to the further provisions of this act

Section 13 WATCHERS AT PLACES OF REGISTRATION PRIVILEGES (a) Any party or body of electors which now is or hereafter may be entitled to have watchers at any election as well as any organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds may recommend not more than three electors to act as watchers without expense to the county at any place of registration during the time when it shall remain open for the registration of electors and the commission shall appoint all such persons as watchers and provide them with proper certificates stating their names and the party or policy or citizens' organization which they represent respectively unless any be shown to have previously been convicted of any crime

(b) Any watcher shall be entitled to remain at any place of registration during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registration and to interrogate or challenge any person regarding his right to be registered and to inspect any papers produced by such person and the registrars commissions and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided however That a registrar commission or commissioner may at any time require any watcher to show his certificate of appointment and provided that not more than one watcher for each party or body of electors or citizens' organization represented shall be allowed in a place of registration at any one time

Section 14 WATCHERS OR ATTORNEYS AT SESSIONS OF COMMISSION Any party or body of electors or body of citizens which now is or hereafter may be entitled to have watchers at any place of registration or at any election shall also be entitled to appoint any watchers who are qualified electors of the city or attorneys to represent such party or body of electors or body of citizens at any public session or sessions of the commission Such watchers or attorneys may exercise the same rights as watchers at places of registration but the number who may be present at any one time may be limited by the commission to not less than three for each party or body of electors

Section 15 CANDIDATES MAY BE PRESENT AT PROCEEDINGS Every candidate for nomination or election to any office shall be entitled to be present in person or by attorney in fact duly authorized and to participate in any proceeding before any commisison whenever any matters which may affect his candidacy are being heard

Section 16 DAYS AND HOURS OF REGISTRATION PLACES OF REGISTRATION USE OF POLLING PLACES PAYMENTS OF RENTALS USE OF SCHOOL BUILDINGS PUBLIC NOTICE (a) From and after the first day of June one thousand nine hundred and thirty-four each commission or any commissioner or a registrar shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sundays holidays the day of each election and each primary the thirty days next preceding each election and each primary and the five days next following each election and each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration Provided however That in the year one thousand nine hundred and thirty-four each commission shall arrange to have a registrar present to receive applications for the personal registration of electors at the polling place or some other suitable place in each election district of the city on at least three separate days prior to October seventh (one of them being in August another in September and another in October) And provided further That in each year thereafter the commission shall provide a place of registration in each ward of the city at which not more than two registrars shall be present to receive personal applications from persons who claim that they are entitled to be registered which registrars shall be present thereat in even numbered years on the fifth Thursday and the fifth Friday and the fifth Saturday before the Spring primary and on the fifth Friday and the fifth Saturday before the general election an in odd numbered years on the twenty-third Friday the twenty-third Saturday and the fifth Saturday before the Fall primary and on the fifth Friday and the fifth Saturday before the municipal election

(b) The county commissioners shall cause any polling place to open in proper order for use as a place of registration on each day when such polling place may be desired by the registration commission for use as a place of registration and the appropriating authorities of the county shall provide for the payment of all rentals for such polling places

(c) The board of school directors of each school district shall furnish a room or rooms in any public school building under its jurisdiction or control and shall cause the room or rooms to be open and in proper order for use as a place of registration on each day when such room or rooms may be desired by the registration commission for use as a place of registration provided that such use shall not interfere with instruction for the conduct of which such board of school directors shall be responsible

(d) The proper city authorities shall furnish a room or rooms in the city hall or other municipal building under their jurisdiction or control and shall cause the room or rooms to be opened and in proper order for use as a place of registration on each day when such room or rooms may be desired by the commission for use as a place of registration provided that such use shall not interfere with the use for which such room or rooms is primarily designed

(e) The commission shall in reasonable time publicly announce the address of each place of registration other than the office of the commission and the days and hours when the place shall be open for the registration of electors by posting a notice thereof at its office and at least five placards or notices thereof in conspicuous places in the neighborhood of such place of registration and by publication at least once in a newspaper of general circulation published in the city at least three days prior to the date when the place shall be so open and by such other newspaper publication as it deems desirable

Section 17 REGISTRATION CARDS PREPARATION AND DISTRIBUTION (a) For the purpose of registering the qualified electors of such city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section eighteen of this act and the following affidavit

State of Pennsylvania }
} ss
County of }

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the

State of Pennsylvania for one year (or having previously been a qualified elector or native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before me this day of

.....
Signature of Voter

.....
Signature of Registrar

(b) Subject to the foregoing provisions of this section the Secretary of the Commonwealth shall prescribe the form of such registration cards

(c) Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate for each applicant for registration The commission shall provide suitable binders for filing and indexing the registration cards which binders can be locked The keys of all such binders shall at all times be retained by the commission.

(d) The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar

(e) Before ten o'clock ante meridian on the day following the last day for registration before an election or primary and at such other times as the commission may prescribe each registrar shall return to the commission at its office all registration cards used or unused in his possession and shall account fully in writing for each missing card

(f) Unused registration cards may be reissued by the commission but the commission shall preserve all other papers records and memoranda as a part of its record

Section 18 MANNER OF REGISTRATION (a) Every person claiming the right to be registered as an elector must appear in person before the commission or a commissioner or a registrar at the office of the commission or at such other place as the commission shall have designated and answer the questions required to be asked in accordance with this act

(b) He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with the other information herein required shall be recorded in his presence by the registrar or commissioner in permanent writing or typewriting in duplicate in the proper spaces on the registration cards as follows

(c) (1) The surname of the applicant (2) his Christian name or names (e) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the rooms apartment flat or floor which he occupies (6) the date his residence in the district began (7) his residence address when he last registered and the year of such registration (8) the sex of the applicant (9) the color of the applicant (10) the state or territory of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of the naturalization certificate (12) if not naturalized personally the name of father or husband through whom naturalized (13) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance at the ensuing election and if so his declaration of that fact and his statement of the exact nature of such disability (14) the designation of the political party of the elector for the purpose of voting at primaries (15) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar and dated by him If the elector is unable to sign his name there shall also be recorded on the registration card (16) his height in feet and inches (17) the color of his hair (18) the color of his eyes and (19) the date of his birth Each registration card shall also have a sufficient number of spaces thereon for the insertion of (20) the ward and election district in which the elector resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal (21) the date of each election and primary at which elector votes and (22) the signature or initials of the election officer who enters the record of voting on the card

(d) The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed for the whole city the registration affidavits will be known as the General Registers when filed by election districts as the District Registers

(e) If the applicant shall allege inability to sign his name the registrar shall require him to present the affidavits subscribed in person before a registrar or commissioner of two electors who are personally acquainted with the applicant and who knows his qualifications as an elector Each of said two electors shall state in his affidavit the applicant's residence his own residence his knowledge of the statements made by the applicant under oath or affirmation in applying for registration and his belief that they are true Upon the filing thereof the applicant shall be permitted to subscribe to his oath or affirmation by making his mark except that if the applicant's inability to sign his name is not due to some apparent physical infirmity he shall first also be required to make and file with the registrar an affidavit of his inability to sign his name Every affidavit required because of an applicant's inability to sign his name shall be filed with the duplicate registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

(f) When the registration of an elector has been completed the registrar or commissioner shall deliver to the registered elector upon his request a written statement signed by such registrar or commissioner setting forth the name and address of the elector the fact of registration and the date thereof

Section 19 WHO MAY REGISTER WHO MAY VOTE ELECTORS NEED REGISTER ONLY ONCE EXCEPTION Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered as herein provided and from and after the seventh day of October one thousand nine hundred and thirty-four no person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered except by order of a court of common pleas as hereinafter provided and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address unless his registration is cancelled by reason of his failure to vote during a period of four years as hereinafter provided

Section 20 APPLICANTS TO REGISTER MAY BE CHALLENGED PROCEDURE CHALLENGE AFFIDAVIT (a) Any person claiming claiming the right to register may be challenged by a registrar or by any commissioner or by a qualified elector of the city Any person so challenged shall answer the questions of the challenge affidavit as herein specified and after his answers have been recorded he shall subscribe to them his signature or mark and swear to their truth

(b) The affidavits of all persons so registered shall be filed with the duplicate registration affidavits and shall be returned with them to the office of the registration commission

(c) The challenge affidavit shall be in form prescribed by the Secretary of the Commonwealth and shall contain spaces for the following information (1) Serial number (2) place and date of execution (3) full name of challenged applicant (4) whether he is married or single (5) if married where his family resides (6) if single where his parents reside (7) where applicant actually resided immediately before he took up his present residence (8) his residence for the four months immediately preceding date of execution (9) the name of his present employer (10) the street and number of his place of business (11) the name of his last employer and the year in which he left his employ (12) the city street and number of said last employer's place of business (13) sex of the applicant (14) his color (15) the date of his birth and (16) such distinguishing marks pe-

culiarities and further information for identification as the commission shall prescribe

(d) The challenged applicant shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his residence in the election district and shall produce such other evidence as may be required to satisfy the registrar or commissioner as to his qualifications as an elector If such challenged applicant shall establish his right to be registered as required by this act he shall be permitted to be registered

(e) Any person making application to be enrolled as a member of a political party for the purpose of voting at primaries may be challenged by any qualified elector of the city Any person so challenged shall be enrolled as a member of such party if he shall make and subscribe an affidavit that at the last election at which he voted he voted for a majority of the candidates of such party all of the candidates of a party for presidential elector being counted as two candidates but if he is unable or unwilling to make such affidavit he shall be denied enrollment as a member of such party but he shall not be deemed to be guilty of any violation or attempted violation of any law by reason thereof

Section 21 NATURALIZED APPLICANTS APPLICANTS WHOSE FATHERS OR HUSBANDS WERE NATURALIZED All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certified copy thereof before they shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father during his minority may be registered either by the production of his father's original papers or a certified copy thereof or by making affidavit that his father was naturalized at a time when he the applicant was less than twenty-one years of age and that he is unable to produce his father's papers or a certified copy thereof And provided further That any woman claiming citizenship by reason of her marriage prior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturalized prior to their marriage she is unable to produce his original naturalization papers or a certified copy of them or (b) by the production of evidence that her husband was a native born citizen of the United States Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

Section 22 INCOMPLETE OR REJECTED APPLICATIONS TO BE RECORDED The registrar or commissioner shall record on registration cards the surname christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar or commissioner shall note thereon the reason for the rejection and shall sign his name thereto All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 23 APPEAL OF REJECTED APPLICANT Any person whose application to be registered has been denied by a registrar or by a commissioner may file a petition with the commission not later than the fifteenth day prior to an election or primary setting forth the ground of his complaint under oath and praying to be registered The commission shall fix a time for a public hearing thereof at its office not later than the tenth day prior to the election or primary At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar or commissioner who rejected the petitioner's application for registration The commission if satisfied that the petitioner is entitled to be registered shall direct a registrar or commissioner to register him in the usual manner and shall amend accordingly the records affected but any registrar or inspector of registration or qualified elector of the city may appear and show cause why the petitioner should not be registered

Section 24 GENERAL REGISTER The duplicate registration affidavits for the entire city shall be placed in exact alphabeltical order and indexed and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded . These affidavits shall constitute the General Register of such city and shall not be removed from the office of the commission except upon order of the court of common pleas of the county wherein such city is located

Section 25 DISTRICT REGISTERS The original registration affidavits shall be filed by election districts and within each election district in exact alphabetical order and indexed and the affidavits so filed for each election district shall constitute the District Register for such district The district register shall be kept at the office of the commission except as herein provided and shall be open to public inspection at all times subject to reasonable safeguards rules and regulations

Section 26 REMOVAL NOTICES The commission shall provide removal notices which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room apartment flat or floor if his residence is a portion only of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present address and (4) space wherein the elector shall sign his name The removal notice shall contain a statement that the elector may be filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission with the elector's signature in the general and district register

Section 27 TRANSFER OF REGISTRATION (a) Upon receipt of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration affidavit of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the general and district registers and if the removal shall have been from one election district to another in the same city shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence In any case the commission shall advise the elector promptly in writing of its action

(b) If the commission shall doubt that the request for transfer is authentic it shall without transferring the registration of the elector promptly notify the elector that it will be necessary for him to apply in person at the office of the commisison for the transfer of his registration

(c) No elector who is unable to write his name shall be permitted to apply for transfer of registration by use of a written removal notice but each such elector must apply in person at the office of the commission establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar or a commissioner who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice

Section 28 CHANGE OF ENROLLMENT OF POLITICAL PARTY CANCELLATION OF PARTY ENROLLMENT PERSONS SUFFERING DISABILITY AFTER REGISTRATION TO HAVE FACT RECORDED CANCELLATION (a) At any time prior to the fifteenth day next preceding a primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar or commissioner and state in writing over his signature the political party in which he desires to be enrolled and the registrar or commissioner shall cause the enrollment of the elector's political degisnation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made

b) At any time not later than the tenth day preceding any mary any qualified elector of the city including any watcher y petition the commission to cancel the party enrollment any registered elector of such city who has previously en- led as a member of a party for the purpose of voting at mary elections setting forth under oath that he believes t such elector is no longer a member of the party with ich he has been enrolled and also setting forth that due tice of the time and place when said petition would be sented had been given to the person so registered at least enty-four hours prior to presentation of the same by de- ering a copy of the said petition to him personally or by ving it with an adult member of the family with which he ides If at the hearing of any such petition the elector inst whom the petition is filed appears and swears or irms that at the last election at which he voted he voted a majority of the candidates of the party with which he s then enrolled all of the candidates of a party for presi- tial elector being counted as two candidates the petition ll be refused otherwise the party enrollment of such elector ll be forthwith cancelled

c) Any elector who has since the time of registration suf- ed a physical disability which renders him unable to see or rk the ballot or prepare the voting machine or to enter voting com.artment or voting machine booth without as- ance shall at least ten days prior to the next succeeding mary or election personaly make application under oath the commission or a registrar to have such fact en- ed on his registration affidavit together with the exact ure of his physical disability which entry shall be made ordingly

d) When the commission shall ascertain that any elector o has declared his need for assistance no longer suffers from disability stated by him or has voted without assistance it ll forthwith cancel on his registration affidavit the entry ting to physical disability which authorized him to have istance

ection 29 REPORTS OF DEATHS FROM REGISTRARS VITAL STATISTICS CANCELLING REGISTRATION RRECTION IF PERSON IS FALSELY REPORTED DE- ASED (a) The registrar of vital statistics of every regis- ion district containing constituted by or contained with- any city shall report in writing at least weekly to the istration commission the deaths of residents of the city ept residents less than twenty years of age The com- sion shall forthwith cancel the registration of each istered elector so reported

b) Any person falsely reported deceased may appear in son before a registrar or commissioner at the office of commission and prove his identity and the commission reupon shall correct its records accordingly

ection 30 MAIL CHECK-UP OF REGISTERS (a) At any e prior to the thirtieth day next preceding an election or nary the commission may send by mail to any elector whose ne appears in any district register a notice setting forth elector's name and address as it shall appear in the regis- and requesting him in case of any error to present the no- on or before the tenth day next ensuing at the office of commission and secure the correction of the error and ning the elector that any discrepancy between his actual ne and address and his name and address as recorded in original register will constitute ground for challenging his e Such notice shall contain on the outside a request to postmaster to return it within five days if it cannot be vered to the addressee at the address given thereon At least e in each year the commission shall send such notices by l to each registered elector in the city

b) Upon the return by the Post Office of any such notice ch it has been unable to deliver at the given address be- se the addressee cannot be found there the commission ll direct an authorized employe to visit in person the ad- s of the elector and if he shall find that the elector does reside at the address he shall leave at such address the ce prescribed by section thirty-one of this act and the com- sion shall at the expiration of the time specified in such ce cancel the registration of such person unless he person- appears and proves his qualifications as an elector

ection 31 CANVASS OF REGISTERED VOTERS (a) The mission may at any time by individual commissioners or by ectors of registration verify the registration in any elec- district of such city by visiting each building from which an elector is registered and such other buildings as the commission may deem necessary and shall make a record of the name and address of each person registered who shall not be found to reside at the address from which he is registered or who for any other reason shall appear to be not qualified to vote in the election district from which he is registered and shall leave at the address of each such person a notice requiring him to appear personally at the office of the commission on or before a date and hour which the notice shall appoint and which shall be not later than the tenth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector and the commission shall cause a confirmation of each such notice to be sent by mail promptly to such person at the address from which he is registered.

(b) At the expiration of the time specified in the notice the commission shall cancel the registration of each such person who has not personally appeared and proved his qualification as an elector

For the purpose of facilitating any such canvass the commission may when necessary appoint special inspectors of registration in number not exceeding double the number of election districts which the commission shall determine to canvass Police officers may be so appointed with the consent of the head of the police department of the city

(d) Such special inspectors shall have and may exercise the powers conferred by this act upon inspectors of registration They shall be qualified electors of the city and shall be appointed without reference to residence in election districts or to their political affiliations or beliefs

(e) The commission shall instruct each special inspector of his duties

Section 32 COMPARISON AND CORRECTION OF REGISTERS PRELIMINARY STREET LIST (a) Commencing thirty days prior to each election or primary the commission shall compare and correct the general and district registers

(b) Three months after each municipal election and seven months after each general election the commission shall prepare for each election district a Preliminary Street List of the names and addresses of all registered electors as to that date resident in the district arranged by streets and house numbers

(c) The commission shall cause to be made a sufficient number of exact copies of each such list and as soon as possible and not later than the first day of March in each even numbered year and the first day of July in each odd numbered year shall distribute the same among the inspectors and special inspectors of registration and the officals concerned with the conduct of primaries and elections and among the parties bodies of electors candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the city committee of each political party or body of electors upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 33 CORRECTED STREET LIST POSTING Commencing not later than the thirtieth day prior to each primary and election the commission shall prepare for each election district a Corrected Street List of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers The commission shall cause to be made a sufficient number of exact copies of each such list which may be made by correcting and supplementing exact copies of the preliminary street lists a copy of the corrected street list of each election district shall forthwith be publicly posted at the polling place of such district Two complete sets of such lists shall be kept on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 34 PETITIONS TO STRIKE OFF NAMES At any time not later than the tenth day preceding any election or primary any qualified elector of the city including any watcher and any registrar or inspector of registration may petition the commission to cancel the registration of any registered elector of such city setting forth under oath supported by the affidavits of at least two adult persons sufficient grounds for such cancellation and also setting forth that due notice of the time and place when said petition would be presented and heard had been given to the person so registered personally at least twenty-four hours prior to the presentation of the same or that he could not be found at the place given in the district register as his residence and that the person in charge thereof to be mentioned by name in said petition had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them or that no person is residing at the address given whereupon the commission shall forthwith cancel the registration of such elector and amend accordingly the general and district registers and the other records affected unless the person so registered shall appear and show cause why the same should not be done

Section 35 DELIVERY OF DISTRICT REGISTERS TO COUNTY COMMISSIONERS (a) Not later than noon of the second day preceding an election or primary the commission shall deliver to the county commissioners of the proper county the district register accurately corrected to date for each election district in order that the same may be delivered to the election officers with other election materials for use on election day in the manner in which the county commissioners now are or hereafter may be required to deliver the same Provided That the registration commission shall not deliver to the county commissioners the registration card for use at the polls on election day of any person who has removed from one election district to another within two months of any general municipal primary or special election The registration commission shall withdraw from the district registers the cards of all such persons before the registers are delivered to the county commissioners

(b) District registers when so delivered to the county commissioners shall be contained in suitable binders so constructed and locked that the name address voting record and other data on each card may be visible and that entries may be made on each card but that the cards cannot be removed by the election officers Said binders shall have printed or written thereon the words "District Register of Voters" and the name of the district

Section 36 PERSONS REGISTERED ARE ENTITLED TO VOTE AT GENERAL OR MUNICIPAL ELECTIONS IF IDENTIFIED BY SIGNATURE PROVISO EVIDENCE OF REGISTRATION DISCREPANCIES PERSONS REGISTERED AND ENROLLED MAY VOTE AT PRIMARIES IF IDENTIFIED BY SIGNATURE PROVISO PERSONS NOT REGISTERED ARE NOT ENTITLED TO VOTE CHALLENGING OF PERSONS REGISTERED VOTERS CERTIFICATES VOTING CHECK LIST OF ELECTIONS AND PRIMARIES COUNTING ET CETERA OF NAMES CHECKED AS HAVING VOTED SEALING OF REGISTERS AND VOTING CHECK LISTS RETURN OF LISTS OF VOTERS AND REGISERS (a) Any person whose name is in the district register of any election district in such city and who upon applying to vote shall have signed his name to a voter's certificate in the form hereinafter provided for as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and view of the watchers with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers shall be entitled to vote in such district at any general municipal or special election unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from the district since registration or that he has violated any law of this Commonwealth prohibiting betting or bribery at elections.

(b) Provided That no elector shall be required to sign a voter's certificate as a means of identification if he shall have been unable to sign his name when registered or if having been able to sign his name when registetred he subsequently shall have lost his sight or lost the hand with which he was accustomed to sign his name or shall have been otherwise rendered by disease or accident unable to sign his name when he applies to vote but each such elector shall establish his identity to the satisfaction of the election officers and in such case a voter's certificate shall be prepared for him by one of the election officers upon which the facts as to such disability shall be noted and attested by the signature of such election officer.

(c) Provided further That no person who applies to vote shall be permitted by any election officer or clerk or other person to see the signature recorded as his in the district register until after he shall have signed his name to the voter's certificate.

(d) Any person who is registered and also enrolled as a member of a political party and who upon applying to vote shall have established his identity by signing his name or otherwise as herein required at elections and is otherwise qualified may vote as a member of said party at any primary succeeding such registration without being subject to any challenge regarding his party membership Provided That no elector registered and enrolled as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party at any primary election and any qualified elector registered although not enrolled as aforesaid shall be permitted to vote a non-partisan ballot according to any law providing for the same at any primary election

(e) No one except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by the authority of this Commonwealth shall be entitled to vote at any election or primary in such city without being personally registered as an elector in the election district in which he offers to vote except by order of the court of common pleas as herein provided regarding appealed cases and any person although personally registered may be challenged by any qualified elector watcher overseer or election officer at any election or primary as to his identity as to his continued residence in the election district or as to any alleged violation of the laws of this Commonwealth prohibiting betting or bribery at elections and if challenged as to identity or residence he shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his identity or continued residence in the election district and shall produce such other evidence as may be required to satisfy the election officers of his identity or continued residence in the election district and if challenged as to betting he shall produce proof that he has not made any bet or wager on the result of the election or is not interested therein and if challenged as to bribery he shall be required to swear or affirm that the matter of the challenge is untrue before his vote shall be received

(f) The county commissioners shall cause to be printed for each election district a suitable number of Voter's Certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows

Voter's Certificate

(Primary) (Election) .....19....

I hereby certify that I am qualified to vote at this (primary) (election)

Signature .....

Address .....

Pennsylvania

Approved .....

Number of stub of ballot issued (or number of admission to voting machines) (and party at primary)

The voter's certificates shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the county commissioners After a voter's certificate has been presented by an elector and has been compared with his signature in the district register and approved or in the case of an elector who is unable to write the notations hereinabove required have been made thereon one of the election officers who made the comparison shall sign his name or initials thereon and if the elector's signature is not readily legible shall print such elector's name over his signature and after the elector has been admitted to vote the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at primaries a letter or abbreviation designating the party in whose primary he votes shall be entered on his voter's certificate and the same shall thereupon be inserted in the file of

binder One such file or binder shall be furnished for each election district for each primary and election and shall have printed or written thereon the words "Voting check List" and the name of the district and date of the primary or election and the said voter's certificates so bound shall constitute the voting check list of the district All voter's certificates prepared by persons applying to vote whose applications to vote are refused by the election officers shall be carefully preserved and returned to the commission with the voting check list

(g) The district register hereby provided for shall be used at each election and primary in such city by the election officers in the place of the two registers known shall constitute the ballot check list of the district As each voter is found to be qualified and votes the election officer in charge of the district register shall write or stamp the date of the election or primary and sign his name or initials in the proper space on the registration affidavit of such voter contained in the district register After the polls are closed the names of all electors on the district register marked or stamped as having voted shall be immediately counted and the result compared with the number of persons voting shown by the voting check list and numbered lists of voters and announced and the cause of any difference ascertained if possible before the ballot box or voting machine is opened The district register and the voting check list shall be immediately sealed in envelopes and shall be returned to the custody of the registration commision by the judge of election before noon on the day following the election or primary

Section 37 ENTRY OF INFORMATION IN GENERAL REGISTERS FOLLOWING ELECTIONS AND PRIMARIES REPORT OF INDICATIONS OF FRAUD TO DISTRICT ATTORNEY (a) Immediately following each election or primary the commission shall cause each district register to be examined and shall enter the date of the election or primary in the proper space on the registration affidavits in the general register of each elector whom the district register indicates as having voted

(b) In the case of any elector whom the election officers shall have recorded as removed deceased or challenged and prevented from voting the commission shall ascertain the facts and shall correct the general and district registers in accordance therewith

(c) The commission specifically shall compare the signature of each elector on each voter's certificate with his signature in the district register and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of voter's certificates and registers hereby prescribed

(d) Whenever the registration affidavits of any registered elector shall have been entirely filled up so that the entries required to be made thereon by this Act can no longer be made the Commission shall have prepared and attached to such registration affidavits in each register a supplemental card Each supplemental card shall be printed in a color different from the registration affidavits It shall have the same serial number as the registration affidavit followed by the letter "A" "B" etc according to the number of supplemental cards attached to each registration affidavit Each supplemental card shall have space thereon for the entry of the surname of the registered elector his Christian name or names the street and number of his residence the ward and election district in which he resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal the date of each election and primary at which the elector votes and the signature or initials of the election officer who enters the record of voting on the card Each supplemental card shall be attached to the registration affidavit to which it relates by permanent fasteners in such a manner that the contents of the registration affidavit may be examined and the entries required by this Act may be made on the supplemental card Whenever supplemental cards are attached to the registration affidavit of any elector the registration affidavit shall be stamped with the words "Supplemental cards attached" together with the date thereof

Section 38 CANCELLATION OF REGISTRATION UPON FAILURE TO VOTE WITHIN FOUR YEARS REQUEST FOR REINSTATEMENT Within three months after the municipal election held in the year one thousand nine hundred and thirty-seven and within three months after each general and municipal election thereafter the registration commission shall cause all of the district registers to be examined and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of four years immediately preceding the commission shall send to such elector by mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has not voted within a period of four years and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration setting forth his place of residence and signed by him At the expiration of the time specified in the notice and after publication of the information contained in the notice mailed as aforesaid at least one time in at least one newspaper of general circulation published in the city the commission shall cancel the registration of such elector unless he has filed with the commissioin a signed request for reinstatement of his registration as above provided Provided That the cancellation of the registration of any such elector for failure to vote within a period of four years shall not affect the right of any such elector to subsequently re-register by personal application to the commission or a commissioner or a register in the manner provided by this act

Section 39 CANCELLATIONS REMOVAL AND PRESERVATION OF REGISTRATION AFFIDAVITS Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration affidavits of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such affidavit shall be kept for five years after which the commission may destroy it

Section 40 APPEALS TO COURT TIME OF HEARING NOTICE POSTPONEMENT HEARING DECISION OF COURT COSTS AND FEES (a) Any person whose claim for registration has been denied by the commission or whose name although previous registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of the city whose rights are impaired by any general order made by the commission not including registration of particular names by the commission on personal application made to it as aforesaid or refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper court of common pleas not later than the fourth day preceding any election or primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief and thereupon any judge of the said court may fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the counsel for the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court and proof of notice or the waiver thereof must be filed therein

(b) Any judge of said court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary and at the time so fixed the court or any judge thereof assigned for the purpose shall hear all the witnesses and other evidence that may be offered unless the issue can be decided in some other manner by agreement of the parties concerned

(c) If after any such public hearing the said court shall find that an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed

(d) The said court may compel the appellant or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner

Section 41 PRODUCTION OF DOCUMENTS ET CETERA AT APPEALS At the written request of any person tak-

ing an appeal from any action or order of a commission as aforesaid the commission shall produce at the hearing thereof any petition register or other record in its custody relevant to the issue involved but the commission shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so

Section 42 SUBPOENAS AND WITNESS FEES (a) Any person filing any petition of any kind aforesaid with a commission or opposing same shall have the privilege of having subpoenas issued by the commission to compel the attendance of witnesses upon condition that all witnesses so subpoenaed shall be paid two dollars and fifty cents each per day as witness fees in the manner herein provided

(b) The commission on its own motion may subpoena witnesses including registrars each of whom shall also be entitled to daily witness fees at the rate aforesaid to be paid out of any money to be provided for the purpose to the commission by the appropriating authority of the county in the same manner as other necessary expenses of such commission are to be provided for

(c) All subpoenas shall be in substantially the same form and shall have the same force and effect as subpoenas now issued by a court of common pleas and the commission shall have the benefit of the process of said courts if necessary to enforce any subpoena issued by such commission

(d) No subpoena shall be issued for the benefit of any person other than the commission until he shall have paid the commission a fee of twenty-five cents for issuing the same and deposited with said commission one day's witness fees for each witness to be summoned thereby whose names shall be given to the commission and entered by it in such subpoena and among the records of the commission and no such subpoena shall be of any virtue to require the further attendance of any witness after the day mentioned therein unless the hearing be postponed or continued by the commission and unless before four o'clock post meridian of said day the person for whose benefit it be issued shall have deposited with the said commission an additional day's witness fees for each witness whose further attendance is desired As soon as convenient after any hearing is concluded (or postponed or continued) on any day the commisison shall disburse the fees deposited with it by any person aforesaid among those witnesses who have appeared in response to subpoenas issued as aforesaid and shall return to the person who deposited the same any fees deposited for others who did not attend and shall also pay like fees to any summoned by the commission as aforesaid taking their receipts therefor so long as there are sufficient funds available for such payments

(e) The commission shall pay over to the county treasurer all fees received for subpoenas and the accounts of such commission respecting disbursements of witness fees out of appropriations made to such commission by the appropriating authority of the county shall be subject to audit from time to time by the county controller

Section 43 CRIMES AND PENALTIES (a) Any person who wilfully disobeys a lawful order of the commission or refuses to obey its subpoena duly issued and served under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars

(b) Any wilful false statement made under oath or in writing stating that it is so made although such oath may not have actually been made by any person regarding any material matter or thing relating to any subject being investigated heard or acted upon by any registrar commissioner judge watcher inspector of registration court or commission by virtue of this act shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(c) Any registrar or commissioner who knowingly registers or permits to be registered a person not lawfully entitled to be registered or who without reasonable cause refuses to register a person entitled to be registered or knowingly assists in preventing such person from being registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(d) Any person who applies for registration knowing or having reason to know that he is not entitled to be registered or who falsely personates another in an application for registration or who knowingly offers false naturalization papers to establish his claim to be registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(e) Any registrar commissioner or assistant or employe of a commission who inserts or intentionally permits to be inserted a name or other entries in any registration card without a proper application in person on the part of the person registered or without requiring the proper evidence of the right of the applicant to be registered or who materially alters any registration card after the entries have been made except upon an order of the court of common pleas or of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(f) Any election officer who knowingly refuses the vote of a duly registered and qualified elector or who knowingly accepts the vote of a person not registered in accordance with the provisions of this act except that of a person in actual military or naval service as aforesaid or a person having an order of court as aforesaid or who knowingly receives a vote from a person falsely claiming to be a registered voter shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(g) Any commissioner registrar inspector of registration or other officer assistant or employe upon whom a duty is laid by this act who shall wilfully neglect or refuse to perform his said duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than (2) years

(h) Any person who inserts or intentionally permits to be inserted any name or material entry in any registration card street list affidavit petition subpoena certificate report or other record authorized or required by this act to be made or prepared for any purpose herein mentioned except in accordance herewith or who materially alters or destroys an entry which has been duly made therein except as herein provided or who takes and removes any such book paper card or other record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspected or copied as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(i) Any person who neglects or refuses to furnish to any commission or commissioner or to any inspector of registration any report or information which they or he are herein authorized to receive or obtain or to exhibit any records papers or documents herein authorized to be inspected by them or him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(j) Any constable policeman sheriff or other peace or police officer or deputy or subordinate thereof who shall fail upon demand of any commissioner or inspector of registration to render such aid and assistance to him as he shall demand in the maintenance of peace and in the making of arrests without warrant as herein provided or who shall wilfully hinder or delay or attempt to hinder or delay any commissioner or inspector of registration in the performance of any duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(k) Any person who intentionally interfers with hinders or delays any other person in the performance of any act or duty authorized or imposed herein shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars

Section 44 EFFECTIVE DATE PARTIAL INVALIDITY LEGISLATIVE INTENT (a) Except as otherwise provided herein this act shall be in force and take effect from and after the first day of June one thousand nine hundred and thirty-four

(b) It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effective as completely as if the part or parts held unconstitutional had not been included herein

Section 45 REPEAL OF PRIOR LAW PROVISO (a) The following acts of Assembly and parts of acts and any amendments and supplements thereto are hereby repealed absolutely

(1) An act entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualifications terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registers shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars of said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith" approved July tenth one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven)

(2) An act entitled "An act to amend part of section thirteen of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and fifty-seven) entitled 'An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissioners therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsels fixing their qualifications terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registers shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars of said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith" approved April twenty-sixth one thousand nine hundred and twenty-one (Pamphlet Laws two hundred ninety-two)

(3) An act entitled "An act to amend section forty-three of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven) entitled 'An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualification terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand

a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registrars shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars to said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violation thereof and repealing all legislation inconsistent herewith' so as to increase the maximum compensation to be paid to the chief clerk of the registration commission" approved May twentieth one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred ninety-four)

(4) An act entitled "An act to amend the last two paragraphs of section thirteen of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven) entitled 'An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualifications terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registers shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars to said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith' " approved April eleventh one thousand nine hundred and twenty-nine (Pamphlet Laws four hundred eighty-three)

(b) The following acts of Assembly and parts of acts are hereby repealed in so far as they apply in or relate to the assessment registration or enrollment of voters in cities of the first class

(1) Section fifty-nine of an act entitled "An act regulating to the Elections of this Commonwealth" approved July second one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred nineteen)

(2) Sections one two three fifteen and nineteen of an act entitled "A further supplement to the act regulating elections in this Commonwealth" approved January thirtieth one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one)

(3) Section one of an act entitled "An act declaratory of and amending the act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four" approved February thirteenth one thousand eight hundred and seventy-four (Pamphlet Laws forty-four)

(4) An act entitled "An act to amend sections one two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four changing the time and manner of making the registry of voters and the duties of registry assessors" approved May twenty-ninth one thousand eight hundred and ninety-one (Pamphlet Laws one hundred thirty-four)

(5) An act entitled "An act to authorize the election of assistant assessor for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" approved June sixteenth one thousand eight hundred and ninety-one (Pamphlet Laws two hundred ninety-eight)

(6) An act entitled "An act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four as amended by the act of May twenty-ninth one thousand eight hundred and ninety-one fixing the place at which the assessors shall sit to perform the duties imposed upon them by the second section of the said supplement of May twenty-ninth one thousand eight hundred and ninety-one in all voting districts or precincts in this Commonwealth where temporary voting places are or may be established" approved June twelfth one thousand eight hundred and ninety-three (Pamphlet Laws four hundred fifty-five)

(7) An act entitled "An act to amend sections two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the twenty-ninth day of May one thousand eight hundred and ninety-one changing the time and manner of making the registry of voters and the duties of registry assessors" approved May sixteenth one thousand eight hundred and ninety-five (Pamphlet Laws seventy-five)

(8) An act entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of assessors and registry assessors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers wilfully permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket" approved July twenty-fifth one thousand nine hundred and thirteen (Pamphlet Laws one thousand forty-three)

(c) All other acts or parts of acts of Assembly in conflict or inconsistent with this act or any part hereof are hereby repealed so far as they are inconsistent herewith

(d) Provided That the provisions of this act shall not affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of such acts so repealed respecting any act done or omitted prior to such repeal

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 109 (House Bil No. 94), entitled:

An act to repeal the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 129 (House Bill No. 97), as follows:

An Act authorizing officers departments boards and commissions of any political subdivision of the Commonwealth and cities counties boroughs incorporated towns townships school districts to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any officer department board or commission of any political subdivision of the Commonwealth or city county borough incorporated town township school district or poor district hereinafter called the purchaser has heretofore made any contract for the purchase of furniture stationery food stuffs fuel or other materials or supplies of any kind whatsoever and has cancelled all or any part of such contract under authority of an act of Assembly authorizing cancellation because that by reason of the operation of any agreement code or license approved prescribed or issued under the National Industry Recovery Act approved the sixteenth day of June on thousand nine hundred and thirty-three and any amendments thereof or supplements thereto the contractor's costs have been so increased that it would be inequitable to require him to comply with his contract and where for want of prior express legislative authority the purchaser delayed cancellation of the contract and required compliance thereunder until enactment of authority to effect cancellation such officer department board or commission city county borough incorporated town township school district or poor district is authorized to reimburse said contractor for loss sustained on materials delivered under said contracts subject to limitations prescribed by this act

Section 2 Adjustments hereunder shall only be made in costs of materials actually delivered in the interim between the effective date of any agreement code or license approved prescribed or issued under the National Industry Recovery Act approved the sixteenth day of June one thousand nine hundred and thirty-three increasing costs to said contractors and effective date of legislation authorizing cancellation and said contractor shall be reimbursed for loss sustained by enforced compliance with his contract payment however to be limited to the difference between the price specified in said contract and the price specified in a subsequent made contract or the open market price for like materials at the time of delivery whichever be lower

Section 3 Nothing in this act shall be so construed as to make valid any resolution or contract except to the extent that materials were actually delivered or that work was actually done and performed in enforced compliance with contracts subsequently cancelled under authority of legislative enactment

Section 4 All acts or parts of acts inconsistent herewith are hereby suspended for the period during which this act shall be in effect

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 133 (House Bill No. 190), as follows:

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and

other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement or roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as last amended by section one of the act approved the thirteenth day of April one thousand nine hundred and thirty-three (Pamphlet Laws forty-one) is hereby further amended to read as follows

Section 16 Before the Secretary of Highways shall undertake the construction reconstruction or improvement of any State highway on the plan of the State highways wherein a change of width or of existing lines and location is necessary and damage is likely to result to abutting property he shall notify the county commissioners of the proper county in writing of the contemplated change in such existing width lines and location After the county commisioners have agreed to such changes or refused to agree thereto as hereinafter provided the Secretary of Highways may proceed with the work of construction reconstruction and improvement After the receipt of the notice as above provided the county commissioners if they approve such change of width or of existing lines and location and agree thereto in writing shall when possible enter in an agreement with the owner or owners of said property as to amount of damage to be paid to the said owner or owners Whenever the amount so agreed upon shall exceed the sum of three hundred dollars ($300.00) the same shall not be paid by the county until the proposed agreement shall [be presented] have been filed by the county commissioners in the office of the prothonotary of the county in which the property damaged is situated If no exceptions are filed thereto within ten days after notice given by publication as hereinafter provided the county commissioners may pay the amount so agreed upon If exceptions thereto are filed within ten days after such notice the proceedings shall be presented to the court of quarter sessions for its approval The court shall fix a time for hearing the matter at which time the parties to such agreement and any taxpayer interested therein and their witnesses shall be heard and the court shall either approve or disapprove the agreement as it deems proper If the court disapproves the agreement it shall indicate a sum which it would approve for such case if the county commissioners and the property owner could agree thereon In such cases if the property owner and the county commissioners should agree on the amount of damages indicated by the court as acceptable to it such agreement may be entered into and shall be final and binding on the said parties without any further approval by the court Notice of the filing of such agreement in the office of the prothonotary and of the time and place of hearing in all such cases shall be given by one publication in one or more newspaper of general circulation throughout the county which shall state that any taxpayer may file exceptions to the agreement or may appear at such hearing and be heard together with his witnesses as the case may be Only such payments as to which no exceptions have been filed or as have been approved by the court as above provided shall be paid by the county or in case an agreement satisfactory to the county commissioners and said owner or owners cannot be made and the approval of the court thereto secured the owner or owners of said property damaged thereby or the commissioners of the proper county may present their petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages The proceedings upon said petition and by viewers shall be governed by existing laws relating to the ascertainment and assessment of damages for opening public highways The county commissioners or any other party to such proceedings may appeal from the award of the viewers to the court of common pleas and shall be entitled to a

trial by jury From the judgment of the court of common pleas an appeal may be had to the Supreme or Superior Court as in other cases Such damages when ascertained shall be paid by the county in which the State highway is located Whenever the county commissioners do not consent to or approve any such change of width or of existing lines and location and the Secretary of Highways determines such change to be necessary he shall when possible enter into an agreement with the owner or owners of said property as to the amount of damages to be paid therefor and if agreed upon such damages shall be paid by the Commonwealth out of moneys in the Motor License Fund or if such agreement cannot be made the owner or owners of said property damaged thereby or the Commonwealth may present their or its petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damage in the same manner and with the same right of appeal to the owner or owners and to the Commonwealth as is hereinbefore provided in cases where the county agreed to such change but the damages when ascertained shall be paid by the Commonwealth out of moneys in the Motor License Fund The county shall also be liable for any damages sustained by abutting property owners for a change of the width or lines of roads intersecting State highways where such damages are made necessary as a result of the changing with their consent and approval of the width lines or location for the construction of a State highway such damages to be ascertained in the same manner as herein provided for damages occasioned as a result of the change with their consent and approval of width or of existing lines and location of State highways and in case the commissioners shall not have consented to and approved such change of width or of existing lines or location then such damage shall be paid by the Commonwealth and shall be ascertained in the same manner as herein provided for damages for land taken as a result of the change of width or of existing lines and location of State highways without the consent and approval of the county commissioners and such damages shall also be paid from the Motor License Fund The county or Commonwealth shall also provide for the removal of all structures within the lines of the highway as thus established as may be provided by agreement between said county and the Secretary of Highways and in case the same is to be done by the Commonwealth the cost thereof shall also be paid out of the Motor License Fund Any moneys in the Motor License Fund necessary to make the payments required by this section are hereby specifically appropriated to the Department of Highways

Nothing contained in this act shall be construed as placing on the Commonwealth the payment of any damages or costs incident to the change of width lines or location of any State highway where such highway was widened or the lines or location changed prior to the date this act takes effect but all such damages and costs shall be paid by the county in the manner provided by this act as if the county had agreed thereto as herein provided

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 142 (House Bill No. 73), entitled:

An Act to regulate the sale and delivery of coal coke petroleum coke briquettes and other solid fuels providing for the appointment of public weighmasters prescribing their powers and duties imposing certain duties on the Department of Internals Affairs and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 154 (House Bill No. 177), entitled:

An Act providing that one-third of the cost of the board of revision of taxes and of the assessors other than personal property assessors in counties of the first class, shall be paid by the school district coextensive therewith.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House of Representatives as follows:

House Bill No. 245 (Senate Bill No. 181), entitled:

An Act to amend section three, clause (b) and sections nineteen and twenty-three of the act approved the fifth day of December, one thousand nine hundred thirty-three (Act Number six), entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing, selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers, importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties."

Which was committed to the Committee on Finance.

House Bill No. 246 (Senate Bill No. 182), entitled:

An Act to amend act number one approved the twenty-second day of November, one thousand nine hundred and thirty-three, entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals, firms and corporations and imposing penalties" by providing for an extension of time for payment in certain cases.

Which was committed to the Committee on Finance.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 31 entitled:

An Act authorizing the Department of Property and Supplies to act as purchasing agency for certain Federal agencies and making an appropriation of moneys received to reimburse the department for the cost of so acting.

Senate Bill No. 34 entitled:

An Act authorizing the State Treasurer to act as custodian of moneys and securities contributed to or deposited with the Commonwealth or officers, departments, boards, or commissions of the Commonwealth, prescribing the manner

in which such moneys or securities shall be held and disbursed or delivered up, and making an appropriation to the Treasury Department for the cost of administering such moneys and securities.

Senate Bill No. 41 entitled:

An Act to amend paragraph (a) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1046), entitled "An act appropriating the moneys in the Motor License Fund," by appropriating such fund to the Board of Finance and Revenue for redemption of bonds issued to acquire toll bridges.

Senate Bill No. 55 entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction, and providing for the repayment of such moneys from the General Fund.

Senate Bill No. 62 entitled:

An Act reducing to five days the period during which municipal subdivisions of the Commonwealth are required to advertise notice of proposed awards of contracts for articles to be used on projects financed by the Federal Civil Works Administration.

Whereupon,

The PRESIDENT, Lieutenant Governor Edward C. Shannon) in the presence of the Senate signed the same.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 132 (Senate Bill No. 183), entitled:

An Act concerning deficiency judgments; providing methods for determining the amount thereof and the disposition of costs, and in certain cases, defining the fair market value of the property sold.

Which was committed to the Committee on Judiciary General.

House Bill No. 135 (Senate Bill No. 184), entitled:

An Act relating to executions providing for the entry of deficiency judgments and limiting the amount for which writs of execution may issue in certain cases

Which was committed to the Committee on Judiciary General.

HOUSE CONCURS IN SENATE BILL No. 42

He also returned to the Senate, Senate Bill No. 42, entitled:

A Joint Resolution creating a Liquor Control Investigation Commission, defining the powers and duties of said Commission; and making an appropriation.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 52

He also returned to the Senate, Senate Bill No. 52, entitled:

An Act to amend the title and sections one, two, and three of the act approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand two hundred twenty-nine), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," as amended, by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 56

He also returned to the Senate, Senate Bill No. 56, entitled:

An Act authorizing counties, poor districts, boroughs, towns, townships and school districts having money borrowed for one purpose to use the same for other purposes which will aid recovery from existing economic depression; and requiring in certain such cases the assent of the electors.

with the information that the House has passed the same without amendment.

AMENDMENT TO HOUSE BILL No. 39, RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 39, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the Veterans' Compensation fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds and making an appropriation.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, line 10, by inserting after the word "bonds" the following: "and making an appropriation"; also section 8, page 6, line 28, by inserting after the word "bonds" the following: "and the principal thereof if any"; also page 7, line 9, by striking out after the word "appropriated" the remainder of line 9, and all of lines 10, 11, 12, and 13, and inserting in lieu thereof the following: "Should the moneys in the Veterans' Compensation Fund for any reason not be available for the payment of interest on the bonds or the principal thereof if any the funds necessary for such purpose are hereby appropriated from the General Fund and whenever any moneys are transferred from the Veterans' Compensation Fund for the payment of said interest on and principal of said bonds and such moneys are needed for the payment of compensation to veterans as provided by law there is hereby appropriated from the General Fund a sum sufficient to restore to the Veterans' Compensation Fund the moneys so transferred"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL No. 40, RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 40, entitled:

An Act providing compensation to certain persons who served in the military or naval forces of the United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam Providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation and providing penalties.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, line 1, by striking out after the word "compensation" the following: "for the residents of this Commonwealth" and inserting in lieu thereof "to certain persons"; also line 6, by inserting after the word "Guam" the following: "Providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation"; also section 3, page 2, line 29, by striking out at the beginning of the line the word "for" and inserting in lieu thereof the word "to"; also line 13, by inserting after the word "veteran" the following: "except that the compensation of a veteran who died in active military service during any one of the periods as set forth in section two of the act shall be two hundred dollars"; also section 3, page 3, line 26, by inserting after the brackets following the word "veteran" a bracket, thus "]"; also line 26, by inserting a bracket before the word "person" thus "["; also line 19, by striking out the "strike-out brackets before the word "be" and after the word "to;" also section 4, page 3, line 29, by striking out after the word "detailed" the word "thereto)" and inserting in lieu thereof the following: "to any of the foregoing)"; also section 7, page 5, line 15, by striking out after the word "of" the words "physical or" and inserting in lieu thereof "death or"; also by striking out all of sections 9 and 10 and inserting in lieu thereof the following: "Section 9 Whenever prior to the date of distribution of compensation under the provisions of this act a veteran entitled thereto shall have died or become mentally incapable of receiving his or her compensation payment shall be made by the Adjutant General (a) In case of mental incapacity to the guardian or committee if any of the veterans or if there be no guardian or committee then to the person with whom the veteran lives (b) In the case of death to the executor or administrator of the veteran's estate if an executor or administrator was appointed and the estate has not been settled (c) In the case of death if the veteran's estate has been settled or if an executor or administrator was not appointed and is not necessary for the administration of any other property to the following persons in the order named surviving unremarried widow or surviving minor child or surviving minor children share and share alike or surviving mother or surviving father Section 10 This act is predicated upon the belief that the people in adopting article nine section sixteen of the Constitution authorizing a loan for the payment of compensation to certain persons who served in the military or naval forces of the United States intended compensation to be paid for the service of veterans whether or not they be living when distribution be made If the courts shall hold that the constitutional amendment cannot be thus construed then compensation shall be payable out of borrowed funds to living veterans and the General Assembly hereby expresess its conviction that appropriations should be made during the next five years out of current revenues for the payment of compensation to widows orphans or surviving parents of deceased veterans until all payments shall have been made which are contemplated by the provisions of this act; also section 12, page 7, line 4, by striking out after the word "to" the following: "his or her beneficiaries as shown in section ten" and inserting in lieu thereof "any other person under this act"; also line 9, by striking out after the word "loan" the following: "nor be regarded as the assets of the estate of a deceased veteran nor be made the basis of administration thereof"; also line 25, by striking out after the word "than" the article "the" and inserting in lieu thereof the article "a"; also by striking out after the word "or" the following "his or her beneficiaries as set forth in section ten or such" and inserting in lieu thereof the article "the"; also line 26, by striking out after the word "of" the article "the" and inserting in lieu thereof the article "a"; also line 27, by striking out after the word "as" the following: "the Adjutant General shall by regulation prescribe" and inserting in lieu thereof the following: "in this act provided"; also section 15, page 9, line 3, by striking out after the word "review" the following: and inserting in lieu thereof "by any court or by any other officer"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Salus,
Aron,	Einstein,	Norton,	Scott,
Batchelor,	Fay,	Owlett,	Shapiro,
Baumer,	Frazier,	Parkinson,	Snyder,
Bell,	Gelder,	Pethick,	Sones,
Bennett,	Graff,	Pierson,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,

Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Lanius,	Roberts,	Ziesenheim,
Coyne,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. ARON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Also from the Committee on Municipal Corporations reported as amended, Senate Bill No. 173 (House Bill No. 66), entitled:

An Act for the relief of financially distressed taxpayers; providing for the payment in installments of delinquent county, city, borough, incorporated town, township, school and poor taxes in certain cases, and abating additional penalties and interest thereon.

Mr. BELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BELL, from the Committee on Finance, reported as committed, Senate Bill No. 181 (House Bill No. 245), entitled:

An act to amend section three clause (b) and sections nineteen and twenty-three of the act approved the fifth day of December one thousand nine hundred thirty-three (Act Number six) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties".

Mr. SORDONI. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SORDONI, from the Committee on Banks and Building and Loan Associations, reported as amended, Senate Bill No. 179 (House Bill No. 212), entitled:

An Act to amend section two hundred and four of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers and banking corporations with or without fiduciary powers including the conversion of national banks into State banks and for the licensing of private bankers; defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business, with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporations conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers; imposing penalties; and repealing certain acts and parts of acts;" regulating the establishment and maintenance of branch banks offices and agencies

Mr. ARON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 180 (House Bill No. 137), entitled:

An Act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four by installments and for a discount for prompt payment of such taxes in cities of the second class.

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Finance, reported as committed, Senate Bill No. 182 (House Bill No. 246), entitled:

An Act to amend act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" by providing for an extension of time for payment in certain cases.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD, from the Committee on Judiciary General, reported as committed, Senate Bill No. 156 (House Bill No. 193), entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities pensions for certain blind persons and the administration of this act by the Department of Welfare providing penalties.

MOTION TO SUSPEND RULES 37 AND 42, AND TO DISCHARGE COMMITTEE

Mr. HARRIS. Mr .President, There is now in the Committee on Railroads a bill commonly known as the "Full Crew Bill." I am aware of the fact that the rules of this body prohibit debate on any bill on a motion to suspend the rules; I am merely identifying this bill so that each and every member will know just exactly what he is voting on.

Mr. President, I, therefore, move that Rule 37 and Rule 42 be suspended, and that Senate Bill No. 161 (House Bill No. 160), entitled: "An Act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotives trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains and other self propelled engines or machines to provide the qualification of certain employes and to provide a penalty for the violation thereof" shall be immediately placed on the calendar for first reading; and I ask that the roll be called on this vote.

Mr. MILLER. Mr. President, I second the motion.

Mr. BUCKMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. Mr. President, the motion made by the Senator from Allegheny, Mr. Harris, is a double-barreled motion. In the first place, it seeks to suspend Rule 37 and Rule 42, which is a motion in itself. It also seeks to discharge the Committee on Railroads from further consideration of this bill.

My point of order is that this motion is out of order unless it is divided into two motions.

The PRESIDENT. The point of order of the Senator from Bucks, Mr. Buckman, is well taken.

Mr. HARRIS. Mr. President, there is no motion to do both of these things at the same time. The purpose of this motion is to suspend the rules. The motion to discharge the committee will be predicated on whether this motion to suspend the rules is adopted. We are merely voting now on the motion to suspend the rules.

Mr. PRESIDENT, if there is any confusion on this, it can be easily worked out. I will withdraw that portion of the motion which provides for the discharge of the committee, and confine it to one thing—the suspending of the rules.

Mr. BUCKMAN. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny, Mr. Harris, permit himself to be interrogated?

Mr. HARRIS. Mr. President, I shall be pleased to be interrogated.

Mr. BUCKMAN. Mr. President, I would like to ask "Governor" Harris if these rules are sought to be suspended by reason of the fact that under these rules "No bill shall be considered unless referred to a committee, returned therefrom, and printed for the use of the members," and No committee shall be discharged from the consideration of a bill within five days of its reference, without unanimous consent of the Senate."

Mr. HARRIS. Mr. President, I answer the Senator from Bucks, Mr. Buckman, seriously, by saying that is the purpose.

Mr. BUCKMAN. Mr. President, is it not a matter of fact that this bill has not been in the hands of the committee twenty-four hours?

Mr. HARRIS. Mr. President, that is correct.

The PRESIDENT. The motion before the Senate now is for the suspension of Rules 37 and 42.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I rise to a question of information.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his question of information.

Mr. SHAPIRO, Mr. President, is it the fact that this committee cannot be discharged from the consideration of this bill unless Rules 37 and 42 are suspended?

The PRESIDENT. The Chair rules that the original motion made by the Senator from Allegheny, Mr. Harris, should be divided; and the sponsor agrees that it shall be divided.

Mr. SHAPIRO. Mr. President, I say this respectfully,—my inquiry is still not answered. I asked if it is absolutely necessary to suspend these rules in order that we may vote on the discharge of the committee. In other words, is it the ruling of the Chair that the motion to discharge the committee cannot be made unless these rules are suspended?

The PRESIDENT. That is correct.

Mr. EINSTEIN. Mr. President, I do not like the idea of voting to discharge the committee, and I suggest that we take a recess of twenty minutes and allow the committee to meet and either bring the bill in as an affirmative bill or as a negative bill; and I understand that will give the committee the chance, if it has had the bill only twenty-four hours. I would like to amend that motion, to take a recess of fifteen minutes, in order to have the committee meet.

Mr. HARRIS. Mr. President, I accept the amendment.

Mr. MILLER. Mr. President, I accept the amendment.

Mr. BUCKMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. Mr. President, this is not a motion to discharge the committee; it is a motion to suspend the rules.

The PRESIDENT. The question now before the Senate is the amendment by Mr. Einstein, accepted by the maker of the motion, Mr. Harris, that the Senate recess for fifteen minutes.

Mr. HARRIS. Mr. President, I am willing to postpone action on the motion which I presented on condition that this meeting is held,—with the full understanding that upon our return to this room the motion will be resumed.

Mr. ARON. Mr. President, I ask that the vote be taken on the motion made by the Senator from Allegheny, Mr. Harris.

The PRESIDENT. The question before the Senate at this time is the amendment made by the Senator from Allegheny, Mr. Einstein, accepted by the maker of the motion, the Senator from Allegheny, Mr. Harris, and the second, Mr. Miller, that the Senate recess for fifteen minutes.

Mr. HARRIS. Mr. President, and that a conference be held.

The PRESIDENT. The Chair understands that the Senator from Allegheny, Mr. Harris, agrees to lay his motion on the table, and to take up the amendment of the Senator from Allegheny, Mr. Einstein.

The question before the Senate is this: That the Senate recess for fifteen minutes.

On the question,

Will the Senate agree to the amendment?

It was not agreed to.

Mr. HARRIS. Mr. President, I call up my motion.

The PRESIDENT. The question is on the motion to suspend Rules 37 and 42. The motion was originally seconded by the Senator from Northumberland, Mr. Miller.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Harris and Mr. Miller and were as follows, viz:

YEAS—17.

Armstrong,	Harris,	Pethick,	Staudenmeier,
Baumer,	Lanius,	Reed,	Thompson,
Bennett,	Mansfield,	Roberts,	Trainer,
Brandt,	Miller,	Snyder,	Williamson,
Einstein,			

NAYS—28.

Aron,	Coyne,	Homsher,	Rice,
Batchelor,	Ealy,	Hunsicker,	Salus,
Bell,	Fay,	Owlett,	Scott,
Boyd,	Frazier,	Parkinson,	Shapiro,
Buckman,	Gelder,	Pierson,	Sones,
Chapman,	Graff,	Prince,	Sordoni,
Clark,	Harvey,	Quigley,	Ziesenheim,

So the question was determined in the negative.

RECONSIDERATION OF SENATE BILL No. 87.

Mr. SCOTT. Mr. President, I move to reconsider the vote by which Senate Bill No. 87, entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years begining June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," by making additional appropriations to the Executive Legislative and Judicial Departments of the Commonwealth.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. SCOTT. Mr. President, I voted "aye."

Mr. ARON. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. ARON. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. SCOTT. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. SCOTT. Mr. President, I voted "aye."

Mr. ARON. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. ARON. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SCOTT. Mr. President, I move to reconsider the vote by which the bill passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. SCOTT. Mr. President, I voted "aye."

Mr. ARON. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. ARON. Mr. President, I voted "aye."

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 87.

And the question recurring,

Will the Senate agree to transcribe the bill for a third reading?

Mr. SCOTT. Mr. President, I move to reconsider the vote by which the Senate agreed to the bill on second reading.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. SCOTT. Mr. President, I move to reconsider the vote by which the title of the bill was agreed to.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the title?

Mr. SCOTT. Mr. President, I move to reconsider the vote by which the first section of the bill was agreed to.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1, page 2, by inserting between lines 12 and 13, the following: "EXECUTIVE DEPARTMENT"; also line 17, by striking out the words "EXECUTIVE DEPARTMENT"; also page 8, line 23, by inserting after the word "thirty-three" the following: "and for expenses incurred in public hearings and investigations by the House Ways and Means Committee during this Extraordinary Session"; also page 9, by inserting between lines 12 and 13, the following: "Hearings and investigations by the House Ways and Means Committee during this Extraordinary Session, $2,182.50"; also page 9, line 14, by striking out the figures "$105,824.41" and insert in lieu thereof "$108,006.91."

Mr. ARON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. ARON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Judiciary General reported as committed, Senate Bill No. 184 (House Bill No. 135), entitled:

An Act relating to past executions providing for the entry of deficiency judgments and limiting the amount collectible thereafter.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 19

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 19, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 19, Printer's No. 35, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL No. 19.

Mr. SCOTT. Mr. President, I move to reconsider the vote by which Senate Bill No. 19, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain pro-

cedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. SCOTT. Mr. President, I voted "aye."

Mr. ARON. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. ARON. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. SCOTT. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. SCOTT. Mr. President, I voted "aye."

Mr. ARON. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. ARON. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SCOTT. Mr. President, I ask unanimous consent to amend section 2, page 2, line 13, by striking out the word "[or]"; also line 14, by inserting after "pal" and before the word "election" the words "or primary"; also between lines 20 and 21, by inserting "g. "Primary election" shall mean any election for the nomination of candidates"; also line 21, by striking out the letter "[g]" and inserting in lieu thereof the letter "h"; also line 23, by striking out the letter "[h]" and inserting in lieu thereof the letter "i"; also page 3, line 1, by striking out the letter "[i]" and inserting in lieu thereof the letter "j"; also line 8, by striking out the letter "[j]" and inserting in lieu thereof the letter "k"; also line 14, by striking out the letter "[k]" and inserting in lieu thereof the letter "l"; also line 17, by striking out the word "[commissions]" and inserting in lieu thereof the word "commission"; also line 18, by striking out the letter "[l]" and inserting in lieu thereof the letter "m"; also line 21, by striking out the letter "[m]" and inserting in lieu thereof the letter "n"; also line 23, by striking out the letter "[n]" and inserting in lieu thereof "o"; also page 4, line 1, by striking out the word "[to]" and inserting in lieu thereof the word "of"; also line 2, by striking out the words "[within such city]" and inserting in lieu thereof the words "with which it is coextensive"; also line 3, by striking out the letter "[o]" and inserting in lieu thereof the letter "p"; also line 9, by striking out the letter "[p]" and inserting in lieu thereof the letter "q"; also between lines 10 and 11, by inserting "r "District" shall mean any election district of the city"; also line 14, by striking out the word "[Three]" and inserting in lieu thereof the word "There"; also page 5, line 17, by striking out the words "[or election]"; also section 5 page 7, lines 5 and 6, by striking out the words "[Appointment of Clerks or Secretaries as Registers]"; also lines 23, 24 and 25, by striking out "[An election officer may be appointed as a registrar or inspector of registration but no other]" and insert in lieu thereof "No"; also page 8, lines 14 and 15 by striking out "[on his own motion or on complaint of any person known to him may]"; also section 7, page 9, line 27, by inserting after the word "commissioners" and before the word "registrars" the words "counsel a sufficient number of"; also line 28, by striking out the word "[counsel]"; also page 10, line 17, by striking out the word "[passage]" and inserting in lieu thereof the words "effective date"; also section 12, page 11, line 25, by inserting after the words "street lists" and before the word "lists" the words "voting check"; also line 25, by striking out the words "[of voters]"; also page 12, line 1, by striking out the word "[county]" and inserting in lieu thereof the word "city"; also section 16, page 15, line 28, by striking out the words "[one placard]" and inserting in lieu thereof the words "five placards"; also line 29, by striking out the word "[notice]" and inserting in lieu thereof the word "notices"; also in the same line by striking out the word "[a]," and also in the same line by striking out the word "[place]" and inserting in lieu thereof the word "places"; also page 16, line 1, by inserting after the word "registration" and before the word "at" the words "and by publication at least in a newspaper of general circulation published in the city"; also line 3, by inserting after the word "such" and before the word "newspaper" the word "other"; also section 17, page 16, line 6, by striking out the words "[each county]" and inserting in lieu thereof the words "such city"; also page 17, line 8, by inserting after the word "cards" the words "which binders can be locked The keys of all such binders shall at all times be retained by the commission"; also section 21, page 23, line 21, by inserting after the word "marriage" and before the word "or" the words "and that she is unable to produce his original naturalization papers or a certified copy thereof"; also section 22, page 24, line 7, by inserting after the word "thereto" and before the word "All" "The registrar or commissioner shall forthwith personally notify the applicant if his application for registration is rejected"; also section 23, page 24, line 10, by striking out the word "[Application]" and inserting in lieu thereof the word "Applicant"; also line 11, by striking out the word "[registered]" and inserting in lieu thereof the word "registered"; also line 27, by striking out the word "[county]" and inserting in lieu thereof the word "city"; also page 25, line 1, by inserting after the word "affidavits" and before the word "shall" the words "for the entire city"; also line 2, by striking out the words "[for the entire city]"; also line 14, by inserting after the word "open" and before the word "at" the words "to public inspection"; also line 16, by striking out the words "[to public inspection]"; also section 26, page 25, line 22, by striking out the word "[electors]" and inserting in lieu thereof the word "elector"; also section 27, page 26, lines 28 and 29, by striking out the words "[b When a request for transfer believed authentic by the commission is received at the office of the commis-]" and on page 27, lines 1 to 7 inclusive, by striking out the words "[sion within the period of sixty days next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or]" and on page 27, line 8, by striking out the word "[primary]"; also page 27, line 10, by striking out the letter "[c]" and inserting in lieu thereof the letter "b"; also line 12, by inserting after the word "elector" and before the word "notify" the word "promptly"; also line 15, by striking out the letter "[d]" and inserting in lieu thereof the letter "c"; also section 28, page 27, line 27, by striking out the word "[tenth]" and inserting in lieu thereof the word "fifteenth";

also page 28, line 10, by inserting after the word "made" at the end of the line "If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar or commissioner and shall produce such other evidence as may be necessary to establish his identity"; also line 11, by striking out the word "[fifth]" and inserting in lieu thereof the word "tenth"; also line 24, by striking out the word "[his]" and inserting in lieu thereof the word "the"; also line 25, by striking out the word "[whom]" and inserting in lieu thereof the word "which"; also page 29, line 11, by striking out the word "[written]"; also page 29, line 20, by inserting after the word assistance" at the end of the line "and shall forthwith notify such elector by mail of its action"; also page 30, line 4, by inserting after the word "deceased" and before the word "may" "by any registrar of vital statistics"; also section 30, page 31, line 10, by striking out the word "[discepancy]" and inserting in lieu thereof the word "discrepancy"; also line 29, by striking out the letter "[a]" and inserting in lieu thereof the word "as"; also section 31, page 32, line 44, by striking out the words "[the county]" and inserting in lieu thereof the words "such city"; also line 13, by striking out the word "[in]"; also line 14, by striking out the words "[such county]"; also line 16, by striking out the word "[fifth]" and inserting in lieu thereof the word "tenth"; also line 29 and page 33, lines 1 and 2, by striking out "[Police officers may be so appointed with the consent of the head of the police department of the city]"; also page 33, line 7, by striking out the word "[affilations]" and inserting in lieu thereof the word "affiliations"; also line 11, by striking out the word "[Thirty]" and inserting in lieu thereof the words "Commencing thirty"; also page 34, line 2, by striking out the word "[county]" and inserting in lieu thereof the word "city"; also section 33, page 34, line 16, by striking out the word "[Distribution]"; also line 17, by striking out the word "[Not]" and inserting in lieu thereof the words "Commencing not"; also line 25, by inserting after the word "lists" and before the word "Two" the clause "A copy of the corrected street list of each election district shall forthwith be publicly posted at the polling place of such district"; also section 34, page 35, line 2, by striking out the word "[fifth]" and inserting in lieu thereof the word "tenth"; also section 35, page 36, line 10, by striking out the words "[sixty days]" and inserting in lieu thereof the words: "two months"; also line 17, by inserting after "structed" and before the word "that" the words: "and locked"; also line 19, by striking out the words: "[may not]" and inserting in lieu thereof the word: "cannot"; also section 36, page 36, line 29, by striking out the words: "[List of Voters]" and inserting in lieu thereof the words: "Voting Check List"; also section 36, page 37, line 2, by striking out the words "[Lists of Voters]" and inserting in lieu thereof the words: "Voting Check Lists"; also line 4, by inserting after the word "district" and before the word "and" "in such city"; also page 39, line 12, by inserting after the word "district" the words: "and if challenged as to betting he shall produce proof that he has not made any bet or wager on the result of the election or is not interested therein and if challenged as to bribery he shall be required to swear or affirm that the matter of the challenge is untrue before his vote shall be received"; also page 40, line 19, by striking out the words "["List of Voters"]" and inserting in lieu thereof the words: "Voting Check List"; also line 21 to 23, by striking out the words: "[numbered list of voters heretofore required by law to be kept in duplicate by the clerks or inspectors of election all]" and inserting in lieu thereof the words: "voting check list of the district All"; also line 26, by inserting after the words "with the" and before the word "list" the words "voting check"; also line 27 and 28, by striking out the words: "[of voters]"; also lines 28 and 29, by striking out the words: "[hereby provided for shall be used at each election and primary by the election officers]"; also page 41, line 1, by striking out the words: "[in place of the two registers known as]" and inserting in lieu thereof the words "shall constitute"; also lines 2 and 3, by striking out the words: "[and voting check list heretofore required by law]" and inserting in lieu thereof the words: "of the district"; also line 12, by inserting after the words "by the" and before the word "list" the words: "voting check" and again by inserting after the word "list" and before the words "of voters" the words: "and numbered lists"; also lines 14, 15, 16 and 17, by striking out the words: "[list of voters shall be immediately sealed in envelopes and shall be returned to the custody of the prothonotary or county commissioners as required by the law and the]"; also line 17, by inserting after the word "register" and before the word "shall" the words: "and the voting check list"; also section 37, page 42, between lines 12 and 13, by inserting the following paragraph: "d Whenever the registration affidavits of any registered elector shall have been entirely filled up so that the entries required to be made thereon by this act can no longer be made, the Commission shall have prepared and attached to such registration affidavits in each register a supplemental card. Each supplemental card shall be printed in a color different from the registration affidavits. It shall have the same serial number as the registration affidavit following by the letter "A" "B" etc. according to the number of supplemental cards attached to each registration affidavit. Each supplemental card shall have space thereon for the entry of the surname of the registered elector, his Christian name or names, the street and number of his residence, the ward and election district in which he resides and to which he may from time to time remove, together with his street address in each district and the other data required to be given upon such removal, the date of each election and primary at which the elector votes and the signature or initials of the election officer who enters the record of voting on the card. Each supplemental card shall be attached to the registration affidavit to which it relates by permanent fasteners in such a manner that the contents of the registration affidavit may be examined and the entries required by this act may be made on the supplemental card. Whenever supplemental cards are attached to the registration affidavit of any elector the registration affidavit shall be stamped with the words "Supplemental cards attached", together with the date thereof."

Amend section 38, page 42, line 15, by striking out after the word "the" and before the word "election" the word: "[general]" and insert in lieu thereof the word: "municipal"; also section 38, page 42, line 16, by striking out after the word "and" and before the word "and" the word "[thirty-eight]" and insert in lieu thereof the word: "thirty-seven"; also section 40, page 43, line 24, by striking out after the word "of" and before the word "Time" the word "[Fee]"; also page 44, line 2, by striking out the words "[any county]" and inserting in lieu thereof the words "such city"; also lines 11 and 12, by striking out the words "[Such appellant shall pay the prothonotary a fee of three dollars for filing such appeal]"; also section 41, page 45, line 23 by striking out "[not be obliged to answer any appeal and shall]"; also section 45, page 52, line 1, by striking out the word "[effect]" and insert in lieu thereof the word "affect."

The PRESIDENT. Is there objection? The Chair Hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

REPORT FROM COMMITTEE

Mr. REED. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED, from the Committee on Judiciary General, reported as amended, Senate Bill No. 113 (House Bill No. 120), entitled:

An Act in aid of unemployment relief for the citizens of this Commonwealth by providing for preference to citizens of this Commonwealth in employment upon public works of this Commonwelath, conferring certain duties on the Department of Labor and Industry, and providing penalties.

MOTION TO READ BILL THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 105 (House Bill No. 16), entitled:

An Act to amend Whereas clauses and sections one two and four of and to add sections eight and nine to the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred and twenty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration fo Senate Bill No. 113 (House Bill No. 120), entitled:

An Act in aid of unemployment relief for the citizens of this Commonwealth by providing for preference to citizens of this Commonwelath in employment upon public works of this Commonwealth conferring certain duties on the Department of Labor and Industry and providing penalties

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 148 (House Bill No. 62), entitled:

A Supplement to the act number three hundred-A approved the third day of June one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to certain administrative departments

And said bill having been read at length the first time,

Ordered, To Be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 156 (House Bill No. 193), entitled:

An Act providing for and regulating sujbect to certain restrictions limitations and liabilities pensions for certain blind persons and the administration of this act by the Department of Welfare providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 157 (House Bill No. 197), entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "Workmen's Compensation Act of 1915," as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 163 (House Bill No. 86), entitled:

An Act to prohibit discrimination and intimidation on account of race or color in employment under contracts for public buildings or public works, and fixing penalties therefor.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 164 (House Bill No. 171), entitled:

An Act to amend section one of article six of the act approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class" as amended, by providing for the assessment of a less rate of tax upon buildings than upon land, graded over a period of years, until the rate upon buildings shall become one-fifth of the rate upon land.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 166 (House Bill No. 196), entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 167 (House Bill No. 199), entitled:

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 168 (House Bill No. 200), entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 169 (House Bill No. 153), entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 173 (House Bill No. 66), entitled:

An Act for the relief of financially distressed taxpayers providing for the payment in installments of delinquent county city borough incorporated town township school and poor taxes in certain cases and abating additional penalties and interest thereon

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 174 (House Bill No. 109), entitled:

An act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled "An act authorizing the abatement of penalties on local taxes" as amended by providing for the extension of time during which such abatements may be allowed

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 175 (House Bill No. 138), entitled:

An Act to further amend clause (e) of section three hundred and six of the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," by permitting the extension of time for hospitalization to ninety days at the option of the employer or insurer; and fixing the date when this act becomes effective.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 178 (House Bill No. 191), entitled:

An Act to amend section one of the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred thirty-seven) entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two and validating the liens of such taxes" further extending the period for such returns and providing for returns for the year one thousand nine hundred and thirty and for the year one thousand nine hundred and thirty-three

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 179 (House Bill No. 212), entitled:

An Act to amend section two hundred and four of the act approved the fifteenth day of May, one thousand nine hundred and thirty-three, (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations, authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothontaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts;" regulating the establishment and maintenance of branch banks, offices and agencies.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 180 (House Bill No. 137), entitled:

An act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four by installments and for a discount for prompt payment of such taxes in cities of the second class

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 181 (House Bill No. 245), entitled:

An Act to amend section three clause (b) and sections nineteen and twenty-three of the act approved the fifth day

of December one thousand nine hundred thirty-three (Act Number six) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 182 (House Bill No. 246), entitled:

An act to amend act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" by providing for an extension of time for payment in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 184 (House Bill No. 135), entitled:

An Act relating to past executions providing for the entry of definiciency judgments and limiting the amount collectible thereafter.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations.

APPOINTMENT OF BRIGADIER GENERALS
PENNSYLVANIA NATIONAL GUARD.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 19, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate Robert Morris Brookfield, of Philadelphia, for appointment as Brigadier General, Pennsylvania National Guard, to compute from February 17, 1926, until lawfully determined or annulled; also the appointment of William Swan McLean, Jr., of Wilkes-Barre, as Brigadier General, Pennsylvania National Guard, to compute from December 15, 1926, until lawfully determined or annulled.

For the information of the Senate, I state the following facts:

The Adjutant General promoted both of these officers to the grade of Brigadier General on the above dates, but the Governor's Office was not officially notified at that time and consequently commissions were not issued by the Governor, nor were the appointments sent to the Senate for confirmation when the Regular Session of the Senate convened on January 4, 1927.

GIFFORD PINCHOT.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 10:30 o'clock.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:50 P. M. until Wednesday morning, December 20, 1933, at 10:30 o'clock A. M.

HOUSE OF REPRESENTATIVES

TUESDAY, December 19, 1933

The House met at 11:00 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

O Spirit Divine, lover of the souls of men, we seek thy blessing upon our lives and our work; bear witness with our spirits, now, that we are children of the living God: in spite of our weaknesses, ambitions, and conceits so common to human kind, help us to remember that we are ambassadors of the King of Glory, and representatives of a great people. May our spirits be atuned to thy spirit, that we may be conscious of our two-fold mission on Capitol Hill. Those who have ears to hear, are conscious of deep rumblings, as of a river in flood, may we not foolishly suppose that these the mere rumblings of empty stomachs, but help us to know that the souls of men are astir, and will be quieted only by master statesmanship, may these Legislators know thy will for the Commonwealth and prepare the way for its accomplishment. In the Master's name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. Merrell, the further reading was dispensed with and the Journal approved.

LEAVES OF ABSENCE

Mr. SNYDER asked and obtained leave of absence for Mr. Baker on account of illness.

Mr. RUTH asked and obtained leave of absence for Mr. Sarig for the balance of the week on account of illness.

Mr. FORREST asked and obtained leave of absence for Mr. Storb for the balance of the week.

Mr. BRENNAN asked and obtained leave of absence for Mr. Lose on account of illness.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 169.

An Act authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium placing the sanatorium upon completion under the jurisdiction and control of the Department of Health and making an appropriation.

With the information that the Senate has passed the same without amendment.

REPORTS FROM COMMITTEES

Mr. McELWEE, from the Committee on Counties, reported as committed, House Bill No. 243 (Senate Bill No. 123), entitled:

An Act to amend the title and section one of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1019), entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes; authorizing the county commissioners to sell the same at private sale under the circumstances," by extending the provisions thereof to unseated lands.

Mr. HOOPES, from the Committee on Elections, reported as committed, House Bill No. 244 (Senate Bill No. 124), entitled:

An Act to further amend sections one, two, three, ten, eighteen, and nineteen, of the act, approved the thirteenth day of January, one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended, pursuant to Amendment Number Five to the Constitution of the Commonwealth, adopted November seventh, one thousand nine hundred thirty-three, eliminating the taxpaying qualification for voters.

Mrs. PENNOCK, from the Committee on Elections, re-reported as amended, House Bill No. 151, entitled:

An Act to amend sections two three five six seven eight nine ten eleven twelve section thirteen as amended sections fourteen nineteen twenty twenty-one twenty-two twenty-four twenty-six thirty-two thirty-three thirty-four thirty-six forty section forty-three as amended sections forty-seven forty-nine of and to add sections eight and one-tenth twelve and one-tenth twenty-three and one-tenth twenty-three and two-tenths twenty five and one-tenth forty-nine and one-tenth forty-nine and two-tenths forty-nine and three-tenths to the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven) entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualifications clerks and counsel fixing their qualifications terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registers shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars to said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith" providing a system of permanent personal registration for such cities changing the number of the members of the registration commission removing the existing registration commissioners and providing for the appointment of the new members thereof and imposing additional duties and restrictions upon the registration commissioners county commissions registrars and inspectors of registration

BILLS ON FIRST READING

Mr. McELWEE asked and obtained unanimous consent for House Bill No. 243 (Senate Bill No. 123), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 243 (Senate Bill No. 123), entitled:

An Act to amend the title and section one of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1019), entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes; authorizing the county commissioners to sell the same at private sale under the circumstances," by extending the provisions thereof to unseated lands.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. HOOPES asked and obtained unanimous consent for House Bill No. 244 (Senate Bill No. 124), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 244 (Senate Bill No. 124), entitled:

An Act to further amend sections one, two, three, ten, eighteen, and nineteen, of the act, approved the thirteenth day of January, one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended pursuant to Amendment Number Five to the Constitution of the Commonwealth, adopted November seventh, one thousand nine hundred thirty-three, eliminating the tax-paying qualification for voters.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

STATEMENT BY MR. CORDIER

Mr. CORDIER asked and obtained unanimous consent to make the following statement:

Mr. Speaker, ladies and gentlemen of the House, House Bill No. 10 known as the liquor control bill passed and is now on the statute books. Under section 302 of this act there is a provision with respect to examinations for the selection of personnel which reads as follows: "Such competitive examinations shall be practical in character and as far as may be

possible shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to perform the duties of the service to which they seek to be appointed. To my mind that means simply that such examinations shall only contain questions pertaining to the duties the applicant will perform if successful. I raise my voice at this time against what I believe to be a discriminatory and entirely too rigid line of questions and regulations such as was required of applicants for liquor jobs in the tests held last Saturday. I believe if private industry were to require of individuals who seek employment with them that they pass such tests before securing a position we would have unemployed college professors as janitors and truckmen and only those possessing the qualities of an Einstein could qualify as a clerk or store manager. I realize that those who are in charge of these examinations desired to set up a certain standard of intelligence. I further realize that it would be inadvisable to have every applicant get 100% in the tests, and I do not wish these remarks to be construed as an attack on any individual. I am protesting against the whole system of qualifications and questioning which I believe does not establish in a practical way the fitness of the applicants. My sympathy goes out to those thousands who took the test for the jobs in the lower brackets such as truck driver. I could understand the look of bewilderment on their faces when such questions as these faced them. Write this expression in its simplest form, -30y x (c-6y); If v = h r 3n write the formula for h; What is a rose; Find the volume of a tank 10 feet long and 4 feet in diameter (a fair question perhaps to ask a plumber)

How many rolls of paper are required to paper a room; and then given a few seconds to write and spell correctly words they never heard of and which have no bearing on the safe and efficient driving of a truck. Such as how the rheostat and seismograph will aid aeronautics.

The knave and the phrenologist meet in the penitentiary. I don't know why the poor phrenologist was picked on unless perhaps if the word politician were substituted it would be too hazy for the average citizen to spell. I have heard of the applicant for a Government civil service position as mail carrier who was asked the question "How near is the sun to the moon" and he answered, "not near enough to interfere with my duties as a mail carrier." Too much knowledge sometimes is as dangerous as too little.

Many thousands of men, honest men, and useful citizens have been driving trucks safely over our highways for many years who could not qualify under these tests. I wonder how many political appointees on Capitol Hill and throughout the Commonwealth could get a passing average if subjected to such tests. I'll go farther and ask how many department heads or members of the General Assembly could. Many persons were forbidden from even taking the examinations through rigid regulation and hair line decisions whom I believe well fitted. My attention has been called to the case of several. One applicant applying for store manager was an accredited high school graduate and for 12 years managed one of the largest department stores in the community in which he lived. He was rejected for insufficient experience and I am informed another who lived in Pennsylvania all his life was rejected for not living in the state long enough. I know personally of the case of one who applied for supervisor or assistant supervisor. Nothing on his application denoted that he should only apply for one specific position. His application showed him to be qualified for both. He received his rejection on the grounds that he applied for more than one job. He drove one hundred and fifty miles in his automobile to Harrisburg to denote the particular job he would apply for, and in plenty time, before the examination was held. He got nowhere with the department in his efforts for the rightful consideration due him.

Scranton, Pa., Dec. 19, 1933.

Robt. J. Cordier, Esq.,
Scranton, Pa.

Dear Sir:

I made application for store manager and received the enclosed notice. I wish you would get my application which was rejected and return same to me. I will take same to the Governor's office and show how inconsistent they were.

Yours truly,

(Sgd) Geo. W. Davis.

105 W. Market Street.

In many sections of the State the members of the General Assembly are being blamed by those who think the qualifications and examination were too rigid, when the truth is we had nothing to do with it. The cry of politics is being raised. This is not a condemnation of those who have conducted this examination. It is offered as a protest in the hope that the present rules and regulations be toned down so that the average citizen of this Commonwealth who is eager and ready to compete for these positions will at least be able to approach them without any humiliation and discouragement and without any discrimination.

RESOLUTION

MEMORIALIZING CONGRESS TO SUPPORT ANTI-LYNCHING LAW

Mr. HARRIS offered the following resolution which was twice read and laid over for printing:

In the House of Representatives, Dec. 19, 1933.

Whereas, A disregard for the proper and orderly procedure of justice appears to be rampant in various parts of our country resulting in unparalleled examples of mob violence

And Whereas such subversion of justice is destructive to the very fabric of our civilization and may be regarded as a sign of ominous portent

And Whereas the Congress of these United States will convene in a few weeks

And Whereas certain members of Congress have declared and stated it to be their intention to sponsor and introduce a Federal Anti-Lynching Law; therefore be it

Resolved (If the Senate concur), That the Representatives in Congress from Pennsylvania be respectfully urged and requested to actively support such legislation when the same may be introduced

Resolved That a copy of this resolution be furnished each Senator and Representative in Congress from Pennsylvania

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 240 (Senate Bill No. 90), entitled:

An act relating to advertising by holders of licenses to sell liquors or malt liquors for consumption on the premises.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Mr. HAINES. Mr. Speaker, I ask that House Bill No. 139 (Senate Bill No. 35), on page 1 of today's calendar, bills on second reading be passed over for the present.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 234 (Senate Bill No. 89), entitled:

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects providing for the payment of damages by counties and townships as a result of relocating widening or constructing said highways or bridges and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities

The first section was read and agreed to, as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Highways is hereby authorized to accept grants of funds from the President of the United States or other Federal agency for the construction of public highways and related projects Such moneys shall be held by the State Treasurer as custodian for the Department of Highways and shall be paid out on requisition of the Department of Highways without further appropriation If required by the Federal Government the Department of Property and Supplies shall provide the necessary bonds for the State Treasurer in his capacity as custodian

The second section was read as follows:

Section 2 Where any highway or bridge which is not a part of the State Highway System of the Commonwealth has been or may be designated to be improved with funds received from the Federal Government the Department of Highways shall have all of the powers and authority in the relocating widening or construction of such highway which are now or may hereafter be conferred upon it with respect to State highways Any damages sustained by reason of taking of property in the relocation widening or construction of any such highway shall be ascertained in accordance with laws applicable to the ascertainment of damages in relocating widening or constructing State highways and such damages when ascertained shall be paid by the county or township or both as may be agreed upon between the said township and county Provided however that no work as aforesaid shall be undertaken until the county or county and township affected by the liability for damages shall have agreed thereto

On the question,

Will the House agree to the section?

Mr. PETERS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 20, by striking out the word "township" and insert in lieu thereof "political subdivision."

Amend section 2, page 2, line 21, by striking out the word "township" and insert in lieu thereof "political subdivision."

Amend section 2, page 2, line 23, by inserting after the word "county" where it first appears in the line, the following: "or political subdivision."

Amend section 2, page 2, line 23 by striking out the word "township" and insert in lieu thereof "political subdivision."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third to the sixth sections inclusive were separately read and agreed to as follows:

Section 3 Where any highway or bridge is to be constructed under contract and to be paid for wholly or in part from Federal funds and the project involves additional work to be contracted and paid for by municipal subdivisions or local authorities the advertisement by the Department of Highways in compliance with the rules and regulations of the proper Federal authorities shall be the only advertising necessary any other acts or requirements to the contrary notwithstanding

Section 4 The Department of Highways shall have authority to make and carry out contracts and to do every other act necessary to carry out any project heretofore or hereafter undertaken which is to be paid for in whole or in part from Federal funds and in every way to conform to the requirements and rules and regulations of the proper Federal authorities with respect to such projects but no limitation contained in this Act shall in anywise diminish any authority or powers now or hereafter conferred on the Department of Highways by any other Act of Assembly

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

Section 6 This act shall become effective immediately upon its final enactment

The title was read as follows:

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects; providing for the payment of damages by counties and townships as a result of relocating, widening or constructing said highways or bridges; and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities.

On the question,

Will the House agree to the title?

Mr. PETERS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 5 of title, by striking out the word "townships" and insert in lieu thereof "political subdivisons."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Mr. PHILIP STERLING. Mr. Speaker, I ask that House Bill No. 213, Printer's No. 161 on page 2 of today's calendar, bills on second reading, be passed over for the present.

Mr. WOODSIDE. Mr. Speaker, I ask that House Bill No. 236, Senate Bill No. 93, on page 2 of today's calendar, bills on second reading be passed over for the present.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 239 (Senate Bill No. 27), entitled:

An Act providing for the construction of a tunnel or tunnels between the State of New Jersey and the Commonwealth of Pennsylvania under the Delaware River and the issuance of permits therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 242 (Senate Bill No. 115), entitled:

An Act authorizing counties, cities, boroughs, townships, incorporated towns poor districts and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds, and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding and limiting any compensation payable therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 241 (Senate Bill No. 100), entitled:

A Supplement to an act approved the seventh day of March One Thousand Nine Hundred and One (Pamphlet Laws 20) entitled "An Act for the government of cities of the second class" creating the position of Solicitor for the Department of City Comptroller.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 235 (Senate Bill No. 26), entitled:

An Act accepting the provisions of an Act of Congress for the establishment of a national employment system and authorizing the Department of Labor and Industry to cooperate with the Federal Employment Service under that act, and providing for the custody and disbursement of funds granted to the Commonwealth by the Federal government thereunder.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 39, as follows:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an amendment to article nine of the Constitution of Pennsylvania which reads as follows:

"Section 16 In addition to the purposes stated in article nine section four of this Constitution the State may be authorized by law to create debt and to issue bonds to the amount of fifty millions of dollars for the payment of compensation to certain persons from this State who served in the Army Navy or Marine Corps of the United States during the war between the United States and Spain between the twenty-first day of April one thousand eight hundred and ninety-eight and the thirteenth day of August one thousand eight hundred and ninety-eight or who served in the China Relief Expedition in the Philippines or Guam between the twenty-first day of April one thousand eight hundred and ninety-eight and the fourth day of July one thousand nine hundred and two or who served in the Army Navy or Marine Corps of the United States during the World War between the sixth day of April one thousand nine hundred and seventeen and the eleventh day of November one thousand nine hundred and eighteen" having been adopted by the people at the municipal election in November one thousand nine hundred and thirty-three the Governor the Auditor General and the State Treasurer in accordance with the provisions thereof and on behalf of the Commonwealth of Pennsylvania are heheby authorized and directed during the fiscal biennium beginning June first one thousand nine hundred and thirty-three from time to time to borrow on the credit of the Commonwealth of Pennsylvania such sum or sums of money not exceeding in the aggregate the sum of fifty million dollars ($50,000,000) as may be found necessary to carry out the purposes of said amendment and statutes passed in conformity therewith

Section 2 Bonds Issue Maturity interest et cetera

(a) As evidence of the indebtedness herein authorized bonds of the Commonwealth of Pennsylvania shall be issued from time to time for such total amounts in such form in such denominations and subject to such terms and conditions of issue redemption and maturity not to exceed thirty years rate of interest not to exceed four and one-half per centum per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall direct

(b) All bonds issued under the authority of this act shall bear the facsimile signatures of the Governor Auditor General and State Treasurer and a facsimile of the great seal of the Commonwealth of Pennsylvania and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agent of the Commonwealth

(c) The principal and interest of such bonds shall be payable in lawful money of the United States All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes

(d) Such bonds may be issued with or without interest coupons attached In case interest coupons are attached they shall contain facsimile signatures of the State Treasurer and the Auditor General

(e) The Governor the Auditor General and the State Treasurer shall proceed to have the necessary bonds prepared and printed The bonds as soon as they are prepared and printed shall be forthwith deposited with the duly authorized loan and transfer agent of the Commonwealth there to remain until sold in accordance with the provisions of this act

Section 3 Sale of Bonds Whenever bonds are so issued they shall be offered for sale at not less than par and accrued interest and shall be sold by the Governor the Auditor General and State Treasurer to the highest and best bidder or bidders after due public advertisement on such terms and conditions and upon such open competitive bidding as the Governor Auditor General and State Treasurer shall direct The manner and character of such advertisement and the times of advertising shall be prescribed by the Governor the Auditor General and the State Treasurer

Any portion of any bond issue so offered and not sold or subscribed for may be disposed of by private sale by the Governor the Auditor General and the State Treasurer in such manner and at such prices not less than par and accrued interest as the Governor shall direct No commission shall be allowed or paid for the sale of any bonds issued under the authority of this act

Section 4 Disposition and Use of Proceeds The proceeds realized from the sale of bonds under the provisions of this act and such other moneys as the General Assembly shall from time to time appropriate for like purposes shall be paid into a special fund in the State Treasury hereby created to be known as the Veterans' Compensation Fund and shall be used for the payment of compensation to certain veterans as provided for in the Constitutional amendment hereinbefore cited and in legislation passed in conformity therewith

Section 5 Registration of Bonds The Auditor General shall prepare the necessary registry books to be kept in the office of the duly authorized loan and transfer agent of the Commonwealth for the registration of any bonds

at the request of owners thereof All bonds which are issued without interest coupons attached shall be registered in the registry books kept by the duly authorized loan and transfer agent of the Commonwealth

Section 6 Information to General Assembly It shall be the duty of the Governor to include in every biennial budget submitted to the General Assembly full information relating to the issuance of bonds under the provisions of this act to enable the General Assembly to provide by appropriation the moneys necessary for the sinking fund of the Commonwealth for the payment of the interest on said bonds and the principal thereof at maturity

Section 7 Special Fund Investments Redemption of Bonds All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from the Veterans' Compensation Sinking Fund For specific purpose of redeeming said bonds at maturity and paying all interest thereon in accordance with the information received from the Governor the General Assembly shall appropriate biennially the moneys necessary for the payment of the interest on said bonds and the principal thereof at maturity All moneys so appropriated shall be paid into the Veterans' Compensation Sinking Fund by the State Treasurer and all of such moneys not necessary to pay accruing interest shall be invested by the Board of Finance and Revenue in such securities as are provided by law for the investment of the sinking funds of the Commonwealth

The Board of Finance and Revenue is authorized at any time to use any of the money in the Veterans' Compensation Fund not necessary for the payment of compensation to veterans in accordance with the provisions of the Constitutional amendment hereinbefore cited and the legislation passed in conformity therewith for the purchase and retirement of all or any part of the bonds issued under the authority of this act In the event that all or any part of said bonds shall be purchased by the Board of Finance and Revenue they shall be cancelled and returned to the State Treasurer as cancelled and paid bonds and thereafter all payments of interest thereon shall cease and the cancelled bonds and coupons shall be destroyed within two years after cancellation in the presence of the Governor the Auditor General and the State Treasurer and a certificate evidencing the destruction satisfactory to the duly authorized loan and transfer agent of the Commonwealth shall be furnished to it All cancelled bonds and coupons shall be so marked as to make the cancelled bonds and coupons non-negotiable

Section 8 Present Biennium Requirements The Board of Finance and Revenue shall determine the amount of money necessary for the payment of interest on the bonds and the principal thereof if any for the two fiscal years beginning June first one thousand nine hundred and thirty-three and the times and amounts of such payments and the amount so determined shall be transferred from the Veterans' Compensation Fund to the Veterans' Compensation Sinking Fund and for such purpose as much of the money in the Veterans' Compensation Fund as may be necessary is hereby appropriated Should the moneys in the Veterans' Compensation Fund for any reason not be available for the payment of interest on the bonds or the principal thereof if any the funds necessary for such purpose are hereby appropriated from the General Fund and whenever any moneys are transferred from the Veterans' Compensation Fund for the payment of said interest on and principal of said bonds and such moneys are needed for the payment of compensation to veterans as provided by law there is hereby appropriated from the General Fund a sum sufficient to restore to the Veterans' Compensation Fund the moneys so transferred

Section 9 Quorum Whenever in this act any action is to be taken or decision made by the Governor the Auditor General and the State Treasurer and the three officers shall not be able unanimously to agree the action or decision of the Governor and either the Auditor General or State Treasurer shall be binding and final except that it shall be the mandatory duty of the Governor the Auditor General and the State Treasurer to issue bonds in accordance with the Constitutional amendment quoted in the first section of this act in such time that payments of compensation to veterans as provided for in said Constitutional amendment and legislation passed in conformity therewith may be made upon the establishment of the qualifications of those entitled thereto

Section 10 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—199

Andrews,	Griffith,	McElwee,	Shellenberger,
Baldi,	Habbyshaw,	McGinnis,	Shenkel,
Barnhardt,	Haines,	McGrail,	Shettel,
Bechtel,	Hamilton,	McGregor,	Shortz,
Beech,	Harmuth,	McHenry,	Shreiner,
Bennett,	Harris,	McKay,	Shugarts,
Bernhard,	Hart,	McKinney,	Simon,
Blumberg,	Hartman,	Melchiorre,	Sinwell,
Boyd,	Heffernan,	Meredith,	Snyder,
Brancato,	Hefferon,	Merrell,	Sowers,
Brennan,	Heffner,	Mohn,	Spann,
Brown, John E.,	Hermansen	Moore,	Stank,
Brown, W. L.,	Hester,	Mumford,	Steedle,
Brownfield,	Hewitt,	Munley,	Sterling, P.,
Cannon,	Himes, H. E.,	Murphy,	Sterling, R. B.
Caputo,	Himes, L. R	Myers,	Stevens
Carey,	Hoffman,	Negley,	Stevenson,
Carson,	Holmes, J. B	Nothnagle	Stiteler,
Chervenak,	Holmes, J I	O'Connor,	Stone,
Cohen,	Hoopes,	O'Keefe,	Stott,
Conner,	Horst,	O'Neill,	Surface,
Cooke,	Hough,	O'Rourke,	Tahl,
Cordier,	Howard,	Patterson	Terry,
Craig,	Hutton,	Peelor,	Trout,
Dane,	Jaffe,	Pennock,	Turner,
Davies,	Jones,	Perry, D. R.,	Wade,
DeFrehn,	Kane, J. J.,	Perry, J. J.,	Wagner,
Denning,	Kane, L. P.	Peters,	Walker, G. E.,
Downey, G. F.,	King,	Powell,	Walker, W. A.,
Downey, J. J.,	Kinney,	Powers,	Wall,
Duffy,	Labar,	Price,	Wasserman,
Dunmire,	Lane,	Quinn,	Way,
Ederer,	Laubach,	Raub,	Weidemann,
Emhardt,	Lenahan,	Rectenwald,	Welsh,
Eroe,	Lewis,	Reed,	Westrick,
Evans,	Long,	Reilly,	White,
Fitzgerald,	Lord,	Rhodes,	Wike,
Flanagan,	Lovett, J. E.,	Rice,	Williams, G. W.,
Fleisher,	Lovett, W. S.,	Roan,	Williams, J. J.,
Flinchbaugh,	Lynch, J. R.,	Roth,	Wilson, L. M.,
Flynn, J. M.,	Lynch, M.,	Ruby,	Wilson, T. B.,
Flynn, J. W.,	Male,	Ruth,	Witkin,
Forrest,	Malina,	Sautter,	Wood,
Furman,	Maloney,	Schrock,	Woodside,
Gallagher, T. J.,	Marcks,	Schrope,	Wright,
Gallagher, W. J.,	Mason,	Schwab,	Yeakel,
Gartner,	McBride,	Schwartz,	Yourishin,
Gillette,	McCandless,	Scorza	Zimmerman,
Gorman,	McClure,	Scott,	Talbot,
Green,	McCreary,	Sheffer,	Speaker.
Greenstein,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 40, as follows:

An Act providing compensation to certain persons who served in the military or naval forces of the United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam Providing the method of making payment to representatives of persons who because of death or incapicity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General

Assembly met and it is hereby enacted by the authority of the same That this act shall be cited as the "Veterans' Compensation Act"

Section 2 As used in this act the word "veteran" includes any individual a member of the military or naval forces of the United States during the war between the United States and Spain between the twenty-first day of April one thousand eight hundred and ninety-eight and the thirteenth day of August one thousand eight hundred and ninety-eight or who served in the China Relief Expedition in the Philippines or Guam between the twenty-first day of April one thousand eight hundred and ninety-eight and the fourth day of July one thousand nine hundred and two or during the World War between the sixth day of April one thousand nine hundred and seventeen and the eleventh day of November one thousand nine hundred and eighteen but does not include (a) any individual at any time during such periods or thereafter separated from such forces under other than honorable conditions (b) any conscientious objector who performed no military duty whatever or refused to wear the uniform or (c) any alien at any time during such periods or thereafter discharged from military or naval forces on account of his alienage

The term "legal resident of this Commonwealth" means any individual who gave the State of Pennsylvania or any specific place in this Commonwealth as his or her place of residence at the time of entering the military or naval forces of the United States for such period without regard to the place of enlistment commission or induction The proof of such residence shall be the official records on file in the War Department of the United States or such other evidence as may be deemed sufficient by the Adjutant General of Pennsylvania

Section 3 Compensation shall be payable under this act to any veteran a legal resident of this Commonwealth and shall be computed on the basis of ten dollars ($10.00) for every month and major fraction thereof of active service in the military or naval forces of the United States as shown by the service or other record of the veteran except that the compensation of a veteran who died in active military service during any one of the periods as set forth in section two of the act shall be two hundred dollars No veteran who served less than sixty days active service shall be entitled to receive any compensation under this act Any veteran who was in active service during the periods specified shall be allowed the per monthly compensation as designated until his separation from service but no veteran shall be entitled to receive compensation under this act in a sum to exceed two hundred dollars ($200.00)

Section 4 In computing time in the service for compensation no allowance shall be made to

(a) Any civilian officer or employe of any branch of the military or naval forces contract surgeon cadet of the United States Military Academy midshipman of the United States Naval Academy or of the Coast Guard member of the Reserve Officers Training Corps member of the Students' Army Training Corps (except an enlisted man detailed to any of the foregoing) Philippine Scout member of the Philippine Guard member of the Philippine Constabulary member of the Porto Rico Regiment of Infantry member of the National Guard of Hawaii member of the insular forces of the Navy member of the Samoan native guard and band of the Navy or Indian scout in each case for the period of service as such

(b) Any member of the Public Health Service for any period during which he or she was not detailed for active duty with the Army Navy or Marine Corps

(c) Any individual granted a farm or industrial furlough for the period of such furlough

(d) Any individual detailed for work in the Spruce Production Division of the Air Service for the period during which his pay was equalized to conform to the pay of civilian employes in the same or like employment

(e) Any individual who has received a bonus gratuity or compensation of a nature similar to that provided for by this act from any other state in the Union

Section 5 In computing the compensation of any veteran under this act effect shall be given to all sub-divisions of section four which are applicable

Section 6 With respect to veterans of the World War for the purpose of section three in the case of members of the National Guard or the National Guard Reserve called into service by proclamation of the President the time of service between the date of call into service as specified in such proclamation and the fifth day of August one thousand nine hundred and seventeen both dates inclusive shall be deemed to be active service in the military or naval forces of the United States Provided That in case of members of the National Guard or National Guard Reserve called into the service by proclamation of the President before the sixth day of April one thousand nine hundred and seventeen active service in the military or naval forces of the United States for the purpose of this act shall be deemed to commence on the sixth day of April one thousand nine hundred and seventeen

Section 7 Application for compensation shall be made to the Adjutant General on such forms and in such manner as he shall prescribe

All applications shall be made (1) personally by the veteran or (2) in case of death or mental incompetency preventing the making of a personal application then by such representative of the veteran as the Adjutant General shall by regulation prescribe An application made by a representative other than one authorized by such regulation shall be held void

Section 8 Applicants shall state on their applications whether or not they have applied for or received a bonus gratuity or compensation of a nature similar to that provided for by this act from any other state in the Union two hundred dollars ($200.00)

Section 9 Whenever prior to the date of distribution of compensation under the provisions of this act a veteran entitled thereto shall have died or become mentally incapable of receiving his or her compensation payment shall be made by the Adjutant General

(a) In case of mental incapacity to the guardian or committee if any of the veterans or if there be no guardian or committee then to the person with whom the veteran lives

(b) In the case of death to the executor or administrator of the veteran's estate if an executor or administrator was appointed and the estate has not been settled

(c) In the case of death if the veteran's estate has been settled or if an executor or administrator was not appointed and is not necessary for the administration of any other property to the following persons in the order named surviving unremarried widow or surviving minor child or surviving minor children share and share alike or surviving mother or surviving father

Section 10 This act is predicated upon the belief that the people in adopting article nine section sixteen of the Constitution authorizing a loan for the payment of compensation to certain persons who served in the military or naval forces of the United States intended compensation to be paid for the service of veterans whether or not they be living when distribution is made If the courts shall hold that the constitutional amendment cannot be thus construed then compensation shall be payable out of borrowed funds to living veterans and the General Assembly hereby expresses its conviction that appropriations should be made during the next five years out of current revenues for the payment of compensation to widows orphans or surviving parents of deceased veterans until all payments shall have been made which are contemplated by the provisions of this act

Section 11 Every person making application for compensation as herein provided shall set forth in his or her application the names and addresses of all persons who under this act would be entitled to receive the same in the event of the death of the applicant and if such applicant shall die before the payment of such compensation then such application shall be deemed to inure to the benefit of the person or persons next entitled thereto and payment shall be made to such person or persons upon proof of identity satisfactory to the Adjutant General If all persons designated herein as entitled to compensation shall die before payment thereof the right to the compensaton shall cease and determine Application for compensation made in behalf of minor children shall be made by the duly appointed guardian of such children or by any person who stands in loco parentis to such minor children and payments shall be made to such guardians or person

Section 12 No sum payable under this act to a veteran or to any other person under this act shall be subject to attachment levy or seizure under any legal or equitable process and shall be exempt from all state taxation No right to compensation under the provisions of this act shall be assignable except as hereinafter provided or serve as a security for any loan Any assignment or loan made in violation of the pro-

visions of this section shall be held void Provided however That assignments to any group or organization of veterans incorporated or unincorporated or to any non-paid corporation heretofore formed solely for aiding disabled or incapacitated veterans and assignments to the State Veterans' Commission shall be valid The State Veterans' Commission is hereby authorized to accept such assignments which shall be treated as confidential and the funds realized from such assignments shall be expended by said commission solely for the aid of needy veterans and their families Except as in this section provided the Adjutant General shall not direct the payment nor shall payment be made under this act to any person older than a veteran or the representatives of a veteran as in this act provided

Section 13 Any person who charges or collects or attempts to charge or collect either directly or indirectly any fee or other compensation for assisting in any manner a veteran in obtaining any of the benefits to which he or she is entitled under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than five hundred dollars ($500.00) or imprisonment for not more than one year or both at the discretion of the court.

Section 14 The Adjutant General shall as soon as practicable after the approval of this act prepare and publish a pamphlet or pamphlets containing a digest and explanation of the provisions of this act accompanied by such statements as he believes may be of assistance to the veterans in filing their applications and shall from time to time prepare and publish such additional or supplementary information as may be found necessary

The said pamphlet or pamphlets shall be distributed in such manner as the Adjutant General may determine to be most effective to inform veterans of their rights under this act and the Adjutant General shall enlist as far as possible the services of veteran organizations in this Commonwealth in the dissemination of such information

Section 15 Immediately upon the passage of this act the Adjutant General shall ascertain the individuals who are veterans as defined in section two and as to each veteran the number of months of service as defined in section three for which he or she is entitled to receive compensation and his decisions shall be final and not subject to review by any court or by any other officer In all cases not within the express purview of this act the decision of the Adjutant General as to payment or nonpayment of compensation or eligibility therefor shall be in all things final

Section 16 Whomever knowingly makes any false or fraudulent statement of a material fact in any application certificate or document made under the provisions of this act or of any regulation made by the Adjutant General in administering this act shall be guilty of a misdemeanor and upon conviction thereof be fined not more than one thousand dollars ($1,0000.00) or undergo imprisonment of not more than five years or both at the discretion of the court.

Section 17 For the purpose of carrying into effect the provisions of this act the Adjutant General of the Commonwealth is charged with the administration thereof and for that purpose he shall prepare and distribute application blanks investigate all claims and applications filed with him and if satisfied of the proof of such claim or application approve the same and direct payment thereof and shall make any regulations necessary to the efficient administration of the provisions of this act

The books papers and records together with the filing cases and equipment procured and used in the administration of this act shall become a part of the permanent records of the office of the Adjutant General

Section 18 All printing necessary to carry out the provisions of this act shall be done by the Bureau of Publications on the requisition of the Adjutant General to the Department of Property and Supplies

Section 19 The Adjutant General may employ the necessary clerical help and fix their salaries and pay for postage and other expenses incurred in the administration of this act In all appointments under this act preference shall so far as practicable be given to veterans as defined in this act

Section 20 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not effect or impair any of the remaining provisions of the act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein.

Section 21 For the purpose of paying for the clerical services postage and other necessary expenses incurred by the Adjutant General in the administration of this act the sum of four hundred and sixty-two thousand six hundred and twenty-five dollars ($462,625.00) or as much thereof as may be necessary is specifically appropriated from funds realized from the sale of bonds issued in conformity with the constitutional amendment authorizing the creation of indebtedness for the purposes set forth in this act and other statutes passed in conformity with said constitutional amendment

Section 22 The compensation payable under this act shall be paid by the State Treasurer from the Veterans' Compensation Fund created or about to be created by accompanying legislation upon requisition by the Adjutant General

Section 23 The act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred thirty-six) entitled "An act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation" is hereby repealed

All other acts or parts of acts inconsistent herewith are hereby repealed

Section 24 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—198

Andrews,	Griffith,	McGinnis,	Shellenberger,
Barnhardt,	Habbyshaw,	McGrail,	Shenkel,
Bechtel,	Haines,	McGregor,	Shettel,
Beech,	Hamilton,	McHenry,	Shortz,
Bennett,	Harmuth,	McKay,	Shreiner,
Bernhard,	Harris,	McKinney,	Shugarts,
Blumberg,	Hart,	Melchiorre,	Simon,
Boyd,	Hartman,	Meredith,	Sinwell,
Brancato,	Heffernan,	Merrell,	Snyder,
Brennan,	Hefferon,	Mohn,	Sowers,
Brown, J. E.,	Heffner,	Moore,	Spann,
Brown, W. L.,	Hermansen,	Mumford,	Stank,
Brownfield,	Hester,	Munley,	Steedle,
Cannon,	Hewitt,	Murphy,	Sterling P.,
Caputo,	Himes, H. E.,	Myers,	Sterling, R. B.,
Carey,	Himes, L. R.,	Negley,	Stevens,
Carson,	Hoffman,	Nothnagle,	Stevenson,
Chervenak,	Holmes, J. B.,	O'Connor,	Stiteler,
Cohen,	Holmes, J. L.,	O'Keefe,	Stone,
Conner,	Hoopes,	O'Neill,	Stott,
Cooke,	Horst,	O'Rourke,	Surface,
Cordier,	Hough,	Patterson,	Tahl,
Craig,	Howard,	Peelor,	Terry,
Cramer,	Hutton,	Pennock,	Trout,
Dane,	Jaffee,	Perry, D. R.,	Turner,
Davies,	Jones,	Perry, J. J.,	Wade,
DeFrehn,	Kane, J. J.,	Peters,	Wagner,
Denning,	Kane, L. P.,	Powell,	Walker, G. E.,
Downey, G. E.,	King,	Powers,	Walker, W. A.,
Downey, J.,	Kinney,	Price,	Wall,
Duffy,	Labar,	Quinn,	Wasserman,
Dunmire,	Lane,	Raub,	Way,
Ederer,	Laubach,	Rectenwald,	Weidemann,
Emhardt,	Lenahan,	Reed,	Welsh,
Eroe,	Lewis,	Reilly,	Westrick,
Evans,	Long,	Rhodes,	White,
Fitzgerald,	Lord,	Rice,	Wike,
Flanagan,	Lovett, J. E.,	Roan,	Williams, G. W.,
Fleisher,	Lovett, W. S.,	Root,	Williams, J. J.,
Flinchbaugh,	Lynch, J. R.,	Roth,	Wilson, L. M.,
Flynn, T. J.,	Lynch, M.,	Ruby,	Wilson, T. B.
Flynn, W. J.,	Male,	Ruth,	Witkin,
Forrest,	Malina,	Sautter,	Wood,
Furman,	Maloney,	Schrock,	Woodside,
Gallagher, T. J.,	Marcks,	Schrope,	Wright,
Gallagher, W. J.,	Mason,	Schwab,	Yeakel,
Gartner,	McBride,	Schwartz,	Yourishin,
Gillette,	McCandless,	Scoza,	Zimmerman,
Gorman,	McClure,	Scott,	Talbot,
Green,	McCreary,	Sheffer,	Speaker.
Greenstein,	McElwee,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Mr. SPANN. Mr. Speaker, I desire to call up at this time House Bill No. 137, Printer's No. 140, on page 6 of today's calendar, bill on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Spann,

The House resumed the consideration on third reading of House Bill No. 137, entitled:

An Act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four by installments and for a discount for prompt payment of such taxes in cities of the second class and in school districts of the first class

On the question recurring,

Will the House agree to the bill on third reading?

Mr. SPANN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Cleark read the amendments as follows:

Amend title, page 1, lines 5 and 6, by striking out the words "and in school districts of the first" in line 5, and the whole of line 6.

Amend Sec. 1, page 1, line 6, by striking out the words "or first class school district"

Amend Sec. 2, page 2, line 5, by striking out the words "receiver of taxes or"

Amend Sec. 2, page 2, line 6, by striking out the words "as the case may be"

Amend Sec. 2, page 2, line 9, by striking out the words "receiver of taxes and"

Amend Sec. 2, page 2, line 21, by striking out the words "receiver of taxes and"

Amend Sec. 3, page 2, lines 27 and 28 by striking out the words "or the solicitor of the school district as the" in line 27, and the words "case may be" in line 28.

Amend Sec. 3, page 3, lines 4 and 5, by striking out the words "and school districts of the" in line 4, and the words "first class" in line 5.

Amend Sec. 3, page 3, lines 11 and 12, by striking out the words "or school" in line 11, and the word "district" in line 12.

Amend Sec. 3, page 3, line 12, by striking out the words "as the case may be"

Amend Sec. 5, page 4, line 12, by striking out the entire said line.

Amend Sec. 6, page 4, line 27, by striking out the words "or receiver of taxes as the case may be"

Amend Sec. 6, page 5, lines 7 and 8, by striking out the words "or solicitor of the school district as the case" in line 7, and the words "may be" in line 8.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The Chair desires to inform the House that the amendments offered by the gentleman from Allegheny, Mr. Spann, are strike out amendments.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—200

Andrews,	Green,	McCreary,	Shellenberger,
Baldi,	Greenstein,	McElwee.	Shenkel,
Barnhardt,	Griffith,	McGinnis,	Shettel,
Bechtel,	Habbyshaw,	McGrail,	Shortz,
Beech,	Haines	McGregor,	Shreiner,
Bennett,	Hamilton,	McHenry,	Shugarts,
Bernhard,	Harmuth,	McKay,	Simon,
Blumberg,	Harris,	McKinney,	Sinwell,
Boyd,	Hart,	Melchiorre,	Snyder,
Brancato,	Heffernan,	Meredith,	Sowers,
Brennan,	Hefferon,	Merrell,	Spann,
Brown, J. E.,	Heffner,	Mohn,	Stank,
Brown, W. L.,	Hermansen,	Moore,	Steedle,
Brownfield,	Hester,	Mumford,	Sterling, P.,
Cannon,	Hewitt,	Munley,	Sterling, R. B.,
Caputo,	Himes, H. E.,	Murphy,	Stevens,
Carey,	Himes, L. R.,	Myers,	Stevenson,
Carson,	Hoffman,	Negley,	Stiteler,
Chervenak,	Holmes, J. B.,	Nothnagle,	Stone,
Cohen,	Holmes, J. L.,	O'Connor,	Stott,
Conner,	Hoopes,	O'Keefe,	Surface,
Cooke,	Horst,	O'Neill,	Tahl,
Cordier,	Hough,	O'Rourke,	Terry,
Craig,	Howard,	Patterson,	Trout,
Cramer,	Hutton,	Peelor,	Turner,
Dane,	Jaffe,	Pennock,	Wade,
Davies,	Jones,	Perry, D. R.,	Wagner,
DeFrehn,	Kane, J. J.	Perry, J. J.,	Walker, G. E.,
Denning,	Kane, L. P.,	Peters,	Walker, W. A.,
Downey, G. E.	King,	Powell,	Wall,
Downey, J. J.,	Kinney,	Powers,	Wasserman,
Duffy,	Labar,	Price,	Way,
Dunmire,	Lane,	Quinn,	Weidemann,
Ederer,	Laubach,	Raub,	Welsh,
Emhardt,	Lenahan,	Rectenwald,	Westrick,
Eroe,	Lewis,	Reed,	White,
Evans,	Long,	Reilly,	Wike,
Fitzgerald,	Lord,	Rhodes,	Williams, G. W.,
Flanagan,	Lovett, J. E.	Rice,	Williams, J. J.,
Fleisher,	Lovett, W. S.,	Roan,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Roth,	Wilson, T. B.,
Flynn, J. M.	Lynch, M.,	Ruby,	Witkin,
Flynn, J. W.	Male,	Ruth,	Wood,
Forrest,	Malina,	Sautter,	Woodside,
Furman,	Maloney,	Schrock,	Wright,
Gallagher, T. J.	Marcks,	Schrope,	Yeakel,
Gallagher W. J.,	Mason,	Schwab,	Yourishin,
Gartner,	McBride,	Schwartz,	Zimmerman,
Gillette,	McCandless,	Scorza,	Talbot,
Gorman,	McClure,	Scott,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 228 (Senate Bill No. 42), entitled:

A Joint Resolution creating a Liquor Control Investigation Commission, defining the powers and duties of said Commission; and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188

Andrews,	Griffith,	McElwee,	Shellenberger,
Baldi,	Habbyshaw,	McGrail,	Shenkel,
Barnhardt,	Haines,	McGregor,	Shettel,
Bechtel,	Hamilton,	McKay,	Shortz,
Beech,	Harmuth,	McKinney,	Shreiner,
Bennett,	Harris,	Melchiorre,	Shugarts,
Bernhard,	Hart,	Meredith,	Simon,
Blumberg,	Hartman,	Merrell,	Sinwell,
Boyd,	Heffernan,	Mohn,	Sowers,
Brancato,	Hefferon,	Mumford,	Spann,
Brennan,	Heffner,	Munley,	Stank,
Brown, J. E.,	Hermansen,	Murphy,	Steedle,
Brown, W. L.,	Hester,	Myers,	Sterling, P.,
Brownfield,	Hewitt,	Negley,	Sterling, R. B.,
Cannon,	Himes. H. E.,	Nothnagle,	Stevens,
Caputo,	Himes, L. R.,	O'Connor,	Stevenson,
Carey,	Hoffman,	O'Keefe,	Stiteler,
Carson,	Holmes, J. B.,	O'Neill,	Stone,
Chevernak,	Holmes, J. L.,	O'Rourke,	Stott,
Cooke,	Hoopes,	Patterson,	Surface,
Cordier,	Horst,	Peelor,	Tahl,
Cramer,	Hough,	Pennock,	Terry,
Dane,	Howard,	Perry, D. R.,	Trout,
Davies,	Hutton,	Perry, J. J.,	Turner,
DeFrehn,	Jaffe,	Peters,	Wade,
Denning,	Jones,	Powell,	Wagner,
Downey, G. E.,	Kane, J. J.,	Powers,	Walker, G. E.,
Downey, J. J.,	Kane, L. P.,	Price,	Walker, W. A.,
Duffy,	King,	Quinn,	Wasserman,
Dunmire,	Kinney,	Raub,	Way,
Ederer,	Labar,	Rectenwald,	Weidemann,
Emhardt,	Laubach,	Reed,	Welsh,
Evans,	Lenahan,	Reilly,	Westrick,
Fitzgerald,	Lewis,	Rice,	White,
Flanagan,	Long,	Roan,	Wike,
Fleisher,	Lord,	Root,	Williams, G. W.,
Flinchbaugh,	Lovett, W. S.,	Roth,	Williams, J. J.,
Flynn, J. M.,	Lynch, J. R.,	Royle,	Wilson, L. M.,
Flynn, J. W.,	Lynch, M.,	Ruby,	Wilson, T. B.,
Forrest,	Malina,	Ruth,	Witkin,
Furman,	Maloney,	Sautter,	Wood,
Gallagher, T. J.,	Marcks,	Schrock,	Woodside,
Gartner,	Mason,	Schrope,	Wright,
Gillette,	McBride,	Schwab,	Yeakel,
Gorman,	McCandless,	Schwartz,	Zimmerman,
Green,	McClure,	Scorza,	Talbot,
Greenstein,	McCreary,	Sheffer,	Speaker.

NAYS—9

Cohen,	Gallagher, W. J.,	Lovett, J. E.,	Rhodes,
Craig,	Lane,	Male,	Wall,
Eroe,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 118, as follows:

An Act imposing a graduated income tax for school purposes on residents of Pennsylvania including fiduciaries and on income of non-residents derived from property or business in Pennsylvania providing for disposition of proceeds of the tax limiting the local taxes which may be levied by school districts receiving proceeds of income taxes defining taxable income and requiring filing of returns thereof provided for the withholding of the tax at sources in certain cases and imposing duties on withholding agents providing methods and proceedings for determination and collection of the tax and imposition of liens therefor provided for administration of the act by the Department of Revenue authorizing that Department to make rules imposing penalties and making an appropriation for administrative costs

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known as and may be cited as The Income Tax Law of 1933

Section 2 Definitions The following words and phrases when used in this act shall for the purposes of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly requires a different meaning

The word "Department" means the Department of Revenue of the Commonwealth

The word "taxpayer" includes any person trust or estate subject to a tax imposed by this article or whose income is in whole or in part subject to a tax imposed to this article and does not include corporations

The words "military or naval forces of the United States" include the marine corps the coast guard the army nurse corps female and the navy nurse corps female but this shall not be deemed to exclude other units otherwise included within such words

The words "taxable year" mean the calendar year or the fiscal year ending during such calendar year upon the basis of which the net income is computed under this article The words "fiscal year" mean an accounting period of twelve months ending on the last day of any month other than December

The word "fiduciary" means a guardian trustee executor administrator receiver conservator or any person whether individual or corporate acting in any fiduciary capacity for any person trust or estate

The word "paid" for the purposes of the deductions and credits under this article means "paid or accrued" or "paid or incurred" and the terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this article The term "received" for the purpose of the computation of net income under this article means "received or accrued" and the term "received or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this article

The word "resident" applies only to natural persons and includes for the purpose of determining liability to the tax imposed by this article upon or with reference to the income of any taxable year any person domiciled in Pennsylvania and any other person who maintains a permanent place of abode within the State and spends in the aggregate more than seven months of the taxable year within the State

The word "dividend" means any distribution made by a corporation out of its earnings or profits to its share-holders or members whether in cash or in other property or in stock of the corporation other than stock dividends as herein defined "Stock dividends" mean new stock issued for surplus or profits capitalized to shareholders in proportion to their previous holdings

The words "foreign country" or "foreign government" mean any jurisdiction other than one embraced within the United States The words "United States" include the states the territories of Alaska and Hawaii and the District of Columbia

The words "withholding agent" include all individuals corporatiions associations and parnerships in whatever capacity acting including lessees or mortgagors of real or personal property fiduciaries employers and all officers and employes of the State or of any municipal corporation or political subdivision of the State having the control receipt custody disposal or payment of interest rent salaries wages premiums annuities compensations remunerations emoluments or other fixded or determinable annual or periodical gains profits and income taxable under this article

Section 3 Appropriation for Administration The sum of ..... is hereby appropriated to the Department of Revenue for the cost of administering the provisions of this act during the remainder of the biennium ending the first day of June one thousand nine hundred thirty-five

Section 4 Disposition of Tax Appropriation The net proceeds of the tax imposed by this act less such sums as from time to time shall be appropriated to the Department of Revenue for administration of the provisions of this act are hereby appropriated as a continuing appropriation to the Department of Public Instruction for distribution to school districts in the following manner and subject to the following conditions

(a) The net proceeds of the tax shall be apportioned and distributed by the Department of Public Instruction among the school districts of the Commonwealth at least once in

each year in such manner that each district shall receive an amount which bears the same proportionate relation to the total amount available for distribution as the assessed valuation of property taxable for school purposes in the district bears to the total assessed valuation of all property taxable for school purposes in all school districts of the Commonwealth as fixed by assessments for school tax purposes in effect on the first day of January of the calendar year in which a distribution is made

(b) No payments from the proceeds of tax imposed by this act shall be made to school districts under this section before the first day of July of the calendar year in which such tax shall be collected

(c) The moneys distributed to school districts out of net proceeds of the tax imposed by this act shall be in addition to and not in place of any other moneys which may be due or may become due to any school district from the Commonwealth or which the Commonwealth has obligated itself or shall hereafter obligate itself to pay to the several school districts as reimbursement for salaries transportation or for other specific purposes under any present or future law

Section 5 Conditions of Appropriations to School Districts School districts shall be entitled to receive moneys under this act only upon the following conditions (a) The board of directors of each school district of the first class at the time of fixing the school tax rate on real estate for each year shall reduce such tax by an amount equal to the amount received under the provisions of this act since the first day of July of the then current calendar year plus the amount which the Department of Public Instruction with the approval of the Budget Secretary shall estimate will be so received by the district prior to the first day of July of the ensuing year as compared with the amount of tax levied on real estate for school purposes in such district for the year one thousand nine hundred and thirty-one

(b) The board of directors of each school district of the second class at the time of fixing the school tax rate on real estate for each year shall reduce such taxes by an amount equal to the amount which the Department of Public Instruction with the approval of the Budget Secretary shall estimate will be received by the district under this act during the school year beginning on the first day of July of the year in which such tax is fixed as compared with the amount of tax levied on real estate for school purposes in such district for the school year which began on the first day of July one thousand nine hundred and thirty-one

(c) The board of directors of each school district of the third and fourth classes at the time of fixing the school tax rate on real estate for each year shall reduce such taxes by an amount equal to at least one-half the amount which the Department of Public Instruction with the approval of the Budget Secretary shall estimate will be received by the district under this act during the school year beginning on the first day of July of the year in which such tax rate is fixed as compared with the amount of tax levied on real estate for school purposes in such district for the school year which began on the first day of July one thousand nine hundred and thirty-one

(d) The provisions of this section shall not prevent the levy by any school district of a sufficient millage to meet requirements of interest sinking fund and repayment of debts of the district

Section 6 Constitutional Construction The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision of the court as to those provisions shall not affect the validity of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included herein

Section 7 Effective Date This act shall become effective immediately upon its final enactment

ARTICLE I

IMPOSITIONS OF INCOME TAX

Section 101 Imposition of Income Tax A tax is hereby imposed upon every resident of the State which tax shall be levied collected and paid annually upon and with respect to his entire net income as herein defined at rates as follows One per centum of the amount of net income not exceeding ten thousand dollars two per centum of the amount of net income in excess of ten thousand dollars but not in excess of twenty thousand dollars three per centum of the amount of net income in excess of twenty thousand dollars but not in excess of forty thousand dollars four per centum of the amount of net income in excess of forty thousand dollars but not in excess of seventy-five thousand dollars five per centum of the net income in excess of seventy-five thousand dollars but not in excess of one hundred fifty thousand dollars and six per centum of the amount of all net income in excess of one hundred fifty thousand dollars A like tax is hereby imposed and shall be levied collected and paid annually at the rates specified in this article upon and with respect to the entire net income as herein defined except as hereinafter provided from all property owned and from every business trade profession or occupation carried on in this Statae by natural persons not residents of the State Such tax shall first be levied collected and paid in the year nineteen hundred and thirty-four upon and with respect to the taxable income for the calendar year nineteen hundred and thirty-three and for any taxable year ending during the year nineteen hundred and thirty-three.

Section 102 Partnerships Individuals carrying on business in partnerships shall be liable for income tax only in their individual capacity There shall be included in computing the net income of each partner his distributive share whether distributed or not of the net income of the partnership for the taxable year or if his net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the partnership is computed then his distributive share of the net income of the partnership for any accounting period of the partnership ending within the fiscal or calendar year upon the basis of which the partner's net income is computed Taxpayers who are members of partnerships may be required by the Department to make a return stating the gross receipts and net gains or profits of the partnership for any taxable year The net income of the partnership shall be computed in the same manner and on the same basis as provided in computing the net income of individuals except that the deduction provided in subdivision ten of section two hundred and six shall not be allowed and the personal deductions provided for in section two hundred and seven shall be allowed only to the individual partners

Section 103 Estates and Trusts 1 The tax imposed by this act shall apply to estates and trusts which tax shall be levied collected and paid annually upon and with respect to the income of estates or of any kind of property held in trust including

(a) Income received by estates of deceased persons during the period of administration or settlement of the estate

(b) Income accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests

(c) Income held for future distribution under the terms of the will or trust

(d) Income which is to be distributed to the beneficiaries periodically whether or not at regular intervals and the income collected by a guardian of an infant to be held or distributed as the court may direct and

(e) Income of an estate during the period of administration or settlement permitted by subdivision three of this section to be deducted from the net income upon which the tax is to be paid by the fiduciary

2 The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts whether such income be axable to the estate or trust or to the beneficiaries thereof The net income of an estate or trust shall be computed in the same manner and on the same basis as provided for individual taxpayers except that there shall also be allowed as a deduction any part of the gross income which pursuant to the terms of the will or deed creating the trust is paid to or held for the United States any state territory or any political subdivision thereof or the District of Columbia or any corporation or aociation organized and operated exclusively for religious charitable scientific or educational purposes or for the prevention of cruelty to children or animals no part of the net earnings of which inures to the benefit of any private stockholder or individual and in cases under paragraphs (d) and (e) of subdivision one of this section the fiduciary shall include in the return a statement of each beneficiary's distributive share of such net income whether or not distributed before the close of the taxable year for which the return is made

3 In case under paragraphs (a) (b) and (c) of subdivision one of this section the tax shall be imposed upon the estate or trust with respect to the net income of the estate or trust and shall be paid by the fiduciary except that in determining the net income of the estate of any deceased person during the period of administration or settlement there may be deducted the amount of any income properly paid or credited to any legatee heir or other beneficiary In such cases the estate or trust shall be allowed the same personal deductions as are allowed to single persons under section two hundred and seven and in such cases an estate or trust created by a person not a resident and an estate of a person not a resident shall be subject to tax only to the extent to which individuals other than residents are liable under section two hundred and three subdivision three

4 In cases under paragraphs (d) and (e) of subdivision one of this section if the distribution of income is in the discretion of the fiduciary either as to the beneficiaries to whom payable or as to the amounts to which any beneficiary is entitled the tax shall be imposed upon the estate or trust in the manner provided in subdivision three of this section but without the deduction of any amounts of income paid or credited to any such beneficiary In all other cases under paragraphs (d) and (e) of subdivision one of this section the tax shall not be paid by the fiduciary but there shall be included in computing the net income of each beneficiary his distributive share whether distributed or not of the net income of the estate or trust for the taxable year or if his net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the estate or trust is computed then his distributive share of the net income of the estate or trust for any accounting period of such estate or trust ending within the fiscal or calendar year upon the basis of which such beneficiary's net income is computed In such cases the income of a beneficiary not a resident derived through such estate or trust shall be taxable only to the extent provided in section two hundred and three subdivision three for individuals other than residents

5 A trust created by an employer as a part of a stock pension or profit-sharing plan for the exclusive benefit of some or all of his employes to which contributions are made by such employer or employes or both for the purpose of distributing to such employes the earnings and principal of the fund accumulated by the trust in accordance with such plan shall not be taxable under this section but any amount actually distributed or made available to any distributee shall be taxable to him in the year in which so distributed or made available to the extent that it exceeds the amounts paid in by him.

6 Where any part of the income of a trust other than a testamentary trust is or may be applied to the payment of premiums upon policies of insurance on the life of the grantor (except policies of insurance irrevocably payable for the purposes and in the manner specified in subdivision ten of section two hundred and six of this article relating to the so-called "charitable contribution" deduction) or to the payment of premiums upon policies of life insurance under which the grantor is the beneficiary such part of the income of the trust shall be included in computing the net income of the grantor

Section 104 Tax a Debt Every tax imposed by this article and all increases interest and penalties thereon in addition to being a tax against property business trade profession or occupation as in this article provided shall also become from the time it is due and payable a personal debt from the person or persons liable to pay the same to the Commonwealth of Pennsylvania

ARTICLE II

COMPUTATION OF THE TAX

Section 201 Net Income Defined The term "net income" means the gross income of a taxpayer less the deductions allowed by this act

Section 202 Tax Periods 1 The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayers but if no such method of accounting has been so employed or if the method employed does not clearly reflect the income the computation shall be made upon such basis and in such manner as in the opinion of the Department does clearly reflect the income If the taxpayer's annual accounting period is other than a fiscal year as defined in this act or if the taxpayer has no annual accounting period or does not keep books the net income shall be computed on the basis of the calendar year

2 If a taxpayer changes his accounting period from fiscal year to calendar year from calendar year to fiscal year or from one fiscal year another the net income shall with the approval of the Department be computed on the basis of such new accounting period subject to the provisions of section four hundred and five

Section 203 Gross Income Defined The term "gross income" 1 Includes gains profits and income derived from salaries wages or compensation for personal service of whatever kind and in whatever form paid or from professions vocations trades businesses commerce or sales or dealings in property whether real or personal growing out of the ownership or use of or interest in such property also from interest rent dividends securities or the transaction of any business carried on for gain or profit and all other income derived from any source whatever including income derived through estates or trusts by the beneficiaries thereof whether as distributable shares Provided however that gross income shall not include and no tax shall be payable on gains or profits derived from any sale or exchange of real or personal property of the taxpayer not dealt in by him as a business and the transaction not being in the course of a business or trade in which he is engaged individually or as a partner The amount of all taxable items shall be included in the gross income for the taxable year in which received by the taxpayer unless under the methods of accounting permitted in this article any such amounts are to be properly accounted for as of a different period but

Does not include the following items and on which no tax shall be payable

(a) Amounts received under a life insurance contract paid by reason of the death of the insured whether in a single sum or in installments (but if such amounts are held by the insurer under an agreement to pay interest thereon the interest payments shall be included in gross income)

(b) The amount received by the insured as a return of premium or premiums paid by him under life insurance endowment or annuity contracts either during the term or at the maturity of the term mentioned in the contract or upon surrender of the contract

(c) The values of property acquired by gift bequest devise or descent (but the income from such property shall be included in gross income)

(d) Interest upon the obligations of the United States or its possessions or securities issued under the provisions of the federal farm loan act of July seventeen nineteen hundred and sixteen or bonds issued by the war finance corporation or the obligations of the Commonwealth of Pennsylvania or of any municipal corporation or political subdivision thereof

(e) Any amount received through accident or health insurance or under workmen's compensation acts as compensation for personal injuries or sickness plus the amount of any damages received whether by suit or agreement on account of such injuries or sickness or through the war risk insurance act or any law for the benefit or relief of injured or disabled members of the military or naval forces of the United States

(f) Salaries wages and other compensation received from the United States of officials or employes thereof including persons in the military or naval forces of the United States

(g) Income received by any officer of a religious denomination or by any institution or trust for moral or mental improvement religious bible tract charitable benevolent fraternal missionary hospital infirmary educational scientific literary library patriotic historical or cemetery purposes or for the enforcement of laws relating to children or animals or for two or more of such purposes if such income be used exclusively for carrying out one or more of such purposes but nothing herein shall be construed to exempt the fees stipends personal earnings or other private income of such officer or trustee

(h) The amount deducted pursuant to the income tax law of the United States from interest on a bond mortgage deed of trust or other similar obligation of a corporation containing a contract or provision by which the obligor agrees to pay any portion of the tax imposed by such law upon the

obligee or to reimburse the obligee for any portion of the tax or to pay the interest without deduction for any tax which the obligor may be required or permitted to pay thereon or to retain therefrom under any law of the United States

(i) Stock dividends when received by a shareholder shall not be subject to tax but if before or after the distribution of any such dividend the corporation proceeds to cancel or redeem its stock at such time and in such manner as to make the distribution and cancellation redemption in whole or in part essentially equivalent the distribution of a taxable dividend the amount so distributed in redemption or cancellation of the stock shall be treated as a taxable dividend and included in gross income provided however that any stock dividend shall be considered in computing gain profit or indemptioncome upon the sale exchange or other disposition in a transaction the gain or profit from which is included a gross income as herein defined of the stock upon which a stock dividend has been declared or of the stock included in such stock dividend

3 In the case of taxpayers other than residents gross income includes only the gross income from sources within the State but shall not include annuities interest on bank deposits interest on bonds notes or other interest-bearing obligations or dividends from corporations except to the extent to which the same shall be a part of income from any business trade profession or occupation carried on in this State subject to taxation under this article

Section 204 Ascertainment of Gain and Loss 1 For the purpose of ascertaining any gain included in gross income as herein defined derived or any deductible loss sustained from the sale or other disposition of property real personal or mixed the basis shall be in case of property acquired on or after January first nineteen hundred and thirty-three the cost thereof or the inventory value if the inventory is made in accordance with this article

2 In case of property acquired prior to January first nineteen hundred and thirty-three and disposed of thereafter

(a) No profit shall be deemed to have been derived if either the cost or the fair market price or value on January first nineteen hundred and thirty-three exceeds the value realized

(b) No loss shall be deemed to have been sustained if either the cost or the fair market price or value on January first nineteen hundred and thirty-three is less than the value realized

(c) Where both the cost and the fair market price or value on January first nineteen hundred and thirty-three are less than the value realized the basis for computing profit shall be the cost or the fair market price or value on January first nineteen hundred and thirty-three whichever is higher

d) Where both the cost and the fair market price or value on January first nineteen hundred and thirty-three are in excess of the value realized the basis for computing loss shall be the cost or the fair market price or value on January first nineteen hundred and thirty-three whichever is lower

Section 205 Exchange of Property Upon the sale or exchange of property in transactions the gain or profit from which is included in gross income as herein defined the entire amount of the gain or loss determined under section two hundred and four of this act shall be recognized except as hereinafter provided in this section

1 No gain or loss shall be recognized if property held for productive use in trade or business or for investment (not including stock in trade or other property held primarily for sale nor stocks bonds notes choses in action certificates of trust or beneficial interest or other securities or evidences of indebtedness or interest) is exchanged solely for property of a like kind to be held either for productive use in trade or business or for investment or if common stock in a corporation is exchanged solely for common stock in the same corporation or if preferred stock in a corporation is exchanged solely for preferred stock in the same corporation

2 No gain or loss shall be recognized if stock or securities in a corporation a party to a reorganization are in pursuance of the plan of reorganization exchanged solely for stock or securities in such corporation or in another corporation a party to the reorganization

3 No gain or loss shall be recognized if property is transferred to a corporation by one or more persons solely in exchange for stock or securities in such corporation and immediately after the exchange such person or persons are in control of the corporation but in the case of an exchange by two or more persons this subdivision shall apply only if the amount of the stock and securities received by each is substantially in proportion to his interest in the property prior to the exchange

4 If property (as a result of its destruction in whole or in part theft or seizure or an exercise of the power of requisition or condemnation or the threat or imminence thereof) is compulsorily or involuntarily converted into property similar or related in service or use to the property so converted or into money which is forthwith in good faith under regulations prescribed by the Department expended in the acquisition of other property similar or related in service or use to the property so converted or in the acquisition of control of a corporation owning such other property or in the establishment of a replacement fund no gain or loss shall be recognized If any part of the money is not so expended the gain if any shall be so recognized but in an amount not in excess of the money which is not so expended

5 If there is distributed in pursuance of a plan of reorganization to a shareholder in a corporation a party to the reorganization stock or securities in such corporation or in another corporation a party to the reorganization without the surrender by such shareholder of stock or securities in such a corporation no gain to the distributee from the receipt of such stock or securities shall be recognized

6 If an exchange would be within the provisions of subdivision 1 2 or 3 of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such subdivision to be received without the recognition of gain but also of other property or money then the gain if any to the recipient shall be recognized but in an amount not in excess of the sum of such money and the fair market value of such other property

7 If an exchange would be within the provisions of subdivision 1 2 or 3 of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such subdivision to be received without the recognition of gain or loss but also of other property or money then no loss from the exchange shall be recognized

8 As used in this section

The term "reorganization" means (A) a merger or consolidation (including the acquisition by one corporation of at least a majority of the voting stock and at least a majority of the total number of shares of all other classes of stock of another corporation or substantially all the properties of another corporation) or (B) a transfer by a corporation of all or a part of its assets to another corporation if immediately after the transfer the transferor or its stockholders or both are in control of the corporation to which the assets are tranferred or (C) a recapitalization or (D) a mere change in identity form or place of organization however effected

The term "a party to a reorganization" includes a corporation resulting from a reorganization and includes both corporations in the case of an acquisition by one corporation of at least a majority of the voting stock and at least a majority of the total number of shares of all other classes of stock of another corporation

As used in this section the term "control" means the ownership of at least eighty percentum of the voting stock and at least eighty percentum of the total number of shares of all other classes of stock of the corporation

Section 206 General Deductions In computing net income there shall be allowed as deductions

1 All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business or in the production of income required to be included in gross income under this article including a reasonable allowance for salaries or other compensation for personal services actually rendered and including rentals or other payments required to be made as a condition to the continued use or possession for purposes of the trade or business on property to which the taxpayer has not taken or is not taking title or in which he has no equity

2 All interest paid or accrued during the taxable year on indebtedness

3 Taxes other than income taxes paid or accrued within the taxable year imposed first by the authority of the United States or of any of its possessions or second by the authority of any state or territory or any county school district municipality or other taxing subdivision of any state or territory not

including those assessed against local benefits of a kind tending to increase the value of the property assessed or third by the authority of any foreign government

4 Losses sustained during the taxable year and not compensated for by insurance or otherwise if incurred in trade or business The basis for determining the amount of the deduction under this subdivision or under subdivisions five and six of this section shall be the same as is provided in section two hundred and four of this act for determining the gain or loss from the sale or other disposition of property But there shall be no deduction for any loss sustained in any sale or exchange of real or personal property in any case where if the transaction had produced profit or gain such profit or gain would not have been included in gross income as defined herein

5 Losses sustained during the taxable year and not compensated for by insurance or otherwise if incurred in any transaction entered into for profit though not connected with the trade or business and if any gain or profit from the transaction would have been taxable under this act Provided that in the case of a taxpayer other than a resident of the State only as to such transactions in real property or in tangible personal property having an actual situs within the State

6 Losses sustained during the taxable year of property not connected with the trade or business (but in case of a taxpayer other than a resident only of real property or tangible personal property having an actual situs within the State) if arising from fires storms shipwrecks or other casualty or from theft and not compensated for by insurance or otherwise

7 Debts ascertained to be worthless and charged off within the taxable year In the case of a debt existing on January first nineteen hundred and thirty-three no more than its fair market value on that date shall be deducted A worthless debt arising since January first nineteen hundred and thirty-three from unpaid wages salary rent or any similar item of taxable income is not an allowable deduction unless the income which such item represents has been included as income by the taxpayer in a return rendered under this article

8 A reasonable allowance for the exhaustion wear and tear of property the income from which is required to be included in gross income under this act used in the trade or business including a reasonable allowance for obsolescence In case of property held by one person for life with remainder to another person the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust or in the absence of such provisions on the basis of the trust income allocable to each

9 In the case of mines other natural deposits except oil and gas wells and timber a reasonable allowance for depletion and for depreciation of improvements according to the peculiar conditions in each case based upon cost including cost of development not otherwise deducted provided that in the case of such properties acquired prior to January first nineteen hundred and thirty-three the fair market value of the property (or the taxpayer's interest therein) on that date shall be taken in lieu of cost up to that date provided further that in the case of mines discovered by the taxpayer on or after January first nineteen hundred and thirty-three and not acquired as the result of a purchase of a proven tract or lease when the fair market value of the property ismaterially disproportionate to the cost the depletion allowance shall be based upon the fair market value of the property at the date of the discovery or within thirty days thereafter but such depletion allowance based on discovery value shall not exceed fifty per centum of the net income of the taxpayer (computed without allowance for depletion) from the property upon which the discovery was made except that in no case shall the depletion allowance be less than it would be if computed without reference to discovery value

Discoveries shall include minerals in commercial quantities contained within a vein or deposit discovered in an existing mine or mining tract by the taxpayer after January first nineteen hundred and thirty-three if the vein or deposit thus discovered was not merely the uninterrupted extension of a continuing commercial vein or deposit already known to exist and if the discovered minerals are of sufficient value and quantity that they could be separately mined and marketed at a profit

In the case of oil and gas wells the allowance for depletion shall be twenty-seven and one-half per centum of the gross income from the property during the taxable year Such allowance shall not exceed fifty per centum of the net income of the taxpayer (computed without allowance for depletion) from the property except that in no case shall the depletion allowance be less than it would be if computed without reference to this paragraph

Such reasonable allowance in all the above cases to be made under rules and regulations to be prescribed by the Department In the case of leases the deductions allowed by this subdivision shall be equitably apportioned between the lessor and lessee

10 Contributions or gifts made within the taxable year to or for the use of

The United States any state territory or any political subdivision thereof or the District of Columbia for exclusively public purposes

(b) Any corporation or trust or community chest fund or foundation organized and operated exclusively for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children or animals no part of the net earnings of which inures to the benefit of any private shareholder or individual or to the special fund for vocational rehabilitation authorized by section seven of the act of Congress known as the vocational rehabilitation act .

(c) Posts or organizations of war veterans or auxiliary units or societies of any such posts or organizations if such posts organizations units or societies are organized in the United States or any of its possessions and if no part of their net earnings inures to the benefit of any private shareholder or individual or

(d) A fraternal society order or association operating under the lodge system but only if such contributions or gifts are to be used exclusively for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children or animals to an amount which in all the above cases combined shall not in the aggregate exceed fifteen per centum of the taxpayer's net income as computed without the benefit of this subdivision Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the Department.

In the case of a taxpayer other than a resident of the State the deductions under this subdivison shall be allowed only as to contributions or gifts made to corporations or associations incorporated by or organized under the laws of this State or to the vocational rehabilitation fund above mentioned or to this State or any political subdivision thereof for exclusively public purposes

11 In the case of a taxpayer other than a resident of the State the deductions allowed in this section shall be allowed only if and to the extent that they are connected with income arising from sources within the State and taxable under this article to a nonresident taxpayer and the proper apportionment and allocation of the deductions with respect to sources of income within and without the State shall be determined under rules and regulations to be prescribed by the Department

12 In the case of any taxpayer who is the owner of shares of stock in a corporation organized and existing exclusively for the purpose of owning and operating a cooperative multiple dwelling no part of the net earnings of which inures or is calculated or intended to inure to the benefit of any stockholder or individual and all the expenses of which are paid annually by the stockholders in proportion to their ownership a deduction shall be allowed to such taxpayer as to the share of his payments for all taxes other than franchise taxes paid or accrued by such corporation during the taxable year and all interest paid or accrued by such corporation during the taxable year on its indebtedness

Section 207 Deductions for Living Expenses The following fixed sums and no others shall also be allowed to all taxpayers in computing net income as personal deductions on account of living expenses

1 In the case of a single person a personal deduction of one thousand five hundred ($1500.00) dollars or in the case of the head of a family or a married person living with husband or wife a personal deduction of three thousand dollars ($3,000.00) A husband and wife living together shall receive but one personal deduction If such husband and wife make separate re-

turns the personal deduction may be taken by either or divided between them

2 Four hundred dollars for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer if such dependent person is under eighteen years of age or is incapable of self-support because mentally or physically defective

3 If the status of the taxpayer in so far as it affects the deductions allowed by this section changes during his taxable year such deductions shall be apportioned under rules and regulations presribed by the Department in accordance with the number of months before and after such change For the purpose of this paragraph a fractional part of a month shall be disregarded unless it amounts to more than half a month in which case it shall be considered as a month

Section 208 Items Not Deductible In computing net income no deduction shall in any case be allowed in respect of

1 Personal living or family expenses except as otherwise herein expressly provided

2 Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate

3 Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made or

4 Premiums paid on any life insurance policy covering the life of any officer or employe or of any person financially interested in any trade or business carried on by the taxpayer when the taxpayer is directly or indirectly a beneficiary under such policy

Section 209 Credits for Other Taxes In any case in which a taxpayer during the taxable year shall have become liable to pay and has paid to any county a tax on any bond note mortgage judgment interest-bearing account deposit or any loan or evidence of indebtedness or on any corporate stock or other personal property for which he has not received and is not entitled to receive refund of such tax from the debtor and in any case in which the taxpayer shall have been required to refund to a corporate debtor or in which a corporate debtor has deducted from moneys becoming due from such debtor to the taxpayer during the taxable year on account of or by reason of any tax levied by the Commonwealth on any corporate loan or evidence of indebtedness of any kind the taxpayer shall be entitled to a credit against any amount of income tax payable by him under this act in such year equal to the amount of tax so paid by him to a county or refunded by him or deducted from moneys due to him on account of tax imposed by the Commonwealth on corporate loans evidences of indebtedness of any kind.

Section 210 Credit for Taxes in Case of Taxpayers Other Than Residents of the State Whenever a taxpayer other than a resident of the State has become liable to income tax to the State or country where he resides upon his net income for the taxable year derived from sources within this State and subject to taxation under this article the Department shall credit the amount of income tax payable by him under this act with such proportion of the tax so payable by him to the state or country where he resides as his income subject to taxation under this act bears to his entire income upon which the tax so payable to such other state or country was imposed provided that such credit shall be allowed only if the laws of said state or country (1) grant a substantially similar credit to residents of this State subject to income tax under such laws or (2) impose a ax upon the personal incomes of its residents derived from sources in this State and exempt from taxation the personal incomes of residents of this State No credit shall be allowed against the amount of the tax on any income taxable under this article which is exempt from taxation under the laws of such other state or country

ARTICLE III

INFORMATION AND PAYMENT AT SOURCE

Section 301 Information and Payment at Source 1 For the calendar year nineteen hundred thirty-four and for each calendar year thereafter every withholding agent shall deduct and withhold from all salaries wages commissions gratuities emoluments perquisites and other fixed or determinable annual or periodical compensation of whatever kind and in whatever form paid or received earned by any taxpayer for personal services and taxable under this act of which he shall have control receipt custody disposal or payment the following amounts One per centum of the first ten thousand dollars or less two per centum of the next forty thousand dollars or less and three per centum of the excess over fifty thousand dollars by which the amount of such compensation paid or to be paid in the calendar year by such withholding agent to such taxpayer exceeds the amount of the personal deductions to such taxpayer under section two hundred and seven of this act as shown by a certificate filed with the withholding agent in form to be prescribed by the Department or one thousand dollars if no certificate showing his personal deduction status is filed with the withholding agent by a taxpayer other than a resident of this State If it appears that another State has passed a law taxing incomes in such a manner as will result in its residents being entitled to credit under section two hundred and nine hereof sufficient to offset all taxes imposed by this act the Department may by regulation relieve residents of such state from being required to make any return under this act and may prescribe a form of certificate to be filed by residents of such state with withholding agents

A withholding agent with whom such a certificate shall be filed or with whom a certificate in such form as shall be prescribed by the Department to the effect that the person entitled to such compensation is a resident of this State and setting forth his residence address shall be filed after the beginning of the calendar year and before the time when he is required to make return and payment need not deduct or withhold anything from the compensation of the person filing such certificate

The Department may by regulation require withholding agents to forward to it at stated times any of the certificates mentioned in this subdivision

2 Every withholding agent shall make return to the Department of complete information concerning the amount of all interest rent salaries wages premiums annuities compensations remunerations emoluments or other fixed or determinable taxable gains profits and income except interest coupons payable to bearer of any taxpayer taxable under this act of one thousand dollars or more in any taxable year under such regulations and in such form and manner and to such extent as may be prescribed by the Department

3 Every withholding agent required to deduct and withhold any tax under subdivision one of this section shall make return thereof on or before the fifteenth day of April in each year and shall at the same time pay the tax to the Department Every such individual corporation or partnership is hereby made liable for such tax and is hereby indemnified against the claims and demands of any individual corporation or partnership for the amount of any payments made in accordance with the provisions of this section

4 Income upon which any tax is required to be withheld at the source under this section shall be included in the return of the recipient of such income but any amount of tax so withheld shall be credited against the amount of income tax as computed in such return

5 If any tax required under this section to be deducted and withheld is paid by the recipient of the income it shall not be recollected from the withholding agent nor in cases in which the tax is so paid shall any penalty be imposed upon or collected from the recipient of the income or the withholding agent for failure to return or pay the same unless such failure was fraudulent and for the purpose of evading payment

ARTICLE IV

RETURNS

Section 401 Taxpayers' Returns Every taxpayer having a net income for the taxable year of one thousand dollars or over if single or if married and not living with husband or wife or of two thousand five hundred dollars or over if married and living with husband or wife or a gross income for the taxable year of five thousand dollars or over regardless of the amount of his net income shall make under oath a return stating specifically the items of his gross income and the deductions and credits allowed by this article For the purposes of this section any taxpayer other than a married person shall be deemed to be a single person If a husband and wife living together have an aggregate net income of Two thousand five hundred dollars or over or an aggregate gross income for such year of five thousand dollars or over each shall make such a return or the income of each shall be included in a single joint return in which case the tax shall be computed on the aggregate income If the taxpayer is unable to make his own return the return shall

be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer A taxpayer other than a resident shall not be entitled to the deductions authorized by section two hundred and six unless he shall make under oath a complete return of his gross income both within and without the state

Section 402 Returns in Cases of Changed Residence If a taxpayer during the taxable year changes his status from that of resident to that of nonresident or from that of nonresident to that of resident he shall file two returns one as a resident covering the fraction of the year during which he was a resident and one as a person other than a resident covering the fraction of the year during which he was a nonresident The deductions provided in section two hundred and seven of this act shall be divided ratably between the two returns so filed according to time In case two returns for one taxable year are filed as aforesaid the taxes due thereon shall not be less than would be payable if the total net income shown by the two returns were included in a single return If the aggregate of the taxpayer's net income from all sources during the fraction of the year in which he was a resident and his net income from sources within the State during the fraction of the year in which he was a nonresident shall be less than one thousand dollars in the case of a taxpayer who is single or married and not living with husband or wife or under two thousand five hundred dollars in the case of a taxpayer who is married and living with husband or wife no return shall be required under this section unless the aggregate of the taxpayer's gross income from all sources during the fraction of the year in which he was a resident plus the aggregate of his gross income from sources within the State during the fraction of the year in which he was a nonresident is five thousand dollars or over in which event returns shall be required

Section 403 Partnership Returns Every partnership shall make a return for each taxable year stating specifically the items of its gross income and the deductions allowed by this article and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed and the amount of the distributive share of each individual The return shall be sworn to by any one of the partners

Section 404 Fiduciary Returns Every fiduciary (except receivers appointed by authority of law in possession of part only of the property of a taxpayer) shall make under oath a return for the individual or estate or trust for whom he acts as follows

1 If he acts for an individual whose entire income from whatever source derived is in his charge and the net income of such individual is one thousand dollars or over if single or if married and not living with husband or wife or two thousand five hundred dollars or over if married and living with husband or wife or whose gross income for the taxable year is five thousand dollars or over regardless of the amount of his net income

2 If he acts (a) for an estate of a deceased person during the period of administration or settlement whether or not the income of such estate during such period of administration or settlement is properly paid or credited to any legatee heir or other beneficiary (b) for an estate or trust the income of which is accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests or (c) for an estate or trust the income of which is held for future distribution or is distributable in the discretion of the fiduciary under the terms of the will or trust and the net income of such estate or trust is one thousand dollars or over or the gross income for the taxable year is five thousand dollars or over regardless of the amount of the net income

3 If he acts (a) for an estate or trust the income of which is to be distributed to the beneficiaries periodically or (b) as the guardian of an infant whose income is to be held or distributed as the court may direct and any beneficiary of such estate or trust or such infant receives or is entitled to a distributive share of the income of one thousand dollars or more The return made by a fiduciary shall state specifically the items of the gross income and the deductions exemptions and credits allowed by this article Under such regulations as the Department may prescribe a return made by one of two or more joint fiduciaries shall be sufficient compliance with the above requirement The judiciary shall make oath that he has sufficient knowledge of the affairs of the individual estate or trust for whom or which he acts to enable him to make the return and that the same is to the best of his knowledge and belief true and correct Fiduciaries required to make returns under this act shall be subject to all the provisions of this act which apply to taxpayers

Section 405 Returns When Accounting Period Changed If a taxpayer with the approval of the Department changes the basis of computing net income from fiscal year to calendar year a separate return shall be made for the period between the close of the last fiscal year for which return was made and th following December thirty-first If the change is made from calendar year to fiscal year a separate return shall be made for the period between the close of the last calendar year for which return was made and the date designated as the close of the fiscal year If the change is made from one fiscal year to another fiscal year a separate return shall be made for the period between the close of the former fiscal year and the date designated as the close of the new fiscal year If a taxpayer making his first return for income tax keeps his accounts on the basis of a fiscal year he shall make a separate return for the period between the beginning of a calendar year in which such fiscal year ends and the end of such fiscal year

In all of the above cases the net income shall be computed on the basis of such period for which separate return is made and the tax shall be paid thereon at the rate for the calendar year in which such period is included and the personal deductions allowed in this act shall be reduced respectively to amounts which bear the same ratio to the full personal deductions provided for as the number of months in such period bears to twelve months

Section 406 Time and Place of Filing Returns Returns shall be made to the Department on or before the fifteenth day of the fourth month following the close of the fiscal year or if the return is made on the basis of the calendar year then the return shall be made on or before the fifteenth day of April in each year The Department may grant a reasonable extension of time for filing returns whenever in its judgment good cause exists and shall keep a record of every such extension and the reason therefor Except in the case of taxpayers who are abroad no such extension shall be granted for more than six months Such returns shall set forth such facts as the Department may deem necessary for the proper enforcement of this act There shall be annexed to such return the affidavit or affirmation of the person making the return to the effect that the statements contained therein are true Blank forms of return shall be furnished by the Department upon application but failure to secure the form shall not relieve any taxpayer from the obligation of making any return herein required

Section 407 Inventory Whenever in the opinion of the Department the use of inventories is necessary in order clearly to determine the income of any taxpayer inventories shall be taken by such taxpayer upon such basis as the Department may prescribe conforming as nearly as may be to the best accounting practice in the trade or business and most clearly reflecting the income

ARTICLE V

ADMINISTRATION OF INCOME TAX LAW

Section 501 Department of Revenue to Administer The Department of Revenue shall administer and enforce the tax herein imposed for which purpose it may divide the State into districts in each of which a branch office of the Department may be maintained provided that in no cases shall a county be divided in forming a district

Section 502 Powers of Department 1 If in the opinion of the Department any return of a taxpayer is in any essential respect incorrect it shall have power to revise such return or if any taxpayer fails to make return as herein required the Department is authorized to make an estimate of the taxable income of such taxpayer from any information in its possession and to aduit and state an account according to such revised return or the estimate so made by it for the taxes penalties and interest due the State from such taxpayer Except in the case of a wilfully false or fraudulent return with intent to evade the tax the amount of tax due under any return shall be determined by the Department within three years after the return was made In the case of wilfully false or fraudulent returns the amount of tax due may be determined at any time after the return is filed and the tax may

be collected at any time after it becomes due and where no return has been filed the tax may be assessed at any time

2 The Department for the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of taxable income of any person where information has been obtained shall also have power to examine or to cause to have examined by any agent or representative designated by it for that purpose any books papers records or memoranda bearing upon the matters required to be included in the return and may require the attendance of the person rendering the return or any officer or employe of such person or the attendance of any other person having knowledge in the premises and may take testimony and require proof material for its information with power to administer oaths to such person or persons

3 Where no questions of fact or law are involved and it appears from the records of the Department that any moneys have been erroneously or illegally collected from any taxpayer or other person or paid by such taxpayer or other person under a mistake of facts pursuant to the provisions of this act the Board of Finance and Revenue at any time shall have the power upon making a record of its reasons therefor in writing to cause such moneys so paid and being erroneously and illegally held to be refunded

Section 503 Revision and Readjustment of Accounts by Department If an application for revision be filed with the Department by a taxpayer within two years from the time of the filing of the return or if the tax of such taxpayer shall have been recomputed then within one year from the time of such recomputation the Department shall grant a hearing thereon and if it shall be made to appear upon any such hearing by evidence submitted to it or otherwise that any such computation includes taxes or other charges which could not have been lawfully demanded or that payment has been illegally made or exacted of any such amount so computed the Department shall resettle the same according to law and the facts and adjust the computation of taxes accordingly and shall send notice of its determination thereon to the taxpayer from any action of the Department on such application for revision the taxpayer may appeal to the Board of Finance and Revenue and to the courts as on application for resettlement of other State taxes.

Section 504 Department To Make Regulations and To Collect Facts The Department is hereby authorized to make such rules and regulations and to require such facts and information to be reported as it may deem necessary to enforce the provisions of this act

Section 505 Secrecy Required of Officials Penalty for Violation 1 Except in accordance with proper judicial order or as otherwise provided by law it shall be unlawful for the Department or any officer agent clerk or other employe to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this act The officers charged with the custody of such reports and returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court except on behalf of the Commonwealth in an action or proceeding under the provisions of this act to which it is a party or on behalf of any party to any action or proceeding under the provisions of this act when the reports or facts shown thereby are directly involved in such action or proceeding in either of which events the court may require the production of and may admit in evidence so much of said reports or of the facts shown thereby as are pertinent to the action or proceeding and no more Nothing herein shall be construed to prohibit the delivery to a taxpayer or his duly authorized representative of a certified copy of any return or report filed in connection with his tax nor to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns and the items thereof or the inspection by the Attorney General or other legal representatives of the State of the report or return of any taxpayer who shall bring action to set aside or review the tax based thereon or against whom an action or proceeding has been instituted in accordance with the provisions of ths act Reports and returns shall be preserved for three years and thereafter until the Department orders them to be destroyed

2 Any offense against subdivision one of this section shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding one year or both at the discretion of the court and if the offender be an officer or employe of the State he shall be dismissed from office and be incapable of holding any public office in this State for a period of five years thereafter

3 Notwithstanding the provisions of this section the Department may permit the commissioner of internal revenue of the United States or the proper officer of any state imposing an income tax upon the incomes of individuals or the authorized representative of either such officer to inspect the income tax returns of any individuals or may furnish to such officer or his authorized representative an abstract of the return of income of any individual or supply him with information concerning any item of income contained in any return or disclosed by the report of any investigation of the income or return of income of any individual but such permission shall be granted or such information furnished to such officer or his representative only if the statutes of the United States or of such other state as the case may be grant substantially similar privileges to the proper officer of this State charged with the administration of the personal income tax law thereof

ARTICLE VI

PAYMENT AND COLLECTION OF TAX

Section 601 Penalties Additional Taxes and Interest 1 If article shall fail to make a return of income or pay any tax any taxpayer without intent to evade any tax imposed by this if one is due at the time required by or under the provisions of this act but shall voluntarily make a correct return of income and pay the tax due within sixty days after notice to file such return there shall be added to the tax an additional amount equal to five per centum thereof but such additional amount shall in no case be less than two dollars and an additional one per centum for each month or fraction of a month during which the tax remains unpaid

If any withholding agent without intent to evade any tax imposed by this article shall fail to make a return and pay a tax withheld by him at the time required by or under the provisions of this act such withholding agent shall be liable for such tax and shall pay the same together with all penalties and interest charges thereon as provided by subdivision two of this section and such additional amount of penalties and interest shall in no case be charged to or collected from the taxpayer by said withholding agent The Department shall have the same rights and powers for the collection of such tax penalties and interest against such withholding agent as are now prescribed by this act for the collection of a tax against an individual taxpayer

2 If any taxpayer fails voluntarily to make a return of income or to pay a tax if one is due within the time required by or under the provisions of this act or thereafter within sixty days after notice so to do the tax shall be doubled and such doubled tax shall be increased by one per centum for each month or fraction of a month the time the tax was originally due to the date of payment

3 Any individual corporation or partnership who without fraudulent intent shall fail to pay or to deduct or withhold and pay any tax or to make render sign or verify any return or to supply any information within the time required by or under the provisions of this act or thereafter within sixty days after notice so to do shall be liable to a penalty of not more than five hundred dollars to be imposed assessed and collected by the Department in the same manner as is provided in this act with regard to taxes

4 Any individual corporation or partnership or any officer or employe of any corporation or member or employe of any partnership who with intent to evade any tax or any requirement of this article or any lawful requirement of the Department thereunder shall fail to pay the tax or to make render sign or verify any return or to supply any information within the time required by or under the provisions of this act or who with like intent shall make render sign or verify any false or fraudulent return or statement or shall supply any false or fraudulent information shall be liable to a penalty of not more than one thousand dollars to be recovered by the Department of Justice by action in any court of competent jurisdiction and shall also be guilty of a misdemeanor and shall upon conviction be fined not to exceed one thousand dollars or be imprisoned not to exceed one year or both at the discretion of the court

5 The Department of Justice shall have the power to compromise any penalty for which it is authorized to bring action under subdivision four of this section The penalty

provided by subdivision four of this section shall be additional to all other penalties in this act provided

Section 602 When Payable 1 Except as herein otherwise provided each taxpayer shall or in cases where an agent or guardian or other fiduciary makes return for the taxpayer on whose behalf he is acting then the agent guardian or other fiduciary shall at the time of filing his return pay to the Department the amount of tax payable hereunder as the same shall appear from the face of the return If the time for filing the return shall be extended he shall pay in addition interest thereon at the rate of six per centum per annum from the time when the return was originally required to be filed at the time of payment If the time for filing a return by a withholding agent shall be extended the withholding agent shall pay and may not charge to the taxpayer interest at the rate of six per centum per annum from the time when the return was originally required to be filed to the time of payment Instead of paying the entire tax as above provided the taxpayer may pay one-half of the tax at that time one-fourth on or before three months and the remaining one-fourth on or before six months after the day his return shall have become due but the privilege of payment in instalments shall not be allowed unless one-half of the tax shall be paid on or before the date on which the return was due or in the case of extensions duly granted on or before the date to which the extension shall extend The word "due" as used in any of the foregoing provisions of this section referring to a return means the fifteenth day of the fourth month following the close of each such fiscal years or if the return is made on the basis of the calendar year the fifteenth day of April of the year following the close of such calendar year The time for payment of the second and third instalments or either may be extended by the Department for not more than three months and then only in case the time for making the return be extended under section four hundred and six for three months or more If however the time for making the return of a taxpayer be extended for more than six months as in the case of a taxpayer who is abroad the entire amount of the tax shall be paid by him at one time If any instalment of the tax is not paid as aforesaid on or before the date fixed for its payment the whole amount of the tax unpaid with penalties and interest as prescribed under section six hundred and one of this act computed from the due date of the delinquent instalment shall immediately become due and payable

2 As soon as practicable after the return is filed the Department shall examine it and compute the tax

3 If the amount of tax as computed shall be greater than the amount theretofore paid the excess shall be paid by the taxpayer to the Department within thirty days after notice of the amount of the tax as computed shall be mailed by the Department In such case if the return is made in good faith and the understatement of the amount in the return is not due to any fraud of the taxpayer there shall be no interest penalty or additional tax because of such understatement provided the deficiency be paid within thirty days after notice of the amount be mailed to the taxpayer If payment be not made within thirty days there shall be added to the amount of the deficiency five per centum thereof and in addition interest at the rate of one per centum per month for each month or fraction of a month calculated from the date of the notice If the understatement is false or fraudulent with intent to evade the tax the tax on the additional income discovered to be taxable shall be doubled and an additional one per centum shall be added to the amount so due for each month or fraction of a month Except as otherwise provided in this subdivision the interest provided for in this subdivision shall in all cases be computed from the date the tax was originally due to the date of payment

4 If the amount of tax as computed shall be less than the amount theretofore paid the excess shall be refunded by the Board of Finance and Revenue upon its approval of certification of the Department without necessity for petition or other formal proceeding Provided however that the Board of Finance and Revenue may review the tax return and the information in the files of the Department in order to determine the propriety of any such refund

Section 603 Collection of Taxes Penalties and Interest 1 The Department is authorized at its discretion to designate agents for the purpose of collecting incomes taxes and shall require from them reasonable bond

2 The Department shall have the power in its discretion to suspend the accruing of all penalties upon any additional tax assessed by virtue of the provisions of section six hundred and two of this act and to extend the time for payment of such assessment in any case where due application has been made for a revision and readjustment of the same under section five hundred and three of this act to not later than sixty days after the service of the notice of a determination thereon and upon making a record of its reasons therefor to waive or reduce any of the additional taxes or interest provided in section six hundred and one subdivisions one and two and section six hundred and two subdivision three of this article or to compromise the same

Section 604 Warrant for the collection of taxes If any tax imposed by this article or any portion of such tax be not paid when the same becomes due or thereafter within sixty days after notice requiring such payment the Department shall issue a warrant under its official seal directed to the sheriff of any county of the State commanding him to levy upon and sell the real and personal property of the person owning the same found within his county for the payment of the amount thereof with the added penalties interest and the cost of executing the warrant and to return such warrant to the Department and pay to it the money collected by virtue thereof within sixty days after the receipt of such warrant

The sheriff shall within five days after the receipt of the warrant file with the prothonotary of his county a copy thereof and thereupon the prothonotary shall enter in the judgment docket in the column for judgment debtors the name of the taxpayer mentioned in the warrant and in appropriate columns the amount of the tax or portion thereof and penalties for which the warrant is issued and the date when such copy is filed and thereupon and not until then the amount of such warrant so docketed shall become a lien upon the title to and interest in real property of the person against whom it is issued in the same manner as a judgment duly docketed in the office of such prothonotary The said sheriff shall thereupon proceed upon the same in all respects with like effect and in the same manner prescribed by law in respect to executions issued against property upon judgments of a court of record and shall be entitled to the same fees for his services in executing the warrant to be collected in the same manner If a warrant be returned not satisfied in full the Department may have an alias writ and also shall have the same remedies to enforce the claim for taxes against the taxpayer as if the judgment had not been recovered

Section 605 Action for Recovery of Taxes Action may be brought at any time by the Attorney General of the State aat the instance of the Department in the name of the State to recover the amount of any taxes penalties and interest due under this article

ARTICLE VII

REPEALS

Section 701 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. WILSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for further consideration.

On the question,

Will the House agree to the motion?

Mr. PHILIP STERLING. Mr. Speaker and members of the House, I cannot for any good and honest reason object to this motion. This bill touches two very important subjects, and I am not now referring to a possible unconstitutionality question that might be raised.

It touches, first, the subject of raising revenue by a new method in Pennsylvania; and, secondly, the subject of an equitable and fair allocation of that revenue for the purposes intended, namely assistance to school districts.

The question is a very difficult one. It steeps with points subject to honest differences of opinion, and I must admit to

this House that as the sponsor of the bill I have some grave doubt that those of you who are in this House representing impoverished school districts will find relief through its provisions.

The tax question was carefully considered by the Ways and Means Committee, but the membership of that Committee is not trained by a concentrated experience on questions involving the educational system of the Commonwealth, and I believe that before this type of revenue could be received in Pennsylvania and the taxpayers burdened with its consequences the Committee on Education is entitled to study the subject.

Mr. WILSON. Mr. Speaker and members of the House, confirming what the gentleman from Philadelphia has said, the reason that I moved to send this back is particularly the fact that it changes the yardstick by which money is distributed to the school districts in Pennsylvania. It distributes it equitably as it says on the basis of their assessed valuation. That has not been our system of distribution to the districts. We on the Committee of Education have endeavored for a number of years to close the gap as to educational opportunities between the large district and the small district; in other words, to give a much better opportunity for education in the small district and try to bring it up to the large district.

What this bill would do would be to increase the differences between the educational opportunity in the large district and that in the small district. Very little money would go back to the small district. While this must come, while a new system of taxation must be devised, which will take some of the burden off real estate, this doesn't take the burden off real estate, except that it sends to the large district of Pennsylvania a very large sum of money and practically nothing to the small district, because their valuation is so small, and for this reason I think it should go to the Committee and that some yardstick be worked out for distribution to the districts before this new tax is put on. As it now is it would just be another tax and nothing else.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the "yeas" appear to have it. Whereupon a division was called for, and ninety eight members voting in the affirmative and seventy eight in the negative the question was determined in the affirmative and the motion was agreed to

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 132, entitled:

An Act concerning executions providing for an upset price and the effect thereof and for determining the amount of deficiency judgments and defining the rights and liabilities of holders of subsequent liens and of persons jointly or severally liable.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—197

Andrews,	Green,	McCreary,	Sheffer,
Baldi,	Greenstein,	McElwee,	Shellenberger
Barnhardt,	Griffith,	McGinnis,	Shenkel,
Bechtel,	Habbyshaw,	McGrail,	Shettel,
Beech,	Haines,	McGregor,	Shortz,
Bennett,	Hamilton	McHenry,	Shreiner,
Bernhard,	Harmuth,	McKay,	Shugarts,
Blumberg,	Harris,	McKinney,	Simon,
Boyd,	Hart,	Melchiorre,	Sinwell,
Brancato,	Hartman,	Meredith,	Snyder,
Brennan,	Heffernan	Merrell,	Sowers,
Brown, J. E.,	Hefferon,	Mohn,	Spann,
Brown, W. L.,	Heffner,	Moore,	Stank,
Brownfield	Hermansen	Mumford,	Steedle,
Cannon,	Hester,	Munley,	Sterling, P.,
Caputo,	Hewitt,	Murphy,	Sterling, R. B.,
Carey,	Himes, H. E	Myers,	Stevens,
Carson,	Himes, L. R.	Negley,	Stevenson,
Cherven:	Hoffman,	Nothnagle,	Stiteler,
Cohen,	Holmes, J. B.,	O'Connor,	Stone,
Conner,	Holmes J. L	O'Keefe,	Stott,
Cooke,	Hoopes,	O'Neill,	Surface,
Cordier,	Horst,	O'Rourke,	Tahl,
Craig,	Hough,	Patterson,	Terry,
Cramer,	Howard,	Peelor,	Trout,
Dane,	Hutton,	Pennock,	Turner,
Davies,	Jaffe,	Perry, D. R.,	Wade,
DeFrehn,	Kane, J. J.	Perry, J. J.,	Wagner,
Denning,	Kane, L. P.	Peters,	Walker, G. E.,
Downey, G. E	King,	Powell,	Walker, W. A.,
Downey, J. J	Kinney,	Powers,	Wall,
Duffy,	Labar,	Price,	Wasserman,
Dunmire	Lane,	Quinn,	Way,
Ederer,	Laubach,	Raub,	Weidemann,
Embard:	Lenahan,	Rectenwald	Welsh,
Eroe,	Lewis,	Reed,	Westrick,
Evans,	Long,	Reilly,	White,
Fitzgerald	Lord,	Rhodes,	Wike,
Flanagan,	Lovett, J. E.	Rice,	Williams, G. W.,
Fleisher,	Lovett, W. S.,	Roan,	Williams, J. J.,
Flinchbaugh	Lynch, J. R.,	Roth,	Wilson, L. M.,
Flynn, J. M.,	Lynch, M.,	Ruby,	Wilson, T. B.,
Flynn, J. W.	Male,	Ruth,	Wood,
Forrest,	Malina,	Sautter,	Woodside,
Furman,	Maloney,	Schrock,	Wright,
Gallagher, T. J.,	Marcks,	Schropc,	Yeakel,
Gallagher, W. J.,	Mason,	Schwab,	Yourishin,
Gartner,	McBride,	Schwartz,	Zimmerman,
Gillette,	McCandless,	Scorza,	Talbot,
Gorman,	McClure,	Scott,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 135, entitled:

An Act relating to past executions providing for the entry of deficiency judgments and limiting the amount collectible thereafter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—200

Andrews,	Green,	McElwee,	Shellenberger,
Baldi,	Greenstein,	McGinnis,	Shenkel,
Barnhardt,	Griffith,	McGrail,	Shettel,
Bechtel,	Habbyshaw,	McGregor,	Shortz,
Beech,	Haines,	McHenry,	Shreiner,
Bennett,	Hamilton,	McKay,	Shugarts,
Bernhard,	Harmuth,	McKinney,	Simon,
Blumberg,	Harris,	Melchiorre,	Sinwell,
Boyd,	Hart,	Meredith,	Snyder,
Brancato,	Hartman,	Merrell,	Sowers,
Brennan,	Heffernan,	Mohn,	Spann,
Brown, J. E.,	Hefferon,	Moore,	Stank,
Brown, W. L.,	Heffner,	Mumford,	Steedle,
Brownfield,	Hermansen,	Munley,	Sterling, P.,
Cannon,	Hester,	Murphy,	Sterling, R. B.,
Caputo,	Hewitt,	Myers,	Stevens,

Carey,	Himes, H. E.,	Negley,	Stevenson,
Carson,	Himes, L. R.,	Nothnagle,	Stiteler,
Chervenak,	Hoffman,	O'Connor,	Stone,
Cohen,	Holmes, J. B.	O'Keefe,	Stott,
Conner,	Holmes, J. L.,	O'Neill,	Surface,
Cooke,	Hoopes,	O'Rourke,	Tahl,
Cordier,	Hough,	Patterson,	Terry,
Craig,	Howard,	Peelor,	Trout,
Cramer,	Hutton,	Pennock,	Turner,
Dane,	Jaffe,	Perry, D. R.,	Wade,
Davies,	Jones,	Perry, J. J.,	Wagner,
DeFrehn,	Kane, J. J.,	Peters,	Walker, G. E.,
Denning,	Kane, L. P.,	Powell,	Walker, W. A.,
Downey, G. E.,	King,	Powers,	Wall,
Downey, J. J.,	Kinney,	Price,	Wasserman,
Duffy,	Labar,	Quinn	Way,
Dunmire,	Lane,	Raub,	Weidemann,
Ederer,	Laubach,	Rectenwald,	Welsh,
Emhardt,	Lenahan,	Reed,	Westrick,
Eroe,	Lewis,	Reilly,	White,
Evans,	Long,	Rhodes,	Wike,
Fitzgerald,	Lord,	Rice,	Williams, G. W.,
Flanagan,	Lovett, W. S.,	Roan,	Williams, J. J.,
Fleisher,	Lynch, J. R.,	Roth,	Wilson, L. M.,
Flinchbaugh,	Lynch, M.,	Ruby,	Wilson, T. B.,
Flynn, J. M.,	Male,	Ruth,	Witkin,
Flynn, J. W.,	Malina,	Sautter,	Wood,
Forrest,	Maloney,	Schrock,	Woodside,
Furman,	Marcks,	Schrope,	Wright,
Gallagher, T. J.,	Mason,	Schwab	Yeakel,
Gallagher, W. J.,	McBride,	Schwartz,	Zimmerman,
Gartner,	McCandless,	Scorza,	Talbot,
Gillette,	McClure,	Scott,	Speaker.
Gorman,	McCreary,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 43, entitled:

An Act to protect the lives and secure the safety and health of the people by making it unlawful to evict persons from dwellings under certain conditions, or to levy upon and sell household goods of such persons.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—89

Andrews,	Flynn, J. W.,	Kinney,	Reed,
Barnhardt,	Gallagher, T. J.,	Labar,	Reilly,
Bechtel,	Gallagher, W. J.	Lane,	Roth,
Beech,	Gillette,	Lenahan,	Ruth,
Bennett,	Green,	Long,	Schrock,
Bernhard,	Greenstein,	Male,	Schrope,
Blumberg,	Hamilton,	Malina,	Schwab,
Boyd,	Harmuth,	Marcks,	Scorza,
Brancato,	Harris,	McCandless,	Shettel,
Brownfield,	Hart,	McClure,	Shugarts
Cannon,	Hefferon,	McGinnis,	Snyder,
Caputo,	Heffner,	McGrail,	Stank,
Carey,	Hermansen,	McHenry,	Stevens,
Chervenak,	Hester,	Melchiorre,	Stone,
Cohen,	Hewitt,	Moore,	Wagner,
Cordier,	Himes, L. R.,	O'Connor,	Walker, G. E.,
Cramer,	Holmes, J. B.,	O'Rourke,	Wasserman,
Downey, G. E.,	Hoopes,	Powell,	Welsh,
Downey, J. J.,	Hough,	Powers,	Westrick,
Duffy,	Howard,	Quinn,	Wilson, L. M.,
Dunmire,	Kane, J. J.,	Raub,	Witkin,
Eroe,	Kane, L. P.,	Rectenwald,	Yourishin,
Fitzgerald,			

NAYS—35

Brennan,	Haines,	Price,	Way,
Brown, J. E.,	Heffernan,	Rhodes,	Weidemann,
Conner,	McKay,	Shellenberger,	Wike,
Craig,	Meredith,	Simon,	Williams, G. W.,
Ederer,	Negley,	Stiteler,	Wilson, T. B.,
Evans,	O'Neill,	Stott,	Wood,
Flinchbaugh,	Peelor,	Terry,	Yeakel,
Flynn, J. M.,	Perry, J. J.,	Trout,	Talbot,
Furman,	Peters,	Wall,	Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 229 (Senate Bill No. 52), entitled:

An Act to amend the title and sections one, two, and three of the act approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand two hundred twenty-nine), entitled, "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption, conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," as amended, by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FLINCHBAUGH. Mr. Speaker, I desire to ask if there is anyone here to explain the provisions of the bill.

Mr. HAINES. Mr. Speaker and members of the House, the provisions contained in the proposed amendments to the Milk Control Act are very brief and are as follows:

In section 2, line 9, after the word "milk" the words "for human consumption" are eliminated. At the present time the Milk Control Division of the Department of Health has jurisdiction only over milk used for human consumption, and it is a fact that throughout this Commonwealth there is a practice carried on of selling milk from dairies that are not under the supervision of the Milk Control Division of the Department of Health so far as sanitation is concerned, and it is being sold as what is commonly known as cat and dog milk. It is being advertised in that way. It is being sold at a very low rate and is being bought in considerable quantities and used for human consumption.

Then on page 6, line 26, the word "shall" is taken out and the word "may" inserted which makes the paragraph read as follows:

"The secretary (that is the secretary of Health) may constitute as his agent for the purpose of issuing permits for the sale of milk a department of health, board of health or health officer of any municipality" and the old wording was: "and shall accept permits issued by municipalities" and so forth. Now, the word "may" is included, and the discretion rests with the secretary of health as to whether they shall or may accept the permits. Those are the amendments that are proposed for the bill.

I am advised and correctly so,——and I thank the gentleman for the suggestion,——that the change in inserting "may" in place of "shall" is in accordance with the present interpretation of the present act by the Attorney General's Department, and it does not in any way affect the operation of the act.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155

Andrews,	Haines,	Mohn,	Sinwell,
Baldi,	Hamilton,	Moore,	Snyder,
Barnhardt,	Harmuth,	Mumford,	Sowers,
Bechtel,	Heffernan,	Myers,	Spann,
Bennett,	Heffner,	Negley,	Sterling, P.,
Bernhard,	Hermansen,	Nothnagle,	Sterling, R. B.,
Boyd,	Hester,	O'Connor,	Stevens,
Brancato,	Hewitt,	O'Keefe,	Stevenson,
Brennan,	Himes, H. E.,	O'Neill,	Stiteler,
Brown, J. E.,	Himes, L. R.,	O'Rourke,	Stone,
Brown, W. L.,	Hoffman,	Peelor,	Stott,
Cannon,	Holmes, J. B.,	Pennock,	Surface,
Caputo,	Holmes, J. L.,	Perry, D. R.,	Tahl,
Carey,	Horst,	Perry, J. J.,	Terry,
Carson,	Hutton,	Peters,	Trout,
Chervenak,	Jaffe,	Powell,	Turner,
Cohen,	Jones,	Powers,	Wade,
Craig,	Kane, J. J.,	Quinn,	Wagner,
Dane,	Lane,	Rectenwald,	Walker, G. E.,
Davies,	Laubach,	Reed,	Walker, W. A.,
DeFrehn,	Lewis,	Reilly,	Wall,
Downey, G. E.,	Long,	Rhodes,	Wasserman,
Dunmire,	Lovett, J. E.,	Rice,	Way,
Emhardt,	Lovett, W. S.,	Roan,	Welsh,
Eroe,	Lynch, J. R.,	Roth,	Westrick,
Evans,	Lynch, M.,	Ruth,	White,
Flanagan,	Male,	Sautter,	Wike,
Fleisher,	Marcks,	Schrock,	Williams, G. W
Flinchbaugh,	Mason,	Schrope,	Wilson, L. M.,
Flynn, J. M.	McCandless,	Schwab,	Wilson, T. B.,
Flynn, J. W.	McClure,	Schwartz,	Witkin,
Furman,	McCreary,	Scott,	Wood,
Gallagher, T. J.	McElwee,	Sheffer,	Woodside,
Gallagher, W. J.	McGinnis,	Shellenberger,	Wright,
Gartner,	McGrail,	Shettel,	Yeakel,
Gillette,	McKay,	Shortz,	Yourishin,
Green,	McKinney,	Shreiner,	Zimmerman,
Griffith,	Meredith,	Shugarts,	Talbot,
Habbyshaw,	Merrell,	Simon,	Speaker.

NAYS—5

Beech,	Conner,	Downey, J. J.	Ederer,
			Weidemann,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

HONORABLE M. A. MUSMANNO INTRODUCED

Mr. STEEDLE. Mr. Speaker, and ladies and gentlemen of the House, pursuant to instructions to deliver the body of my former colleague from Allegheny County, who served in this House in the Sessions of 1929 and 1931, and who was elevated from this House to the Municipal Court of Allegheny County, or the County Court, and who in the recent election received three hundred and twenty-one thousand votes out of three hundred and fifty thousand votes cast, for a higher distinctive place in the judiciary of Allegheny County, to the Bench of the Common Pleas Court; it is with pleasure that I present now, Mr. Speaker, in person, the Honorable Michael A. Musmanno, Judge of Allegheny County.

The SPEAKER. In the name of the House, "Mike," it is a real pleasure to welcome you to the rostrum. The old adage that nothing good could come out of the Legislature is wrong in your case when the people of your County put you on the Municipal Court Bench and rewarded you by placing you on the Common Pleas Bench.

Members of the House, I recall very distinctly in the 1929 Session when "Mike," on the opening night got up and made his maiden speech under the question of personal privilege, and introduced that famous ballplayer, Hans Wagner.

You, during your two sessions here, endeared yourself in the hearts of the rest of the members of the House. We did not always agree, but your spirit of fair play always asserted itself. And so I repeat, I am happy to welcome you here this morning and to present to the members of the House Judge Michael A. Musmanno of the Common Pleas Court of Allegheny County.

REMARKS BY HONORABLE M. A. MUSMANNO

Mr. MUSMANNO. Mr. Speaker and members of the House, I am very grateful for this most kindly reception which you have given me. I do not recollect that when I was a member of the House that I ever received any applause like that which greeted me today, but many things have occurred since I had the great privilege and pleasure of being one of your colleagues.

I see many innovations here. Firstly, you have a new Speaker, and I want to congratulate the House on the excellence of its choice. In Mr. Talbot you have a man of ability and a perfect gentleman as well as a most charming good fellow.

I make another observation, and this truly is an innovation; my name was pronounced correctly when I was presented by my former colleague, Mr. Steedle. But still I remember with some fondness the pronounciation, the lilting, musical pronounciation, that would be given to my name by the gentleman from Tioga, Mr. Williams, who, as Chairman of the Committee of the Whole, would recognize me by saying "The Gentleman from Allegheny, Mr. Musmannio." Mr. Williams knows that I say this with all respect, because he has my sincere admiration and friendship.

As I look over the House I observe still another innovation. In keeping with the spirit of the Sunday Baseball Bill, and incidentally I have some definite and cogent memories about Sunday legislation—in keeping with the spirit of the Sunday Baseball Bill, which you have passed, I see that you have erected a backstop in the rear of the House. I don't know whether that barrier was erected to keep out the brickbats or the bouquets, but from what I have been reading about the House, I am certain that they are bouquets and not brickbats. In fact, I feel quite proud that I once was a member of this honorable and able body.

There have been some changes in your procedure, from what I have been able to gather. I know that when I would get up to make motions for the discharge of committees my actions were looked upon with horror, but now it seems to have become quite respectable. Well, it frequently happens that the extreme of today becomes the norm of tomorrow.

My friends, it is only two years since I was a member here, but it seems twenty years. Not that time has not passed as swiftly for me as it has for anyone else, but it is a psychological fact that pleasant and delightful experiences when passed, especially without hope of revival, seem further away than events not so pleasant. And my experiences here were delightful——that is, some of them. I didn't get everything I wanted. I suffered some heartaches here. Not all the legislation I was interested in passed, not all the bills that I fought for were placed on the statute books, but I still have hopes.

Perhaps, Mr. Speaker, I am going beyond the parliamentary bounds of a speech on the question of personal privilege, but I do not see my good friend, Mr. Haws, here to interrupt me. He used to be my Nemesis on that subject. I hasten to add that Mr. Haws is a very good friend of mine.

My friends, I again thank you for the marvelous reception you have given me. I want to wish for you a most joyous Christmas and I hope that the New Year will fulfill all of your most earnest desires.

I thank, you, members of the House, and I thank you, Mr Speaker.

The SPEAKER. "Mike", I know that I voice the sentiments of every member of this House when I say you have honored us this morning. I further believe I voice the sentiment of the House when I ask you to produce the newspapers that have given this House the bouquets you speak of.

Mr. MUSMANNO. Mr. Speaker. I will seek them.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 231, (Senate Bill No. 56), entitled·

An Act authorizing counties poor districts boroughs towns townships and school districts having moneys borrowed for one purpose to use the same for other purposes which will aid recovery from existing economic depression and requiring in certain such cases the assent of the electors

And said bill having been read at length the third time considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Andrews,	Greenstein,	McGrail,	Shenkel,
Baldi,	Griffith,	McGregor,	Shettel,
Barnhardt,	Habbyshaw,	McHenry,	Shortz,
Bechtel,	Hamilton,	McKay,	Shreiner,
Beech,	Harmuth,	McKinney,	Shugarts,
Bennett,	Harris,	Melchiorre,	Simon
Bernhard,	Hart,	Meredith,	Sinwell,
Blumberg,	Heffernan,	Merrell,	Snyder,
Boyd,	Hefferon,	Mohn,	Sowers,
Brancato,	Heffner,	Moore,	Spann,
Brennan,	Hermansen,	Munley,	Stank,
Brown, J. E.,	Hewitt,	Murphy,	Steedle,
Brown, W. L.,	Himes, H. E.,	Myers,	Sterling, P.,
Cannon,	Hoffman,	Negley,	Sterling, R. B.,
Caputo,	Holmes, J. B.,	Nothnagle,	Stevens,
Carey,	Holmes, J. L.,	O'Connor,	Stiteler,
Carson,	Hoopes,	O'Keefe,	Stone,
Chervenak,	Horst,	O'Neill,	Stott,
Cohen,	Hough,	O'Rourke,	Surface,
Conner,	Howard,	Patterson,	Tahl,
Cooke,	Hutton,	Peelor,	Terry,
Cordier,	Jaffe,	Pennock,	Trout,
Craig,	Jones,	Perry, D. R.,	Turner,
Cramer,	Kane, J. J.,	Perry, J. J.,	Wade,
Dane,	Kane, L. P.,	Peters,	Wagner,
Davies,	King,	Powell,	Walker, G. E.,
DeFrehn,	Kinney,	Powers,	Walker, W. A.,
Denning,	Labar,	Price,	Wall,
Downey, G. E.,	Lane,	Quinn,	Wasserman,
Downey, J.,	Laubach,	Raub,	Way,
Duffy,	Lenahan,	Rectenwald,	Weidemann,
Dunmire,	Lewis,	Reed,	Welsh,
Ederer,	Lord,	Reilly,	Westrick,
Emhardt,	Lovett, J. E.,	Rhodes,	White,
Eroe,	Lovett, W. S.,	Rice,	Wike,
Evans,	Lynch, J. R.,	Roan,	Williams, G. W.
Fitzgerald,	Lynch, M.,	Royle,	Williams, J. J.,
Flanagan,	Male,	Ruby,	Wilson, L. M.,
Fleisher,	Malina,	Ruth,	Wilson, T. B.,
Flinchbaugh,	Maloney,	Sautter,	Witkin,
Flynn, J. M.	Marcks,	Schrock,	Wood,
Flynn, J. W.	Mason,	Schrope,	Woodside,
Forrest,	McBride,	Schwab,	Wright,
Furman,	McCandless,	Schwartz,	Yeakel,
Gallagher, T. J.	McClure,	Scorza,	Yourishin,
Galagher, W. J.	McCreary,	Scott,	Zimmerman,
Gillette,	McElwee,	Sheffer,	Talbot,
Gorman,	McGinnis,	Shellenberger,	Speaker.
Green,			

NAYS—1

Himes, L. R.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 238 (Senate Bill No. 10), entitled.

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon, and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to

On the question.

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker and members of the House, this bill is defective in a number of important particulars. It appropriates two million dollars for park purposes. The bill is defective because the state does not have two milion for park purposes.

It is defective because it appropriates public money for park purposes; it contains no provisions for the assessment of benefits.

The expenditure of one million or two million dollars for park purposes in the city of Harrisburg or in any other city would reflect great benefits, and any measure of this kind should provide for the assessment of benefits.

The measure is put forward on the plea that it will furnish employment. The building of roads will provide employment and we need roads more than we need parks. The building of hospitals will provide employment and we need hospitals more than we need extensions of parks. The state needs sanitariums and we need them more than we need the extension of parks. The state does not have the money. Expenditures for education have already run up decided deficits and so, Mr. Speaker, I desire to read into the record a statement concerning the financial condition of the state, issued by General Edward Martin, Chairman of the Republican State Committee of Pennsylvania, which tells us why this legislature cannot proceed to spend money for projects that are not absolutely essential. With the permission of the Speaker the statement of General Martin will be inserted in the record without being read.

STATEMENT BY GENERAL EDWARD MARTIN, CHAIRMAN OF THE REPUBLICAN STATE COMMITTEE OF PENNSYLVANIA, DECEMBER 18, 1933.

Taxpayers of Pennsylvania should know that at this time, when the State is in strained financial circumstances, the people are being urged to demand legislation which will burden all of us with millions of dollars of expense without any apparent revenue with which to meet such payments. At the beginning of the present Extraordinary Session of the General Assembly I felt it my duty as Republican State Chairman, in view of my experience in handling the fiscal affairs of the State as Auditor General and State Treasurer, to sound a warning that the financial condition of Pennsylvania was serious and could not stand the burdens of expense proposed.

State Treasurer Charles A. Waters and Auditor General Frank E. Baldwin confirmed the warning I gave but the administration, heedless of the danger, has gone ahead urging that the State plunge into even greater obligations. Before it is too late I wish to again warn the General Assembly what

will happen if a stop is not made in riotous spending. The expected revenue from liquor taxation has been disappointly small and the judgment of the fiscal officers is that the State will find itself badly in debt no money to meet its obligations. This will be a critical situation for every person in the State.

Notwithstanding non-employment relief received from the United States Government from September 27, 1932 to November 30, 1933, amounting to the startling total of $57,833,979.39, the State appropriated for the same purpose from 1931 to November 30, 1933, including $20,000,000 from a new bond issue, the equally startling total of $67,258,566.66. It is estimated that this stupendous aggregate of $125,000,000 will be completely spent by the end of May next year.

In order that every person may realize what this spending means it is interesting to point out that the total expenditures of Pennsylvania for 60 years between 1791 and 1852 did not exceed this amount of $125,000,000.

As a result of the last general election the State was obligated to enormous interest and carrying charges on $85,000,000 of bonds. These charges on $25,000,000 for hospitals, colleges, and relief, which are to be paid within 10 years, will be $6,000,000 per biennium. On $50,000,000 for bonus the charges will be $4,000,000 per biennium during the 30 years of the life of the bonds. The $10,000,000 for toll bridges is expected to carry itself. Pensions to the blind will cost $2,500,000 each two years. The present legislative plan for old age assistance will cost another $24,000,000 each two years. It is time to stop and think.

Naturally we all are for social legislation but there is a limit to the extent to which the Commonwealth can obligate itself for such purposes.

The people should not forget that when Governor John S. Fisher completed his administration he left a balance in the treasury of more than $38,000,000. In addition approximately $9,000,000 has been received from the Delaware River bridge. All of this has been spent. In addition we have borrowed $25,000,000 and have received from the United States almost $50,000,000. A large part of this must be repaid.

It is important to recognize that already Pennsylvania pays one tenth of the Federal taxes. Regardless of the financial condition of the hospitals and schools it should be thoroughly understood that no further amendments to the Constitution to permit borrowing of money can be voted upon until 1938.

Mr. WOODSIDE. Mr. Speaker and members of the House, for a number of years it has been the plan of this State to extend capitol park northwardly. If that plan is carried out, as we hope and expect that it will be, there is no better time to do it than the present. Property can be bought at a lower rate now than it could be bought for many years in the past, and we think at a lower rate now than we would be able to purchase or to acquire it in the future. That is one reason why we think it would be good business to extend the capitol park northwardly at this time.

Another thing to be considered is the amount of employment which will be given by this extension. It is true that a certain amount of money will go to the purchase of real estate, but it is also true that a very large part of this money will go to the tearing down of buildings and the leveling of the ground, which will give employment to a large number of people. If you construct a building a very large proportion of the money will go into materials, but if you tear down a building practically all of the money will go towards the relief of unemployment; it will practically all go to labor, and a very large part of this money will be used in tearing down these buildings and in grading the territory, and practically all of it will be for labor and labor alone. We think for those reasons that it would be well to pass this bill.

There is one other matter which has to be considered at this time. Pennsylvania pays a very large proportion, one-tenth of the Federal taxes, and all of the money that we can get from the Federal Government for the State of Pennsylvania I think we should get, and it will be possible for the State to acquire a certain amount of money from the Federal Government to aid it in this project. This also, it seems to me, is good business for the Commonwealth of Pennsylvania, and I think that the members of this House should vote "aye" on this bill, which I understand passed the Senate unanimously.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, two weeks ago I called to your attention what I considered to be an inadvisable step on the part of the House when there was presented for your consideration a bill which appropriated eight hundred thousand dollars for a tuberculosis sanatorium. At that time I called to your attention the fact that the Public Works program of this Special Session of the Legislature was promulgated in Senate Bill No. 1, which I am advised has now been passed by the Senate. In that bill there was a provision for the erection of a Finance Building in the Capitol comprehensive plan of buildings.

It seems to me that the Commonwealth should not embark on any public works program except such as will contain indispensably necessary buildings and improvements to existing buildings. It seems to me also that this House should not disturb the plan for public works buildings as contemplated in Senate Bill No. 1.

Reference has been made to the great benefit that will come to the unemployed in the Commonwealth if this bill is enacted into law, but it seems to me that we should seek an equal distribution of the relief to the eunemployed, and may I call your attention to the fact that if Senate Bill No. 1 becomes a law the Cumberland Valley State Institution for the mental defective will be erected just across the river from the City of Harrisburg. It seems to me that that project will offer a fair amount of relief to the unemployed concentrated in this locality.

For these reasons and for the reasons so soundly stated by my friend from Cambria, I believe this House should defeat the measure now before it.

Mr. WOODSIDE. Mr. Speaker I would like to interrogate the gentleman from Philadelphia, Mr. Sterling.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. PHILIP STERLING. I will, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker I would like to inquire of the gentleman from Philadelphia whether or not the Finance Building is now a part of Senate Bill No. 1.

Mr. PHILIP STERLING. Mr. Speaker if I ommitted to say to the House that the Finance Building has been eliminated by the Senate, then I now so state.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—68

Baldi,	Hart,	Myers,	Spann,
Bennett,	Hoffman,	O'Neill,	Steedle,
Blumberg,	Holmes, J. L.,	O'Rourke,	Stott,
Brown, J. E.,	Hoopes,	Patterson,	Tahl,
Cohen,	Horst,	Peters,	Trout,
Conner,	Hutton,	Price,	Turner,
Cordier,	Jaffe,	Rectenwald,	Wade,
Denning,	Kane, L. P.,	Reed,	Wagner,
Ederer,	King,	Rice,	Weidemann,
Evans,	Laubach,	Sautter,	Wike,
Flynn, J. M.	Lynch, J. R.	Schwartz,	Williams, J. J.,
Forrest,	Maloney,	Scott,	Wilson, T. B.,
Green,	McBride,	Sheffer,	Witkin,
Greenstein,	McCandless,	Shellenberger,	Wood,
Habbyshaw,	McClure,	Shreiner,	Woodside,
Haines,	Mohn,	Simon,	Yeakel,
Hamilton,	Moore,	Sowers,	Talbot,
			Speaker.

NAYS—95

Andrews,	Fleisher,	McCreary,	Schwab,
Beech,	Flinchbaugh,	McGinnis,	Shettel,
Bernhard,	Furman,	McGrail,	Shortz,
Boyd,	Gallagher, T. J.	McGregor,	Shugarts,
Brancato,	Gallagher, W. J.	McKay,	Sinwell,
Brennan,	Gartner,	McKinney,	Snyder,
Brown, W. L.	Gillette,	Melchiorre,	Stank,
Brownfield,	Griffith,	Meredith,	Sterling, P.,
Caputo,	Heffner,	Merrell,	Sterling, R. B.,
Carey,	Hermansen,	Mumford,	Stevens,
Carson,	Hester,	Munley,	Stevenson,
Chervenak,	Hewitt,	O'Rourke,	Stiteler,
Craig,	Himes, H. E.,	Peelor,	Stone,
Cramer,	Himes, L. R.	Pennock,	Terry,
Dane,	Hough,	Perry, J. J.,	Walker, G. E.
Davies,	Howard,	Powell,	Wall,
DeFrehn,	Lane,	Powers,	Way,
Downey, G. E.,	Lenahan,	Quinn,	Welsh,
Downey, J.	Long,	Rhodes,	Westrick,
Duffy,	Lovett, J. E.	Roth,	White,
Dunmire,	Lynch, M.,	Ruby,	Williams, G. W.
Emhardt,	Male,	Ruth,	Wright,
Eroe,	Marcks,	Schrock,	Yourishin,
Flanagan,	Mason,	Schrope,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 245, entitled:

An Act to amend section three clause (b) and sections nineteen and twenty-three of the act approved the fifth day of December one thousand nine hundred thirty-three (Act Number Six) entitled: "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spitituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. DUNMIRE. Mr. Speaker, I ask for a verification of the roll.

The SPEAKER. The roll will be verified.

Mr. DUNMIRE. Mr. Speaker, the reason I ask for this roll call to be verified is because the members did not answer to their names, and I request that a new roll call be had before the roll is announced. It is an important bill and the members have not voted.

The SPEAKER. The gentleman from Westmoreland, Mr. Dunmire, has made the request that a new roll call be had.

Mr. WITKIN. Mr. Speaker and members of the House, this bill is practically an amendment to House Bill No. 8, which is now a law. The amendment of any consequence is merely this: this act shall cease to be effective upon the effective date of any act of Congress providing for participation by the State or by those states which do not tax distilled spirits in the proceeds of a tax imposed and collected by the United States. In other words, if the Federal Government passed a tax measure and Pennsylvania shall as a result of the tax receive a portion of the tax money, then it abolishes the tax in Pennsylvania and the dollar tax under House Bill No. 8 becomes null and void in accordance with the principles of the national government. So I can see no possible reason for any opposition to this bill, and I will ask you to vote aye on it.

The SPEAKER. The Chair desires to inform the gentleman from Westmoreland, Mr. Dunmire, that he has requested a verification of the roll. Therefore there is nothing before this body except the verification of the roll.

The roll was verified.

Mr. TAHL. Mr. Speaker, I voted in the negative and did not hear my name called.

The SPEAKER. The roll has been verified.

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia, will state his point of order.

Mr. WITKIN. Mr. Speaker, both the affirmative and the negative rolls have been verified.

The SPEAKER. That is correct.

Mr. TAHL. Mr. Speaker, I was on my feet before the result was announced.

The SPEAKER. The Chair is of the opinion and now rules that it is impossible for the Chair to see two hundred and eight men or any one man unless they address the Chair and attract the chair's attention.

QUESTION OF PERSONAL PRIVILEGE

Mr. TAHL. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. TAHL. Mr. Speaker, I desire to state for the record that I have voted "no," and I can't understand why the clerk has not read my name.

The SPEAKER. The Chair desires to inform the gentleman that he is recorded as having voted "no."

Mr. TAHL. Mr. Speaker, my name has not been read.

The SPEAKER. The Chair informs the gentleman that he is recorded as having voted "no."

The roll as verified was as follows:

YEAS—168

Andrews,	Haines,	McGinnis,	Sheffer,
Baldi,	Hamilton,	McGrail,	Shellenberger,
Barnhardt,	Harmuth,	McGregor,	Shettel,
Bechtel,	Harris,	McKay,	Shortz,
Beech,	Hart,	McKinney,	Shugarts,
Bennett,	Hartman,	Meredith,	Simon,
Bernhard,	Heffernan,	Merrell,	Sinwell,
Blumberg,	Hefferon,	Mohn,	Sowers,
Boyd,	Heffner,	Moore,	Spann,
Brancato,	Hermansen,	Mumford,	Stank,
Brennan,	Hester,	Munley,	Steedle,
Brown, J. E.,	Hewitt,	Murphy,	Sterling, P.
Brown, W. L.,	Himes, H. E.	Myers,	Stevens,
Brownfield,	Himes, L. R.,	Negley,	Stevenson,
Cannon,	Hoffman,	Nothnagle,	Stiteler,
Caputo,	Holmes, J. L.,	O'Keefe,	Stone,
Carson,	Hoopes,	O'Neill,	Terry,
Chervenak,	Horst,	O'Rourke,	Trout,
Cooke,	Hough	Patterson,	Turner,
Cordier,	Hutton,	Peelor,	Wade,
Craig,	Jaffe,	Pennock,	Wagner,
Davies,	Jones,	Perry, D. R.,	Walker, W. A.
DeFrehn,	Kane, J. J.	Perry, J. J.,	Wall,
Denning,	King,	Peters,	Wasserman,
Downey, G. E.,	Kinney,	Powell,	Way,
Dunmire,	Labar,	Powers,	Weidemann,
Ederer,	Lane,	Price,	Welsh,
Emhardt,	Laubach,	Reclenwald,	Westrick,
Eroe,	Lenahan,	Reed,	Wike,
Evans,	Long,	Reilly,	White,

Fitzgerald,	Lovett, J. E.	Rhodes,	Williams, G. W.
Fleisher,	Lovett, W. S.	Rice,	Williams, J. J.,
Flinchbaugh,	Lynch, J. R.,	Roan,	Wilson, L. M.,
Flynn, J. M.	Lynch, M.	Root,	Wilson, T. B.,
Forrest,	Malina,	Roth,	Witkin,
Furman,	Maloney,	Royle,	Wood,
Gallagher, T. J.	Marcks,	Ruby,	Woodside,
Gallagher, W. J.	Mason,	Ruth,	Wright,
Gartner,	McBride,	Schrock,	Yeakel,
Gillette,	McCandless,	Schwab,	Yourishin,
Greenstein,	McClure,	Schwartz,	Zimmerman,
Griffith,	McCreary,	Scorza,	Talbot,
Habbyshaw,	McElwee,	Scott,	Speaker.

NAYS—11

Cohen,	Flanagan,	Male,	Schrope,
Conner,	Green,	Melchiorre,	Tahl,
Downey, J. J.	Howard,	O'Connor,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 246, entitled:

An Act to amend act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" by providing for an extension of time for payment in certain cases.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WITKIN. Mr. Speaker and members of the House, this is a bill that was introduced by me at the request of the Attorney General. It is practically an amendment to House Bill No. 9, which is now a law. It provides for an extension of time for the payment of the floor tax, and it also provides means by which that extension is procured. The Attorney General's office is of the opinion that this bill is necessary and it will enable the Commonwealth to receive between now and the first of January or the latter part of December, rather, 1934, approximately twelve million dollars. This is merely an amendment to the present law providing for an extension of time for payment and the means by which that extension can be procured, and I would ask you to vote aye on this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163

Andrews,	Greenstein,	McKinney,	Shugarts,
Baldi,	Griffith,	Merrell,	Simon,
Beech,	Hamilton,	Mohn,	Sinwell,
Bennett,	Harris,	Moore,	Snyder,
Bernhard,	Hart,	Mumford,	Sowers,
Boyd,	Hartman,	Murphy,	Spann,
Brancato,	Heffernan,	Myers,	Stank,
Brennan,	Hefferon,	Negley,	Steedle,
Brown, J. E.,	Heffner,	Nothnagle,	Sterling, P.,
Brown, W. L.,	Hermansen,	O'Connor,	Sterling, R. B.,
Brownfield,	Hester,	O'Keefe,	Stevens,
Caputo,	Hewitt,	O'Neill,	Stevenson,
Carey,	Himes, H. E.,	O'Rourke,	Stiteler,
Carson,	Himes, L. R.,	Patterson,	Stone,
Chervenak,	Hoffman,	Peelor,	Stott,
Cohen,	Holmes, J. L.,	Pennock,	Terry,
Cooke,	Hoopes,	Perry, D. R.,	Trout,
Cordier,	Horst,	Perry, J. J.,	Turner,
Cramer,	Hough,	Peters,	Wade,
Dane,	Hutton,	Powell,	Wagner,
Davies,	Jaffe,	Powers,	Walker, G. E.,
DeFrehn,	Jones,	Rectenwald,	Walker, W. A.,
Denning,	Kane, J. J.,	Reed,	Wall,
Downey, G. E.,	King,	Reilly,	Wasserman,
Dunmire,	Lane,	Rhodes,	Way,
Ederer,	Laubach,	Rice,	Weidemann,
Emhardt,	Lenahan,	Roan,	Westrick,
Eroe,	Long,	Roth,	White,
Evans,	Lovett, J. E.,	Royle,	Williams, G. W.,
Fitzgerald,	Lovett, W. S.,	Ruby,	Williams, J. J.,
Fleisher,	Lynch, J. R.,	Ruth,	Wilson, L. M.,
Flinchbaugh,	Lynch, M.,	Sautter,	Wilson, T. B.,
Flynn, J. M.,	Mason,	Schrope,	Witkin,
Flynn, J. W.,	McBride,	Schwartz,	Wood,
Forrest,	McClure,	Scorza,	Woodside,
Furman,	McCreary,	Scott,	Wright,
Gallagher, T. J.,	McElwee,	Sheffer,	Yeakel,
Gallagher, W. J.	McGinnis,	Shellenberger,	Yourishin,
Gartner,	McGrail,	Shettel,	Zimmerman,
Gillette,	McGregor,	Shortz,	Talbot,
Green,	McKay,	Shreiner,	Speaker.

NAYS—8

Conner,	Howard,	Malina,	Price,
Flanagan,	Male,	Melchiorre,	Tahl,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence

RECONSIDERATION OF VOTE

Mr. MYERS. Mr. Speaker, I move that the vote by which House Bill No. 40, Printer's No. 168, entitled

An Act providing compensation to certain persons who served in the military or naval forces of the United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam Providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation and providing penalties

on page 3 of today's calendar passed finally be reconsidered.

The motion was agreed to.

Mr. MYERS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. MYERS. Mr. Speaker, in order to correct a typographical error, I ask the unanimous consent of the House to insert amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 3, page 3, line 26, by inserting after the brackets following the word "veteran" a bracket, thus "]"

Amend Sec. 3, page 3, line 26, by inserting a bracket before the word "person" thus "["

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

The SPEAKER. The Chair desires to inform the House that the brackets inserted make a strike out amendment of a word, and for that reason the bill will not have to be reprinted.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—203

Andrews,	Greenstein,	McElwee,	Sheffer,
Baldi,	Griffith,	McGinnis,	Shellenberger,
Barnhardt,	Habbyshaw,	McGrail,	Shenkel,
Bechtel,	Haines,	McGregor,	Shettel,
Beech,	Hamilton,	McHenry,	Shortz,
Bennett,	Harmuth,	McKay,	Shreiner,
Bernhard,	Harris,	McKinney,	Shugarts
Blumberg,	Hart,	Melchiorre,	Simon,
Boyd,	Hartman,	Meredith,	Sinwell,
Brancato,	Heffernan,	Merrell,	Snyder,
Brennan,	Hefferon,	Mohn,	Sowers,
Brown, J. E.,	Heffner,	Moore,	Spann,
Brown, W. L.,	Hermansen,	Mumford,	Stank,
Brownfield,	Hester,	Munley,	Steedle,
Cannon,	Hewitt,	Murphy	Sterling, P.,
Caputo,	Himes, H. E.,	Myers,	Sterling, R. B.,
Carey,	Himes, L. R.,	Negley,	Stevens,
Carson,	Hoffman	Nothnagle,	Stevenson,
Chervenak,	Holmes, J. B.,	O'Connor,	Stiteler,
Cohen,	Holmes, J. L.,	O'Keefe,	Stone,
Conner,	Hoopes,	O'Neill,	Stott,
Cooke,	Horst,	O'Rourke,	Surface,
Cordier,	Hough	Patterson,	Tahl,
Craig,	Howard	Peelor,	Terry,
Cramer,	Hutton,	Pennock,	Trout,
Dane	Jaffe,	Perry, D. R.,	Turner,
Davies	Jones,	Perry, J. J.,	Wade.
DeFrehn,	Kane, J. J.,	Peters.	Wagner,
Denning,	Kane, L. P.,	Powell,	Walker, G. E.,
Downey, G. E.,	King,	Powers,	Walker, W. A.,
Downey, J. J.,	Kinney,	Price,	Wall,
Duffy,	Labar,	Quinn	Wasserman,
Dunmire,	Lane,	Raub,	Way,
Ederer,	Laubach	Rectenwald,	Weidemann,
Emhardt,	Lenahan,	Reed,	Welsh
Eroe,	Lewis,	Reilly,	Westrick,
Evans,	Long,	Rhodes,	White,
Fitzgerald,	Lord,	Rice,	Wike,
Flanagan,	Lovett, J. E.,	Roan,	Williams, G. W.
Fleisher,	Lovett, W. S.,	Root,	Williams, J. J.,
Flinchbaugh,	Lynch, J R.,	Roth,	Wilson, L. M.,
Flynn, J. M.,	Lynch, M.,	Royle,	Wilson, T. B.,
Flynn, J. W.,	Male,	Ruby,	Witkin,
Forrest,	Malina,	Ruth,	Wood,
Furman,	Maloney,	Sautter,	Woodside,
Gallagher, T. J.	Marcks,	Schrock,	Wright,
Gallagher, W. J.,	Mason,	Schrope,	Yeakel,
Gartner,	McBride,	Schwab,	Yourishin,
Gillette,	McCandless,	Schwartz,	Zimmerman,
Gorman,	McClure,	Scorza,	Talbot,
Green,	McCreary,	Scott,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES

Mr. McCREARY, from the Committee on Counties, reported as committed, House Bill No. 185, entitled:

An Act relating to income taxes for school purposes in counties of the third fourth fifth sixth seventh and eighth classes of this Commonwealth providing for the assessment of the potential annual income of every piece of real estate and the return of the actual net income of every natural person of the age of twenty-one years and upwards residing in the county and every co-partnership unincorporated association company limited partnership and company doing business within the county providing a method of determining said actual net income providing that rates and levies for school purposes (except for the payment of existing indebtedness) shall be based on the sum of said potential annual income of real estate and said actual net income and providing for the levying thereof giving the right of appeal and repealing all inconsistent laws.

Mr. GARTNER, from the Committee on Elections, reported as committed, House Bill No. 80, entitled:

An Act to amend section two of the act approved the fifth day of March, one thousand nine hundred and six, (P. L. 63), entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions," as amended; providing that the county commissioners may appoint the registrars for each district without nomination petitions from the party representatives of the district.

RESOLUTION

Mr. CORDIER. Mr. Speaker, I ask unanimous consent of the House to offer a resolution.

The resolution was read by the Clerk for the information of the House.

The SPEAKER. Will the House give unanimous consent to the offering of the resolution? Are there objections? The Chair hears objection and consent is not granted.

BILL ON SECOND READING

Mr. PHILIP STERLING. Mr. Speaker, I desire to call up from page 2 of today's calendar, House Bill No. 213, Printer's No. 161, bill on second reading which was passed over earlier in the session.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 213, entitled:

An Act to plan against unemployment by establishing a Public Works Planning Board prescribing and defining its powers and duties granting authority to cities to create local public works planning boards and defining their powers and duties defining the relationship of the state board to such local boards and to such cities where no such approved local boards exist on and after January first one thousand nine hundred and thirty-seven and making an appropriation

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Public Works Planning Law"

It is hereby declared to be the policy of the Commonwealth to arrange the construction of public works by the Commonwealth so far as practicable in such manner as will assist in the stabilization of industry and employment through the proper timing of such construction and its acceleration during periods of unemployment and business depression and that to further such policy there shall be advance planning and long-range budgeting of public works by the departments boards commissions and other agencies of the Commonwealth and by the local boards hereby authorized

The term "State Board" or "Board" as used in this act shall mean the Public Works Planning Board as established by this act

The term "approved local board" shall mean a board having all the powers and duties authorized in section four of this act

The term "public works" as used in this act shall include public buildings of every kind and for every purpose highways streets bridges tunnels and other thoroughfares water works sewerage and sewage disposal systems park forestation all public structure for transportation protection education recreation beautification or other public service or purpose to be paid for wholly or in part by public funds

The term "capital public works" as used in this act shall refer to public works paid for wholly or in part out of loan funds

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 19 by striking out after the word "public" and before the word "for" the word: "(structure)" and inserting in lieu thereof the word: "(structures)"

On the question,

Will the House agree to the amendment?

It was agreed to

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 Composition of Board There is hereby created a board to be known as the Public Works Planning Board the Budget Secretary shall be an ex-officio member of the board and six members of the board shall be appointed by the Governor by and with the advice and consent of the Senate One appointed member shall be designated chairman of the board The ex-officio member shall serve for the term of his office or until his successor takes office Appointive members shall serve for six years or until their successors are appointed and qualified except that the first appointees shall two of them serve until the first Monday in January one thousand nine hundred and thirty-six two of them until the first Monday in January one thousand nine hundred and thirty-eight two of them until the first Monday in January one thousand nine hundred and forty Vacancies occurring in the appointive membership when the Senate is not in session shall be filled by appointment of the Governor subject to confirmation by the Senate at its next session Members of the board shall receive no compensation as such but may be allowed expenses actually incurred when engaged upon the business of the board. The board is authorized to employ a director of planning who shall conduct the work of the board under its supervision Such director shall hold no other position in the service of the Commonwealth or of a subdivision thereof and shall be an executive experienced in planning and construction The board is further authorized to employ such office and field assistants as are essential to the proper conduct of its work within the limitations of its funds The employes of the board shall be appointed and their compensation fixed in accordance with standards prescribed by the Executive Board for State employes Meetings of the board shall be held as frequently as necessary for the proper conduct of its work A quorium shall be a majority of its members The board is authorized to make and change its rules for performing its own duties

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 27 by inserting after the article "a" and before the word "board" the words: "departmental administrative"

Amend section 2, page 2, line 27 by inserting after the word "board" and before the word "to" the words: "in the Department of Property and Supplies"

Amend section 2, page 2, line 28 by inserting after the word "Board" and before the article "the" the words: "the Secretary of Property and Supplies and"

Amend section 2, page 2, line 28 by striking out after the word "be" and before the word "ex-officio" the article: "an"

Amend section 2, page 2, line 28 by striking out at the end of the line after the word "ex-officio" the word: "member" and inserting in lieu thereof the word: "members"

Amend section 2, page 3, line 4 by striking out at the end of the line after the word "ex-officio" the word: "member" and inserting in lieu thereof the word: "members"

Amend section 2, page 3, line 5 by striking out after the word "of" and before the word "office" the word: "his" and inserting in lieu thereof the word: "their"

Amend section 2, page 3, line 5 by striking out at the end of the line after the word "until" the following: "his suc-"

Amend section 2, page 3, line 6 by striking out at the beginning of the line before the word "office" the following: "cessor takes" and inserting in lieu thereof the words: "their successors take"

Amend section 2, page 3, line 8 by inserting after the word "that" and before the article "the" the word: "of"

Amend section 2, page 3, line 8 by striking out after the word "appointees" and before the word "two" the word: "shall"

Amend section 2, page 3, line 8 by striking out after the word "two" and before" the word "serve" the words: "of them" and inserting in lieu thereof the word: "shall"

Amend section 2, page 3, line 10 by striking out after the word "two" and before the word "until" the words: "of them"

Amend section 2, page 3, line 12 by inserting after the word "eight" and before the word "two" the word: "and"

Amend section 2, page 3, line 12 by striking out after the word "two" and before the word "until" the words: "of them"

Amend section 2, page 3, line 17 by striking out after the word "compensation" and before the word "but" the words: "as such"

Amend section 2, page 3, line 24 by striking out at the end of the line after the word "construction" the words: "The board"

Amend section 2, page 3 by striking out lines 25 to 28 inclusive.

Amend section 2, page 4 by striking out line 1.

Amend section 2, page 4, line 2 by striking out at the beginning of the line before the word "Meetings" the words: "Board for State employes"

Amend section 2, page 4 by inserting between lines 6 and 7 the following new paragraph: "Except as otherwise expressly provided in this act the board shall be subject to all the provisions of The Administrative Code of 1929 as amended which apply generally to departmental administrative boards"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 Powers and Duties of Board The Public Works Planning Board shall have the following powers and duties

(a) To assist in stabilizing industry and employment by promoting the physical planning financial planning programming timing and financing of public works within the State

(b) In consultation with State departments to prepare a six year comprehensive plan and financial program for such kinds of public works of the Commonwealth as the Governor may name from time to time and to keep the six year plan up to date by annual review

(c) To cooperate with the Federal Employment Stabilization Board and other Federal agencies in preparing during normal times for public works during periods of unemployment

(d) If on and after January first one thousand nine hundred and thirty-seven no approved local public works or its equivalent exists in a city the State Board shall give the local taxpayers and voters an informed opinion based upon study concerning proposed incurring of indebtedness for proposed public works projects before voters are asked to authorize at a local election the borrowing of money for the proposed projects

(e) To receive plans and data from approved local boards to act as a clearing house between approved local boards

(f) To report annually to the Governor and to the General Assembly at every session upon public works plans and programs in process and contemplated and their relationship to stability of employment and of industry

(g) To report to the one thousand nine hundred and thirty-five session of the General Assembly as to the best methods of financing capital public works in order to stabilize industry and employment in accordance with sound fiscal policy

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk

The amendments were read by the Clerk as follows:

Amend section 3, page 4, line 24 by inserting at the end of the line after the word "works" the words: "planning board"

Amend section 3, page 5, line 6 by striking out after the word "report" and before the word "to" the word: "annually" and inserting in lieu thereof the word: "biennially"

Amend section 3, page 5, line 6 by striking out at the end of the line after the word "Governor" the words: "and to the"

Amend section 3, page 5, line 7 by striking out at the beginning of the line before the word "upon" the words: "General Assembly at every session"

Amend section 3, page 5 by striking out lines 10 to 14 inclusive

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to

The fourth section was read as follows:

Section 4 Local Public Works Planning Boards Authority is hereby given to cities to establish local public works planning boards or equivalent bodies under other designations When a local board or body with all the powers and duties herein authorized shall have been created it shall for the purposes of this act be an approved local board When a local board or body already existing by local action shall be granted all the additional powers and duties herein authorized it shall be for the purposes of this act an approved local board Such boards or bodies shall be composed of both ex-officio and appointive members the appointive members to have terms of office of over four years Such boards or bodies may be given local authority the following power and duties

(a) To make a six year plan and program of capital public works with estimates showing projects allotted to each year such plan to include all the governmental units within its area and to be both fiscal and physical

(b) To obtain from governmental units within its area the requisite information and subordinate plans developed by each department or unit upon which an inclusive plan is to be based

(c) To submit such six year plan and program to the local governing body or bodies for their information and without binding them to follow it

(d) To revise the six year plan and program each year and add another year

(e) To pass an advisory opinion before the voters are asked to authorize any loan for any new capital public works projects not heretofore authorized by the voters such advisory opinion to be based upon the relationship of the proposed project to the plan as a whole upon its relation to existing and future borrowing power and rates of taxation and upon its effect in stabilizing industry and employment

(f) To publish such advisory opinion at least seven days before any election at which voters are asked to authorize a loan for public works

(g) To cooperate with the Federal Employment Stabilization Board and other Federal agencies and the state board in carrying out the primary purpose of this act as stated in section one

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 5, line 27 by inserting at the end of the line after word "given" the word: "by"

Amend section 4, page 6, line 13 by striking out after the word "to" and before the article "an" the word: "pass" and inserting in lieu thereof the word: "give"

Amend section 4, page 6, line 15 by striking out after the word "projects" and before the word "by" the words: "not heretofore authorized"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read as follows:

Section 5 Local Board's Relationship to the State Board Each approved local public works board as defined in section four of this act shall file annually with the State board its six year plan and program and amendments It shall file from time to time all other pertinent data that may be requested by the board on forms to be specified by the board in order that the board may have a comprehensive view of the total of all the six year plans and programs of the cities and counties having such approved local boards and the relationship of these respective plans to one another and to the state plans for the purpose of stabilization of employment and industry wtihin the State

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 5, page 6, line 29 by striking out at the end of the line after the word "board" the following: "as defined in sec"

Amend section 5, page 7, line 1 by striking out at the beginning of the line before the word "shall" the following: "tion four of this act"

Amend section 5, page 7, line 7 by striking out after the word "cities" and before the word "having" the words: "and counties"

On the question,

Will the House agree to the amendments?

They were greed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth and seventh sections were separately read and agreed to as follows:

Section 6 Duties of Localities where no Approval Board Exists If by January first one thousand nine hundred and thirty-seven any city shall not have taken advantage of the powers of this or other acts to create an approval local board then the executive heads of such cities before inaugurating the construction of any capital public works project shall submit full details of such project and its estimated cost to the state board for an advisory opinion and no construction of capital public works shall be undertaken or contracts let therefor by said cities or counties until the opinion of the state board has been given The information to be submitted concerning such project shall include amount and terms of indebtedness already incurred and earmarked for future projects proposed sources of funds assessed valuation rates of taxation kinds of bonds to be issued and such other pertinent data as the state board may request Provided however That a city which has submitted a project or projects to the state board in accordance with this act and has received an adverse opinion or a suggestion for modification from the state board may request a public hearing where the proposal shall be presented and discussed Such public hearing shall be advertised and held in the city requesting the hearing If following such hearing the state board still advises against the incurring of indebtedness for a project or part of a project the proposal to incur indebtedness may nevertheless be submitted to a vote of the electors of the subdivision as provided by law and if approved by a majority of those voting on the proposal may be legally authorized

If after January first one thousand nine hundred and thirty-seven a city shall create an approval local board then one year after the date of its appointment and functioning the state board shall cease to perform the advisory duties described in this section but only in respect to the specific locality in question Thereafter the relationship of the state board and the approved local board shall be as provided in this act

Section 7 Action Upon Applications Applications made to the state board for an advisory opinion of a project or projects for construction shall be acted upon promptly by the state board and not more than thirty days after adequate information has been received To avoid delays the provisions of this act requiring an opinion of the state board may be temporarily suspended by the state board and no approval be required when a period of unemployment or other emergency exist Such suspension shall be effective only when the Governor has agreed that a period of unemployment or other emergency exists or to conform with action of the General Assembly or when the Federal Government has declared that such a period of unemployment or other emergency exists

The eighth section was read as follows:

Section 8 Additional Powers and Duties of Board The state board shall examine all plans programs estimates of cost and lists of public works construction submitted to it in accordance with the provisions of this act and shall formulate annually from them a general unified plan and program for public works construction over a period of six years ensuing together with the estimated annual cost of such program This plan and program shall be informatory and advisory but not binding The state board shall have the power to call for pertinent information from any city or local board and the same are required to furnish the information requested It shall advise the Governor upon request whether the proposed volume of public works for any period is condusive or not conducive to the stability of private industry and employment

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 8, page 9, line 17 by striking out after the article "the" and before the word "are" the word: "same" and inserting in lieu thereof the words: "authorities or members thereof"

Amend section 8, page 9, line 17 by inserting after the word "are" and before the word "required" the words: "hereby directed and"

Amend section 8, page 9, line 20 by striking out after the word "is" and before the word "or" the following: "condusive" and inserting in lieu thereof the word: "conducive"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The ninth section was read as follows:

Section 9 Local Units Included Upon Request Any county borough town township school district or poor district or other political subdivision of the Commonwealth not included in this act may upon their request to the state board receive its assistance or advice without expense to them

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 9, page 9, line 27 by striking out at the end of the line after the word "to" the word: "them" and inserting in lieu thereof the words: "such local unit"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The tenth section was read and agreed to as follows:

Section 10 Constitutionality The provisions of this act are severable and if any of the provisions thereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

The eleventh section was read as follows:

Section 11 Appropriation to carry out the purposes of this act the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Public Works Planning Board for the biennium commencing June first one thousand nine hundred and thirty-four

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 11, page 10, line 11 by striking out at the beginning of the line before the word "commencing" the word: "biennium" and inserting in lieu thereof the words: "fiscal year"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twelfth, thirteenth and fourteenth sections and title were separately read and agreed to as follows:

Section 12 Previous Legislation Concerning Bureau of Municipalities Nothing herein contained shall be held to alter repeal or in anywise affect any of the provisions of the act approved the fourth day of April one thousand nine hundred and nineteen (Pamphlet Laws forty-five) entitled "An act establishing a Bureau of Municipalities in the Department of Internal Affairs and repealing the act approved June first one thousand nine hundred and fifteen entitled 'An act creating a Division of Municipal Statistics and Information of the Department of Labor and Industry and fixing the compensation of officers and employes therein' as amended" or of the act aproved the thirty-first day of March one thousand nine hundred and twenty-seven (Pamphlet Laws ninety-one) entitled "An act relating to municipal indebtedness imposing certain powers and duties upon the Department of Internal Affairs and the officers of counties cities of the third class boroughs towns townships school districts of the second third and fourth classes and poor districts in connection with proceedings to incur and increase indebtedness and the establishing and maintaining of sinking funds fixing the maximum maturity of refunding bonds and providing penalties" or of section one thousand two hundred and four of the act approved the seventh day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) commonly known as "The Administrative Code of 1929 or of the act approved the eleventh day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred sixteen) entitled "A supplement to the act approved the thirty-first day of March one thousand nine hundred and twenty-seven (Pamphlet Laws ninety-one) entitled 'An act relating to municipal indebtedness imposing certain powers and duties upon the Department of Internal Affairs and the officers of counties cities of the third class boroughs towns townships school districts of the second third and fourth classes and poor districts in connection with proceedings to incur and increase indebtedness and the establishing and maintaining of sinking funds fixing the maximum maturity of refunding bonds and providing penalties' by providing for and regulating appeals from approvals and disapprovals by the Department of Internal Affairs of proceedings to incur or increase indebtedness and declaring the effect of the approvals of the department"

Section 13 Repealing Acts Inconsistent Herewith All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 14 Effective Date This act shall become effective immediately upon final enactment

An Act to plan against unemployment by establishing a Public Works Planning Board prescribing and defining its powers and duties granting authority to cities to create local public works planning boards and defining their powers and duties defining the relationship of the state board to such local boards and to such cities where no such approved local boards exist on and after January first one thousand nine hundred and thirty-seven and making an appropriation

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 4.00 o'clock this afternoon. Are there objections? The Chair hears none, and (at 1.19 o'clock P. M.) declares a recess until 4.00 o'clock P. M.

AFTER RECESS

The House reconvened at 4.00 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 66. (HOUSE BILL No. 247).

An Act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, county commissioners, registrars, inspectors of registration and other appointees of county commissioners, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

Referred to the Committee on Elections.

SENATE BILL No. 71. (HOUSE BILL No. 248).

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made.

Referred to the Committee on Insurance.

SENATE BILL No. 73. (HOUSE BILL No. 249)

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board.

Referred to the Committee on Judiciary General.

SENATE BILL No. 74. (HOUSE BILL No. 250).

An Act to amend section three hundred fifteen of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An act defining the libility of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing precedure for the determination of liability and compensation thereunder" as amended by extending the period within which claims can be made.

Referred to the Committee on Insurance

SENATE BILL No. 75. (HOUSE BILL No. 251).

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of the liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

Referred to the Committee on Judiciary General.

SENATE BILL No. 77. (HOUSE BILL No. 252).

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the action of the board.

Referred to the Committee on Judiciary General.

SENATE BILL No. 119. (HOUSE BILL No. 253).

An Act to amend section four and section five as amended, of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act;" by placing upon the Commonwealth the cost of constructing, maintaining and reconstructing certain structures on such streets.

Referred to the Committee on Highways.

SENATE BILL No. 47. (HOUSE BILL No. 254).

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

Referred to the Commitee on Constitutional Amendments.

SENATE BILL No. 136. (HOUSE BILL No. 255).

An act to amend paragraph four of section one of article fifteen of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," by modifying the provision relating to the giving of bonds by contractors.

Referred to the Committee on Cities.

COMMUNICATION

The SPEAKER laid before the House a communication from His Excellency, the Governor of the Commonwealth, which was read by the Clerk as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 18, 1933.

Hon. Grover C. Talbot, Speaker of the House of Representatives, Harrisburg, Pennsylvania.

Dear Mr. Speaker:

I have just received the resolution passed by the House of Representatives about the Christmas Party.

Mrs. Pinchot and I appreciate very deeply the courtesy and consideration of the House of Representatives in passing such a Resolution.

If you will convey my heartfelt thanks to the Members of the House, I shall be deeply grateful.

I am sincerely sorry that my illness made it impossible for me to be there. I would have enjoyed the get-together with the Members very much.

With all good wishes,

Sincerely yours,
GIFFORD PINCHOT.

COMMUNICATION

The SPEAKER laid before the House a telegram addressed to Honorable Reuben Howard which was read by the clerk as follows:

December 18, 1933. 3.25 P. M.

Assemblyman Reuben Howard,
Harrisburg, Pa.

First National Banks of Dawson and Perryopolis protest extension branch banking.

First National Banks of Dawson and Perryopolis.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 169.

An Act authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium placing the sanatorium upon completion under the jurisdiction and control of the Department of Health and making an appropriation

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HOOPES. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Berks, Mr. Hoopes, will state his question of parliamentary inquiry.

Mr. HOOPES. Mr. Speaker, I would like to inquire whether Senate Bill No. 47 entitled: "A joint resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age," being commonly known as the Salus labor amendment, is before this House?

The SPEAKER. The bill is not before this House.

Mr. HOOPES. Is it before a committee of this House?

The SPEAKER. No, at this moment the procedure on the bill is as follows:

The bill has just been referred by the Speaker. It goes to the Resident Clerk's Office where the chairman of the various committees proceed to take up the bills and sign for them.

Mr. HOOPES. Mr. Speaker, I rise to a further point of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. HOOPES. Could the Chairman of the Constitutional Amendment Committee obtain this bill if he asked for it at this time at the Resident Clerk's Office?

The SPEAKER. The Chair in answer to the parliamentary inquiry informs the gentleman from Berks, Mr. Hoopes, that the bills that have just been referred are available in the Resident Clerk's Office.

Mr. HOOPES. I would like to interrogate the gentleman

from Erie, Mr. King, Chairman of the Constitutional Amendment Committee.

The SPEAKER. The Chair would inquire of the gentleman from Berks, Mr. Hoopes, whether the interrogation will cover Senate Bill No. 47?

Mr. HOOPES. It has to do with Senate Bill No. 47, yes, Mr. Speaker.

The SPEAKER. Then the Chair is of the opinion, and so rules, that until Senate Bill No. 47 is in the possession of the Chairman of the Constitutional Amendment Committee, interrogation along that line would be out of order.

Mr. HOOPES. I rise to a further question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. HOOPES. Will it be in order at this time for the House to take action with regard to placing this bill in the hands of the Chairman of the Constitutional Amendment Committee?

The SPEAKER. It is the opinion of the Chair, in answer to the question of parliamentary inquiry, that courtesy would demand that the Chairman be given ample time to pick up the bill. In the event that that did not happen then it is the opinion of the Chair that this body could decide its future course.

Mr. HOOPES. Mr. Speaker, I rise to a further question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question.

Mr. HOOPES. If this House failed to pass this bill, Senate Bill No. 47, upon first reading today, is it not dead so far as this session is concerned?

The SPEAKER. That is correct.

Mr. HOOPES. Mr. Speaker, I inquire, what parliamentary procedure would be in order at this time to get this bill before the House so that we may take action upon it today.

The SPEAKER. In response to the parliamentary inquiry of the gentleman from Berks, Mr. Hoopes, the Chair desires to enlarge upon the statement made on a previous question of parliamentary inquiry.

It is the assumption of the Chair that this bill, Senate Bill No. 47, is now being written into the records of the Resident Clerk's Office, and is also of the opinion that a reasonable time should be allowed in courtesy, to permit the Chairman to pick up the bill.

Mr. HOOPES. I rise to a further question of parliamentary inquiry.

The SPEAKER. The gentleman will proceed with his question of parliamentary inquiry.

Mr. HOOPES. Mr. Speaker, what, in the opinion of the Chair, in view of the exigencies of the situation, namely, that this bill must pass on first reading today or else it cannot be passed at this session, would be a reasonable time to allow the Chairman of this Committee to pick up this bill?

The SPEAKER. In answer to the parliamentary inquiry the Chair first states that this body will decide how long it will remain in session in this legislative day. The Chair would much prefer not to state a given time, in all fairness to the Chairman of the Constitutional Amendment Committee, but it is the belief of the Chair that anywhere from fifteen minutes to half an hour would be fair and give the Chairman of the Constitutional Amendment Committee ample opportunity to procure the bill.

Mr. HOOPES. Mr. Speaker, I rise to a further question of parliamentary inquiry.

The SPEAKER. Will the gentleman tarry a moment?

The Chair desires to ask the Chairman of the Constitutional Amendment Committee a question: Has the Chair stated a fair position for the Chairman of the Constitutional Amendment Committee?

Mr. KING. Yes, Mr. Speaker.

The SPEAKER. The gentleman from Berks, Mr. Hoopes, will proceed.

Mr. HOOPES. What assurance can the Chair give me that this House will remain in session during the next fifteen minutes?

The SPEAKER. The will of this body prevails, and the Chair is in no positon to decide what the members intend to do.

MOTION TO REMAIN IN SESSION

Mr. HOOPES. Mr. Speaker, I move that this House remain in session this afternoon until we have taken action one way or the other upon Senate Bill No. 47, Printer's No. 68.

The SPEAKER. The gentleman from Berks, Mr. Hoopes, has offered a motion that this House remain in session until some action is taken upon Senate Bill No. 47.

The Chair is of the opinion that the motion at this time is not in order for the reason, first, that the Chairman of the Constitutional Amendment Committee has not taken up the bill; secondly, there has not been given an opportunity to the Constitutional Amendment Committee to meet and take action upon Senate Bill No. 47, and for those reasons the Chair rules that the motion is out of order.

RECESS

Mr. HOOPES. Mr. Speaker, I move that this House do now recess until 5.10 P. M.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. Hoopes and Mrs. Wilson and were as follows:

YEAS—148

Andrews,	Gallagher, W. J.,	McClure,	Sheffer,
Baldi,	Gartner,	McCreary,	Shenkel,
Barnhardt,	Gillette,	McElwee,	Shettel,
Bechtel,	Green,	McGinnis,	Shortz,
Beech,	Greenstein,	McGrail,	Simon,
Bernhard,	Hamilton,	McKay,	Sinwell,
Blumberg,	Harmuth,	Melchiorre,	Snyder,
Boyd,	Harris,	Merrell,	Sowers,
Brancato,	Hart,	Moore,	Spann,
Brown, J. E.,	Hartman,	Mumford,	Stank,
Brown, W. L.,	Heffernan,	Munley,	Sterling, P.,
Brownfield,	Hefferon,	Murphy,	Sterling, R. B.,
Cannon,	Hermansen,	Myers,	Stevens,
Caputo,	Hester,	Negley,	Stevenson,
Carey,	Himes, L. R.,	Nothnagle,	Stiteler,
Carson,	Hoffman,	O'Connor,	Stone,
Chervenak,	Holmes, J. B.,	O'Keefe,	Stott,
Cohen,	Hoopes,	O'Rourke,	Tahl,
Conner,	Hough,	Peelor,	Wagner,
Cooke,	Howard,	Pennock,	Walker, G. E.,
Cordier,	Jaffe,	Perry, J. J.,	Walker, W. A.,
Craig,	Jones,	Powell,	Wall,
Cramer,	Kane, J. J.,	Powers,	Wasserman,
Dane,	Kane, L. P.,	Quinn,	Way,
Davies,	King,	Rectenwald,	Weidemann,
DeFrehn,	Lane,	Reed,	Welsh,
Downey, J. J.,	Laubach,	Reilly,	Westrick,
Duffy,	Lewis,	Root,	Williams, G. W.,
Dunmire,	Long,	Roth,	Williams, J. J.,
Emhardt,	Lovett, J. E.,	Ruby,	Wilson, L. M.,
Eroe,	Lovett, W. S.,	Ruth,	Wilson, T. B.,
Fitzgerald,	Lynch, J. R.,	Sautter,	Witkin,
Flanagan,	Malina,	Schrock,	Wright,
Fleisher,	Maloney,	Schrope,	Yeakel,
Flinchbaugh,	Marcks,	Schwab,	Yourishin,
Flynn, J. W.,	Mason,	Schwartz,	Talbot,
Furman,	McBride,	Scott,	Speaker.
Gallagher, T. J.,	McCandless,		

NAYS—26

Brennan,	Haines,	Mohn,	Terry,
Ederer,	Hewitt,	Patterson,	Trout,
Evans,	Himes, H. E.,	Perry, D. R.,	Turner,
Flynn, J. M.,	Holmes, J. L.,	Peters,	Wike,
Forrest,	Hutton,	Rice,	Wood,
Griffith,	McGregor,	Shreiner,	Woodside,
Habbyshaw,	Meredith,		

So the question was determined in the affirmative and the motion was agreed to.

AFTER RECESS

The SPEAKER (Grover C. Talbot) in the Chair.

The SPEAKER. The time of recess having expired, the House will be in order.

RECESS

Mr. HUTTON. Mr. Speaker, I move that this House do now recess until 5.35 P. M. for the purpose of enabling the Chair to refer bills.

The SPEAKER. If there are no objections the Chair will declare a recess until 5.35 P. M. Are there objections? The Chair hears none and (at 5.18 P. M.) declares a recess until 5.35 P. M.

AFTER RECESS

The SPEAKER (Grover C. Talbot) in the Chair.

The SPEAKER. The time of recess having expired the House will be in order.

STATEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement:

The Chair cannot help but compliment the members of the House for their perseverance and their patience during the days of extraordinary session. You have worked long hours and have been exceedingly patient with the Chair. The Chair during the recess sent a request to the Senate, hoping that if they had passed all the bills on third reading that we might receive them before we recessed. However, the Senate had not taken up their today's calendar and this jam at the moment is not the fault of the Chair nor of the members of this House, and asks your continued patience while we handle the much delayed business of the Senate.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 31.

An Act authorizing the Department of Property and Supplies to act as purchasing agency for certain Federal agencies and making an appropriation of moneys received to reimburse the department for the cost of so acting.

SENATE BILL No. 34.

An Act authorizing the State Treasurer to act as custodian of moneys and securities contributed to or deposited with the Commonwealth or officers, departments, boards, or commissions of the Commonwealth, prescribing the manner in which such moneys or securities shall be held and disbursed or delivered up, and making an appropriation to the Treasury Department for the cost of administering such moneys and securities

SENATE BILL No. 41.

An Act to amend paragraph (a) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" by appropriating such fund to the Board of Finance and Revenue for redemption of bonds issued to acquire toll bridges

SENATE BILL No. 55.

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction and providing for the repayment of such moneys from the General Fund

SENATE BILL No. 62.

An Act reducing to five days the period during which municipal subdivisions of the Commonwealth are required to advertise notice of proposed awards of contracts for articles to be used on projects financially by the Federal Civil Works Administration.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 118. (HOUSE BILL No. 256).

An Act to protect the owners of mortgaged property during the present emergency by limiting the amount of deficiency judgments during a certain period.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1. (HOUSE BILL No. 257).

An Act authorizing the Governor to accept funds from agencies of the Federal Government appropriating such funds for construction of public works for the Commonwealth and providing for repayment to the Federal Government of part of such funds with interest upon certain conditions and making an appropriation for such repayment.

Referred to the Committee on Appropriations.

SENATE BILL No. 99. (HOUSE BILL No. 258).

An Act to amend section three of the act approved the tenth day of June, one thousand eight hundred and ninety-three (Pamphlet Laws, four hundred nineteen) entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto and to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended, by prescribing a cash deposit as a condition precedent to the validity and effectiveness of a nomination paper, prescribing the amount of such deposit and the officer with whom it is to be made in each case, providing that it shall either be returned to the political body making the same, or shall be allocated among and retained by the counties interested, depending upon the number of votes polled by the nominee or the most successful nominee presented by such political body, imposing duties upon the State Treasurer, the Secretary of the Commonwealth, County Treasurers, and County Return Judges and Return Boards, fixing the date when the act shall become effective and repealing inconsistent legislation.

Referred to the Committee on Elections.

SENATE BILL No. 141. (HOUSE BILL No. 259).

An Act to further amend section seven, as amended, and to amend section eight, of the act, approved the twelfth day of

July, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred nineteen) entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain public offices, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation."

Referred to the Committee on Elections.

SENATE BILL No. 143. (HOUSE BILL No. 260).

An Act requiring the Department of Property and Supplies to provide and install appliances to air condition the Halls of the Senate and House of Representatives, and to regulate temperatures therein, and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 144. (HOUSE BILL No. 261).

An Act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries, and the challenge and proof of qualifications of electors; prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration, commissions, election officers, municipal officers, departments and bureau, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, and boards of school directors, and imposing penalties.

Referred to the Committee on Elections.

SENATE BILL No. 125. (HOUSE BILL No. 262).

An Act to amend the act approved the fifteenth day of May, One Thousand nine hundred and Thirty-three (Pamphlet Laws six hundred and twenty-four), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers; and of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons, restricting the exercise of banking powers by any other corporations, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts" by providing for establishment, maintenance, and operation of branch banks, branch offices and agencies and by further providing for the powers and limitations upon the facts of corporations and persons authorized to engage in a banking or a fiduciary business, or both, and of affiliates of such corporations or persons, and of officers, directors, trustees, and employes of such corporations and persons.

Referred to the Committee on Banking.

SENATE BILL No. 126. (HOUSE BILL No. 263).

An act to amend sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession and conducting or liquidating the business and property of of corporations, associations and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan associations, providing for the payment of the expenses of the Department of Banking by supervised corporations, associations or persons and appropriating the Banking Department Fund, authorizing the Department of Banking under certain circumstances to examine corporations, associations or persons affiliated or having business transactions with supervised corporations, associations or persons, authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions and officers, authorizing certain local public officers and State departments to collect fees for services rendered under this act, providing penalties, and repealing certain acts and parts of acts" by further limiting the exemption of certain private bankers and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision.

Referred to the Committee on Banking.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce in connection with the reference of the various bills that have just gone over the desk that it will be necessary, if these bills are to be enacted into legislation, that the Committees get them so that if the House gives its consent the bills may be read for the first time today.

RULES OF HOUSE SUSPENDED

Mr. HOOPES. Mr. Speaker, I move that rules Nos. 14, and 40 be suspended for the specific purpose of considering a resolution to discharge the Committee on Constitutional Amendments from further consideration on Senate Bill No. 47, Printer's No. 68, entitled: "A joint resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age."

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair will read the rules that the gentleman from Berks desires to suspend for a specific purpose.

Rule No. 14 sets up the order of business.

Rule No. 40: "When committees may be discharged from consideration of bill. That when a bill or resolution has been ten days in the hands of a committee after having been referred to it, any committee may be discharged from the further consideration of the bill or resolution by a majority vote of all the members elect."

Those are the two rules that are moved to be suspended.

Mr. HOOPES. Mr. Speaker and members of the House, this is a motion to suspend rule No. 40 and rule No. 14 of this House for the purpose of considering a resolution to discharge the Committee on Constitutional Amendments from further consideration of a resolution ratifying the Federal Child Labor Amendment.

Rule No. 14 sets forth the order of business, and as we have passed the order of business of resolutions, it is necessary to suspend it.

Rule No. 40 provides that a bill must be in committee for ten days before a motion may be made to discharge that Committee. This bill was just referred to the Committee this afternoon, and we have already adopted a resolution

to adjourn finally on Thursday noon of this week, so it is quite obvious that unless we suspend both these rules the Child Labor Amendment will not be acted upon at this session. This motion is to suspend those rules in order that we may take action upon them.

I am informed that the Committee on Constitutional Amendments has killed the Child Labor Amendment, at least that they have refused to report it to this House, and therefore, the only action that this House can now take is to vote to discharge that committee, unless you wish to be on record as not ratifying the Federal Child Labor Amendment. Last week this House by a vote of 174 to 6 passed a resolution identical with this one, as far as the wording is concerned.

The parliamentary situation as far as ratification of the Child Labor Amendment is concerned is as follows: Each House of the General Assembly has passed a resolution ratifying that amendment. This House passed the Craig resolution last week, and the Senate passed a resolution last night. However, in order to ratify the Child Labor Amendment, it is necessary that both Houses pass the same resolution. In order that there may be no slip-up, we are taking these steps to see to it that this resolution is gotten out of committee and passed on third reading here. I understand that the Senate has reported out the Craig Resolution, but I also have received information that there is a move on foot in the Senate to recommit it tomorrow, but be that as it may——

The SPEAKER. The Chair insists that the gentleman confine himself to the subject matter before the House.

Mr. HOOPES. Mr. Speaker, I am giving my reason for the suspension of these rules.

The SPEAKER. The gentleman is discussing the Senate, which is not within the province of this motion.

Mr. HOOPES. Mr. Speaker, I have no desire to discuss the Senate further.

Mr. Speaker and members of this House, we don't want this House to be put in the position of being charged with the responsibility of killing the resolution ratifying the Child Labor Amendment. In order to protect ourselves fully, it is necessary for us to put ourselves in a position where we can pass on this resolution, which has already passed the Senate and which is now before us, so that no matter what may happen across the Hall, we at least will have gone on record clearly as to our attitude. We went on record 174 to 6 last week, but in spite of that action the Committee on Constitutional Amendments has refused to report this resolution to this House. I ask you under those circumstances——

POINT OF ORDER

Mr. HUTTON. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. HUTTON. The gentleman is not speaking upon the motion.

The SPEAKER. The point of order is well taken. The gentleman from Berks will confine himself to the motion that is before the House.

Mr. HOOPES. Mr. Speaker, for the reasons which I have already stated, I ask the members of this House to support the motion to suspend the rules, which is now before you, and I ask for a roll call.

Mr. HERMANSEN. Mr. Speaker and members of the House, I want to call the attention of the House to the reasonableness of this request. It is really not hostile in any respect, although it takes us a great way from the procedure of this House. Now, insofar as both Houses have already expressed themselves in favor of this legislation, it seems to me that it is only reasonable that the members should agree at this time to do something a little bit out of the ordinary in order that we may pass this bill on to the Governor. If it was during any other time of the session this might be termed unreasonable, but at the present time I don't see that any member can justly refuse to vote for this motion if he is in favor of this legislation.

The SPEAKER. Before the motion is put, the Chair desires to read Rule 88:

"Alteration or suspension of rules. Any rule of the House may be suspended at any time for a specific purpose by a majority vote of the members elect; after the accomplishment of which purpose the rule shall remain in force as before."

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Hoopes and Mrs. Wilson and were as follows:

YEAS—143

Andrews,	Gallagher, W. J.,	McCandless,	Scott,
Baldi,	Gartner,	McClure,	Sheffer,
Barnhardt,	Greenstein,	McCreary,	Shortz,
Bechtel,	Habbyshaw,	McElwee,	Shugarts,
Beech,	Hamilton,	McGinnis,	Sinwell,
Blumberg,	Harmuth,	McGrail,	Snyder,
Boyd,	Harris,	McKay,	Sowers,
Brancato,	Hart,	Melchiorre,	Spann,
Brown, J. E.,	Hartman,	Murphy,	Stank,
Brown, W. L.,	Heffernan,	Myers,	Steedle,
Brownfield,	Hefferon,	Negley,	Sterling, P.,
Cannon,	Hermansen,	Nothnagle,	Sterling, R. B.,
Caputo,	Hester,	O'Connor,	Stevens,
Carey,	Himes, L. R.,	O'Keefe,	Stevenson,
Carson,	Hoffman,	O'Rourke,	Stone,
Chervenak,	Holmes, J. B.,	Peelor,	Stott,
Cohen,	Hoopes,	Pennock,	Surface,
Conner,	Horst,	Perry, J. J.,	Tahl,
Cordier,	Hough,	Powell,	Terry,
Craig,	Howard,	Powers,	Turner,
Cramer,	Jaffe,	Quinn,	Wagner,
Dane,	Jones,	Rectenwald,	Walker, G. E.,
Davies,	Kane, J. J.	Reed,	Walker, W. A.,
DeFrehn,	Kane, L. P.	Reilly,	Wasserman,
Downey, G. E.,	King,	Rhodes,	Way,
Downey, J. J.,	Lane,	Rice,	Welsh,
Duffy,	Laubach,	Roan,	Westrick,
Dunmire,	Lewis,	Roth,	Williams, J. J.,
Emhardt,	Lovett, J. E.	Royle,	Wilson, L. M.,
Eroe,	Lynch, J. R.,	Ruby,	Witkin,
Fitzgerald,	Male,	Ruth,	Wood,
Flanagan,	Malina,	Sautter,	Woodside,
Fleisher,	Maloney,	Schrock,	Wright,
Flinchbaugh,	Marcks,	Schrope,	Yeakel,
Flynn, J. W.,	Mason,	Schwab,	Talbot,
Furman,	McBride,	Schwartz,	Speaker.
Gallagher, T. J.,			

NAYS—26

Brennan,	Haines,	Mohn,	Shreiner,
Ederer,	Hewitt,	Moore,	Stiteler,
Evans,	Holmes, J. L.,	Patterson,	Trout,
Flynn, J. M.,	Long,	Perry, D. R.,	Wall,
Forrest,	McKinney,	Peters,	Wilson, T. B.,
Green,	Meredith,	Shellenberger,	Zimmerman,
Griffith,	Merrell,		

So the question was determined in the affirmative and the motion was agreed to.

COMMITTEE DISCHARGED

Mr. HOOPES. Mr. Speaker, I move that the Committee on Constitutional Amendments be discharged from further consideration of Senate Bill No. 47, Printer's No. 68, entitled, "A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age." The

said bill having been referred to the said committee on December 19th, 1933, and House Rule No. 40 having been suspended for the specific purpose of considering this resolution.

On the question,

Will the House agree to the motion?

Mr. HOOPES. Mr. Speaker and members of the House, I have already made reference to this resolution in my argument on the motion to suspend rules, so I shall confine myself at this time to asking you to vote "aye" for this resolution, it being the only way that we can get it before this House, and Mr. Speaker, I ask for a roll call.

The yeas and nays were required by Mr. Hoopes and Mrs. Wilson and were as follows:

YEAS—125

Andrews,	Fleisher,	Lynch, M.	Roan,
Baldi,	Flynn, J. W.,	Male,	Roth,
Barnhardt,	Furman,	Malina,	Ruby,
Bechtel,	Gallagher, T. J.,	Maloney,	Ruth,
Beech,	Gallagher, W. J.,	Marcks,	Sautter,
Bernhard,	Gartner,	Mason,	Schwab,
Blumberg,	Greenstein,	McBride,	Schwartz,
Boyd,	Hamilton,	McCandless,	Scott,
Brancato,	Harmuth,	McClure,	Sheffer,
Brown, J. E.,	Harris,	McCreary,	Shortz,
Brown, W. L.,	Hart,	McElwee,	Sinwell,
Brownfield,	Hartman,	McGinnis,	Snyder,
Cannon,	Heffernan,	McGrail,	Sowers,
Caputo,	Hefferon,	McKay,	Spann,
Carey,	Hermansen,	Melchiorre,	Stank,
Carson,	Hester,	Mumford,	Steedle,
Chervenak,	Himes, H. E.,	Munley,	Sterling, P.,
Cohen,	Himes, L. R.,	Murphy,	Sterling, R. B.,
Cordier,	Hoffman,	Myers,	Stevens,
Craig,	Holmes, J. B.,	Negley,	Stone,
Cramer,	Hoopes,	O'Connor,	Tahl,
Dane,	Hough,	O'Keefe,	Wagner,
Davies,	Howard,	O'Rourke,	Walker, G. E.,
DeFrehn,	Jaffe,	Peelor,	Walker, W. A.,
Downey, G. E.,	Jones,	Perry, J. J.,	Wasserman,
Downey, J. J.,	Kane, J. J.,	Powell,	Welsh,
Duffy,	Kane, L. P.,	Powers,	Westrick,
Dunmire,	Lane,	Quinn,	Wilson, L. M.,
Emhardt,	Laubach,	Rectenwald,	Witkin,
Eroe,	Lewis,	Reed,	Yourishin,
Fitzgerald,	Lovett, J. E.,	Reilly,	
Flanagan,	Lynch, J. R.,	Rhodes,	

NAYS—49

Brennan,	King,	Price,	Wall,
Conner,	Long,	Rice,	Way,
Ederer,	Lord,	Royle,	Wike,
Evans,	McGregor,	Schrope,	Williams, G. W.
Flynn, J. M.,	McKinney,	Shreiner,	Wilson, T. B.,
Forrest,	Meredith,	Shugarts,	Wood,
Gillette,	Merrell,	Simon,	Woodside,
Green,	Mohn,	Stiteler,	Wright,
Griffith,	Moore,	Stott,	Yeakel,
Haines,	Patterson,	Trout,	Zimmerman,
Hewitt,	Perry, D. R.,	Turner,	Talbot,
Holmes, J. L.,	Peters,	Wade,	Speaker,
Hutton,			

So the question was determined in the affirmative and the motion was agreed to.

The SPEAKER. The Chairman of the Committee on Constitutional Amendments will govern himself accordingly, and immediately report Senate Bill No. 47 to the House.

REASON FOR VOTE

Mr. McGREGOR filed the following reason for his vote:

The House having passed the Craig Bill which is identical and said Craig Bill is now on second reading in the Senate I vote "no" on this motion.

REPORT FROM COMMITTEE

Mr. KING, from the Committee on Constitutional Amendments reported House Bill No. 254 (Senate Bill No. 47), entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

Pursuant to action of the House discharging the Committee from further consideration of the bill.

MOTION TO ADJOURN

Mr. JOHN M. FLYNN. Mr. Speaker, I move that this House do now adjourn until tomorrow morning.

On the question,

Will the House agree to the motion?

Mr. COHEN. Mr. Speaker, I ask for a roll call.

Mr. O'CONNOR. Mr. Speaker, I second the request for a roll call.

MOTION WITHDRAWN

Mr. JOHN M. FLYNN. Mr. Speaker, I have just been informed that there is important legislation pending that would be endangered if this motion were carried, and I therefore withdraw the motion.

BILL ON FIRST READING

Mr. HOOPES. Mr. Speaker, I ask unanimous consent for House Bill No. 254 (Senate Bill No. 47), be read for the first time.

The SPEAKER. Will the House give its unanimous consent for the bill to be read the first time? Are there objections? The Chair hears objection and consent is not granted.

RULES SUSPENDED

Mr. HOOPES. Mr. Speaker, I move that Rules Nos. 14, 41 and 43 be suspended for the specific purpose of passing on first reading Senate Bill No. 47, Printer's No. 46, entitled, "A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age."

On the question,

Will the House agree to the motion?

Mr. HOOPES. I think the purpose of this motion is obvious. In order that this bill may be read for the first time today, we must suspend Rules Nos. 14, 41 and 43, and I, therefore, ask the members of this House to vote "aye" on this motion, and Mr. Speaker, I ask for a roll call.

The yeas and nays were required by Mr. Hoopes and Mrs. Wilson and were as follows:

YEAS—138

Andrews,	Flynn, J. W.,	Mason,	Schwartz,
Baldi,	Furman,	McBride,	Scott,
Barnhardt,	Gallagher, T. J.,	McCandless,	Sheffer,
Bechtel,	Gallagher, W. J.,	McClure,	Shettel,
Beech,	Gartner,	McCreary,	Shortz,
Bernhard,	Greenstein,	McElwee,	Shreiner,
Blumberg,	Hamilton,	McGinnis,	Shugarts,
Boyd,	Harmuth,	McGrail,	Simon,
Brancato,	Harris,	McHenry,	Sinwell,
Brennan,	Hart,	McKay,	Snyder,
Brown, J. E.,	Hartman,	Melchiorre,	Sowers,
Brown, W. L.,	Heffernan,	Murphy,	Spann,
Brownfield,	Hefferon,	Myers,	Stank,
Cannon,	Hermansen,	Negley,	Steedle,
Caputo,	Hester,	O'Connor,	Sterling, P.,
Carey,	Himes, L. R.,	O'Keefe,	Sterling, R. B.,
Carson,	Hoffman,	O'Rourke,	Stevens,
Chervenak,	Holmes, J. B.,	Pennock,	Stevenson,
Cohen,	Hoopes,	Perry, J. J.,	Stone,
Cordier,	Hough,	Powell,	Stott,
Craig,	Howard,	Powers,	Tahl,
Cramer,	Jaffe,	Quinn,	Wagner,
Dane,	Jones,	Rectenwald,	Walker, G. E.,
Davies,	Kane, J. J.,	Reed,	Walker, W. A.,
DeFrehn,	Kane, L. P.,	Reilly,	Wasserman,

Downey, G. E.,	Lane,	Rhodes,	Way,
Downey, J. J.,	Laubach,	Roan,	Welsh,
Duffy,	Lewis,	Roth,	Westrick,
Dunmire,	Lovett, J. E.,	Ruby,	Williams, G. W.,
Emhardt,	Lynch, J. R.,	Ruth,	Williams, J. J.,
Eroe,	Lynch, M.,	Sautter,	Wilson, L. M.,
Fitzgerald,	Male,	Schrock,	Witkin,
Flanagan,	Malina,	Schrope,	Wright,
Fleisher,	Maloney,	Schwab,	Yourishin,
Flinchbaugh,	Marcks,		

NAYS—46

Conner,	Horst,	Nothnagle,	Wade,
Ederer,	Hutton,	Patterson,	Wall,
Evans,	King,	Peelor,	Weidemann,
Flynn, J. M.,	Long,	Perry, D. R.,	Wike,
Forrest,	Lord,	Peters,	Wilson, T. B.,
Gillette,	McGregor,	Price,	Wood,
Green,	McKinney,	Rice,	Woodside,
Griffith,	Meredith,	Royle,	Yeakel,
Haines,	Merrell,	Shellenberger,	Zimmerman,
Hewitt,	Mohn,	Stiteler,	Talbot,
Himes, H. E.,	Moore,	Trout,	Speaker.
Holmes, J. L.,	Mumford,	Turner,	

So the question was determined in the affirmative and the motion was agreed to.

BILL ON FIRST READING

Pursuant to action of the House, the House proceeded to the first reading and consideration of House Bill No. 254 (Senate Bill No. 47), entitled:

A Joint Resolution approving the proposing amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

COMMITTEE ON JUDICIARY GENERAL GIVEN PERMISSION TO MEET

Mr. McCLURE asked and obtained permission for the Committee on Judiciary General to meet during the session of the House in Room 324.

RESOLUTION

RECALLING HOUSE BILL No. 41 FROM THE GOVERNOR

Mr. MYERS asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, December 19, 1933.

Resolved (if the Senate concur), That House Bill No. 41, Printer's No. 23, entitled "An act making an appropriation for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

Mr. THOMAS J. GALLAGHER. Mr. Speaker, I ask the unanimous consent of the House to offer a resolution.

The Clerk read the resolution for the information of the House.

The SPEAKER. Will the House give its unanimous consent to the offering of the resolution at this time? Are there objections? The Chair hears objection and consent is not granted.

COMMITTEE ON BANKING GRANTED PERMISSION TO MEET

Mr. BALDI as ranking member of the Committee of Banking in the absence of the Chairman, asked and obtained permission for that Committee to meet during the session of the House to the left of the rostrum.

BILL ON SECOND READING

Mr. HAINES. Mr. Speaker, I desire to call up at this time House Bill No. 139, Senate Bill No. 35, Printer's No. 81, on page 1 of today's calendar, bill on second reading, which was temporarily passed over, for the purpose of amendment.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 139 (Senate Bill No. 35), entitled:

An Act relating to milk and products thereof declaring an emergency with respect to their production and marketing creating a Milk Control Board establishing its jurisdiction powers and duties regulating the production transportation manufacture processing storage distribution delivery and sale of milk and the products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring licensees to furnish bonds for the protection of producers authorizing the examination of the business papers and affairs of and requiring the filing of reports by licensees other milk dealers and producers and permitting with limitations the dissemination of information obtained therefrom authorizing the issuance of subpoenas by the Board or its agents and conferring jurisdiction upon courts to punish contempts providing for appeals to the courts from decisions of the Milk Control Board imposing penalties and making an appropriation

The first to the ninth sections inclusive were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the exercise of the police power of the Commonwealth and to protect the public health and public welfare it is hereby declared that the production transportation manufacture processing storage distribution and sale of milk in the Commonwealth is a business affecting the public health and affected with a public interest and it is hereby declared to be the legislative intent that this act shall be an emergency measure enacted for the purpose of regulating and controlling the milk industry in this Commonwealth for the protection of the health welfare and comfort of the inhabitants thereof

Section 2 Short Title This act shall be known and may be cited as the "Milk Control Board Law"

Section 3 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Board" means the temporary State agency created by this act to be known as the "Milk Control Board"

"Consumer" means any person other than a milk dealer who purchases milk for fluid consumption

"Licensee" means a licensed milk dealer

"Market" includes any city borough incorporated town or township in the Commonwealth or any two or more such cities boroughs incorporated towns or townships or any portions thereof designated by the Board as a natural marketing area

"Milk includes fluid milk and cream fresh sour or storage skimmed milk buttermilk and condensed or concentrated whole or skimmed milk except when contained in hermetically sealed cans.

"Milk Dealer" means any person including any store as hereinafter defined who purchases or handles milk within the Commonwealth for sale shipment storage processing or manufacture within or without the Commonwealth A producer who delivers milk to a milk dealer only shall not be deemed a milk dealer A co-operative argicultural association or corporation of producers of milk organized under the laws of this Commonwealth or of any other state and engaged in making collective sales of milk for producers under

contract with it shall not be deemed a milk dealer but shall be deemed a producer provided however that if such association or corporation distributes milk within this Commonwealth to stores as defined in this act or to consumers as defined in this act is shall be deemed to be a milk dealer as to that part of its business and shall be governed by the provisions of this act applicable thereto and further provided that such co-operative agricultural association or corporation shall be governed by the applicable provisions of this act as to the prices at which it sells milk within this Commonwealth.

"Person" includes an individual corporation association partnership limited partnership or other unincorporated enterprise owned by two or more individuals

"Producer" means a person producing milk within the Commonwealth of Pennsylvania

"Store" includes a grocery store hotel restaurant soda fountain dairy products store or any similar mercantile establishment which sells milk

B Any reference to this act to quantity of milk shall be construed to include its whole milk equivalent

C Section headings shall not be construed to affect in any manner the scope or meaning of any section of this act

D The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 4 Creation of Milk Control Board Membership Applicability of Administrative Code A There is hereby created an independent administrative board to be known as the Milk Control Board The Board shall consist of three members who shall be nominated and by and with the consent of the Senate appointed by the Governor Each member shall receive a salary at the rate of six thousand dollars ($6,000) per annum

B Each member of the Board at the time of his appointment and qualification shall be a citizen of the United States and a resident of the Commonwealth of Pennsylvania and shall have been a qualified elector in the Commonwealth for a period of one year next preceding his appointment.

No member of the Board during his period of service as such shall hold any other office under the laws of this Commonwealth or of the United States

The Governor shall designate one of the members of the Board as chairman The chairman shall when present preside at all meetings and in his absence a member designated by the chairman shall preside

Two members of the Board shall constitute a quorum and any action or order of the Board shall require the approval of at least two members

C The Board may appoint a secretary to hold office at its pleasure The secretary if appointed shall have such powers and shall perform such duties not contrary to law as the Board shall prescribe and shall receive such compensation as the Board with the approval of the Governor shall determine The secretary shall have power and authority to designate from time to time one of the clerks appointed by the Board to perform the duties of the secretary during his absence and the clerk so appointed shall exercise for the time so designated the powers of the secretary of the Board

D Except as otherwise specifically provided in this act the Board and its employes shall be subject to all the provisions of The Administrative Code of one thousand nine hundred and twenty-nine approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) its amendments and supplements which apply generally to independent administrative boards or commissions

Section 5 General Powers of Board A The Board is hereby declared to be the instrumentality of the Commonwealth for the purpose of administering the provisions of this act and to execute the legislative intent herein expressed and it is hereby vested with power

(1) To supervise and regulate the entire milk industry of this Commonwealth including the production transportation manufacture processing storage distribution delivery and sale of milk and milk products in this Commonwealth provided however that nothing contained in this act shall be construed to alter amend or repeal The Public Service Company Law or any of the laws of this Commonwealth relating to the public health or to the prevention of fraud or deception

(2) To investigate as the emergency permits and regulate as the emergency requires all matters pertaining to the production manufacture processing storage transportation disposal distribution and sale of milk and milk products in this Commonwealth including the establishment of reasonable trade practices and systems of production control in connection therewith

B The operation and effect of any provision of this act conferring a general power upon the Board shall not be impaired or qualified by the granting to the Board by this act of a specific power or powers

C The Board either itself or through its duly authorized agent may hold such hearings either at the capitol or elsewhere as it deems necessary to carry out the provisions of this act

Section 6 Power of Board to Subpoena Penalty A In order to enable the Board to carry out the provisions of this act it shall have the power to issue subpoenas requiring the attendance of or the production of pertinent books and papers by milk dealers or their employes producers or their employes persons having business dealings with milk dealers or producers or other persons whom the Board believes to have information of importance to it in carrying out the purposes and intent of this act The Board may likewise issue commissions letters rogatory or other appropriate processes outside the Commonwealth

The Board shall likewise have the power to question such witnesses under oath or affirmation and to examine such books and papers

The Board may delegate to any member thereof or any employe designated by it the powers granted to it under this section

B Any witness who refuses to obey a subpoena issued hereunder or to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court For this purpose an application may be made by the Board to the court of common pleas within the territorial jurisdiction of which the offense was committed for which purpose such court is hereby given jurisdiction

C Each witness required to attend before the Board or any member thereof under the provisions of this section shall be entitled to the fees and mileage customarily paid to witnesses in the courts of Dauphin County

Section 7 Rules Regulations and Orders A The Board may adopt and enforce all rules regulations and orders necessary or desirable to carry out the provisions of this act and not inconsistent with law Every general rule regulation or order of the Board shall be posted for public inspection in the main office of the Board at least three days before it shall become effective and shall be given such further publicity by advertisement in a newspaper or otherwise as the Board shall deem advisable An order applying only to a particular person or persons named therein shall be served on the person or persons affected

B An order herein required to be served shall be (1) served in the manner now or hereafter established by law for the service of writs of summons except that such service need not be made by the sheriff or (2) mailed charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a corporation formed under the laws of this Commonwealth to its principal office and (c) in the case of a corporation formed under the laws of some other state to the office of its duly authorized agent in Pennsylvania or if there be no duly authorized agent in Pennsylvania to its home office in the state of incorporation or in any other state

C The posting in the main office of the Board of any rule regulation or order not herein required to be served and the giving of such further publicity thereto if any as the Board deems advisable or the proper service of one required to be served shall constitute due and sufficient notice to all persons affected by such rule or order A rule of the Board when duly posted and filed as provided in this section shall have the force and effect of law The Board shall upon request mail to any person any general rule or regulation of the Board It may charge a reasonable fee for such service

Section 8 Entry and Inspection Pursuant to carrying out the purposes of this act any member of the Board or any employe designated for the purpose shall have access to and may enter at all reasonable hours all places where milk or any

product thereof is being produced stored bottled processed manufactured sold or otherwise handled Any member of the Board or any designated employe thereof also shall have power at all reasonable hours to inspect all books papers records or documents in any place within the Commonwealth for the purpose of ascertaining facts to enable the Board to administer this act The information obtained by any such inspection or by reports required by this act shall be for the confidential use of the Board and the various departments of the State government and shall not be disclosed by any person except as may be required in the enforcement of law or by order of court The Board however may use such information together with other similar information for compilation and publication of statistics of the industry in this Commonwealth

Section 9 Violations Remedies A Except as otherwise specifically provided in this act any person violating any provision of this act or any rule regulation or order of the Board lawfully made shall be guilty of a misdemeanor and shall upon conviction thereof be subject to a fine not exceeding one hundred dollars or imprisonment not exceeding one year or both For each day during which any such violation shall continue such person shall be deemed to have committed an additional violation

B The Board may institute such action at law or in equity as may appear necessary to enforce compliance with any provision of this act or to enforce compliance with any rule regulation or order of the Board made pursuant to the provisions of this act and in addition to any other remedy may apply to the Court of Common Pleas of Dauphin County for relief by injunction if necessary to protect the public interest without being compelled to allege or prove that an adequate remedy at law does not exist

The tenth section was read as follows:

Section 10 Licenses to Milk Dealers Applications Grant Suspension and Revocation A Except as herein otherwise specifically provided a milk dealer as defined in this act shall not buy milk from producers or others within this Commonwealth for storage manufacture processing distribution or sale within or without this Commonwealth or sell or distribute milk within this Commonwealth unless such dealer be duly licensed as herein provided and it shall be unlawful for a milk dealer to buy milk from or sell milk to a milk dealer who is not either licensed or exempted as herein provided or in any way to deal in or handle milk which he has reason to believe has previously been dealt in or handled in violation of the provisions of this act

B The Board may by official order exempt from the license requirements provided by this act milk dealers who purchase or handle milk in a total quantity not exceeding three thousand pounds in any month and milk dealers selling milk in any quantity only in markets of a population of one thousand or less for local consumption The Board may by official order exempt stores or any class thereof from the license requirements provided by this act However milk dealers exempted by this section from the license requirements of this act shall continue to be subject to all the other provisions of this act relating to milk dealers

C An application for a license to operate as a milk dealer shall be made within thirty days after this act takes effect and annually thereafter on or before April fifteenth by mail or otherwise to the Board upon blanks prepared under authority of the Board and shall be accompanied by the fee required by this act The license year shall commence May first and shall end April thirtieth following The applicant shall state the following

(1) The nature of the business to be conducted

(2) The full name of the person applying for the license If the applicant be a co-partnership or association the full name of each member shall be stated If the applicant be a corporation the names and addresses of all officers and directors shall be stated

(3) The city borough incorporated town or township and the street number if any at which the business is to be conducted

(4) The financial condition of the applicant including a comprehensive financial statement of his affairs

(5) Facts showing that the applicant has adequate technical personnel and adequate technical and physical facilities properly to conduct the business of receiving and handling milk that he has complied with all rules regulations and orders of the Board filed or served as required in this act and such other facts with respect to the license as may be required by the Board pusuant to this act

D The Board shall grant a license to an applicant complying with the provisions of this act and of any rules and regulations issued by the Board pursuant thereto The Board may decline to grant a license to an applicant or may suspend revoke or refuse to transfer a license already granted to a milk dealer or may prohibit a milk dealer exempted from the license requirements of this act from continuing to operate as a milk dealer when satisfied that he has

(1) Rejected without reasonable cause any milk purchased from a producer or has rejected without either reasonable cause or reasonable advance notice milk delivered by or on behalf of a producer in ordinary continuance of a previous course of dealing except where the contract has been lawfully terminated Provided however that in the absence of an express or implied fixing of a longer period in the contract "reasonable advance notice" shall not be construed to mean notice of less than one week nor more than two weeks

(2) Without reasonable cause failed to account and make payment for any milk purchased from a producer

(3) Committed any act injurious to the public health or public welfare or to trade or commerce in demoralization of the price structure of milk to such an extent as to interfere with an ample supply thereof for the inhabitants of the Commonwealth affected by this act It is hereby declared that such demoralization is injurious to the public health public welfare and to trade and commerce and that evidence of a course of conduct on the part of the milk dealer tending to such demoralization shall be construed to be prima facie evidence of a violation of this act

(4) Made a general assignment for the benefit of creditors or has been adjudged a bankrupt or there has been entered against him a judgment upon which an execution has been returned wholly or partly unsatisfied

(5) Been a party to a combination to fix prices contrary to law A co-operative agricultural association organized under the laws of this Commonwealth or a similar association or corporation organized under the laws of any other state and engaged in making collective sales or marketing for its members or shareholders of dairy products produced by its members or shareholders shall not be deemed or construed to be a conspiracy or combination in restraint of trade or an illegal monopoly nor shall the contracts agreements arrangements or combinations heretofore or hereafter made by such association or the members officers or directors thereof in making such collective sales and marketing and prescribing the terms and conditions thereof be deemed or construed to be conspiracies or to be injurious to public welfare trade or commerce

(6) Continued in a course of dealing of such nature as to satisfy the Board of an intent of the milk dealer to deceive or defraud producers or consumers

(7) Failed either to keep records or to furnish the statements or information required by the Board

(8) Made any statement upon which the license was issued which statement is found to have been false or misleading in any material particular

(9) Where the milk dealer is a partnership or corporation and any individual holding any position owning any substantial interest therein or having any power of control therein has previously been responsible in whole or in part for any act on account of which a license may be denied suspended or revoked pursuant to the provisions of this act

(10) Where the milk dealer has violated any of the provisions of this act or any of the rules regulations or orders of the Board

E Before refusing to grant or to reissue or before suspending or revoking or before refusing to transfer a license the Board shall afford the applicant or the licensee respectively an opportunity to be heard It shall give to such applicant or licensee by registered mail sent to his last known address at least five days' notice of such hearing

F Licenses issued under this act may not be assigned Licenses may however be transferred from one person to another provided that the prior written approval of the Board to such transfer is obtained but in the case of a receiver or an executor or administrator who succeeds to the business of a licensee he may continue the business for a period of two weeks if otherwise authorized by law without securing the prior approval of the Board Any change in the membership

of a partnership or limited partnership either by the withdrawal or the addition of a partner shall be construed to require a transfer of the license

Applications for such transfers shall be filed with the Board at least one week before the transfer is to be made or in the case of a receiver or an executor or administrator within two weeks after he takes possession of the business of the licensee Whenever any license is transferred no license fee shall be required from the person to whom such transfer is made for the balance of the then current license year except the transfer fee of one dollar

On the question,

Will the House agree to the section?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as folows:

Amend section 10, page 16, line 3 by inserting after the word "association" and before the word "or" the words: "or corporation"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eleventh section was read and agreed to, as follows:

Section 11 License Fees A The Board shall charge and collect license fees from milk dealers on a yearly basis as follows

Where a milk dealer received during any of the twelve calendar months immediately preceding the period for which the license is issued a daily average total quantity of milk

(1) Not exceeding twenty pounds a license fee of one dollar

(2) Exceeding twenty pounds but not exceeding one hundred pounds a license fee of three dollars

(3) Exceeding one hundred pounds but not exceeding one thousand pounds a license fee of ten dollars

(4) Exceeding one thousand pounds but not exceeding two thousand five hunderd pounds a license fee of seventeen dollars and fifty cents

(5) Exceeding two thousand five hundred pounds but not exceeding four thousand pounds a license fee of twenty-five dollars

(6) Exceeding four thousand pounds but not exceeding ten thousand pounds a license fee of fifty dollars

(7) Exceeding ten thousand pounds but not exceeding twenty thousand pounds a license fee of seventy-five dollars

(8) Exceeding twenty thousand pounds but not exceeding sixty thousand pounds a license fee of one hundred fifty dollars

(9) Exceeding sixty thousand pounds but not exceeding one hundred thousand pounds a license fee of two hundred dollars

(10) Exceeding one hundred thousand pounds but not exceeding two hundred fifty thousand pounds a license fee of three hundred fifty dollars

(11) Exceeding two hundred fifty thousand pounds but not exceeding five hunderd thousand pounds a license fee of five hundred dollars

(12) Exceeding five hundred thousand pounds but not exceeding seven hundred fifty thousand pounds a license fee of one thousand dollars

(13) Exceeding seven hundred fifty thousand pounds but not exceeding one million pounds a license fee of one thousand seven hundred fifty dollars

(14) Exceeding one million pounds a license fee of two thousand five hunderd dollars

B Expect as otherwise expressly provided by this act the license fees fixed by this section shall be paid before any license or any renewal thereof is issued

C The fee for a license issued on or after

(1) August first but prior to November first shall be three-fourths of the annual fee

(2) November first but prior to February first of the succeeding year shall be one-half of the annual fee

(3) February first but prior to May first shall be one-fourth of the annual fee

D Milk dealers who have not engaged in the milk business during the prior year shall pay the minimum license fee of one dollar and in addition thereto at such time or times as the Board may fix but not more than four months after the granting of the license shall pay an additional sum based upon the daily average total quantity of milk received by such dealer during any of such months

E Milk sold and distributed outside of this Commonwealth in any state which charges a license fee of milk dealers shall not be included in the determination of the amount of the license fee provided that such milk is actually computed in determining the amount of such license fee in such other state Likewise milk utilized for or sold in the form of manufactured products shall not be included in the determination of the amount of the license fee but the fluid milk equivalent of cream and of condensed or concentrated milk sold within this Commonwealth or in any state in which it is not actually computed in the determination of the license fee of a milk dealer shall be included in computing the license fee to be charged by the Board unless in the case of condensed or concentrated whole or skimmed milk it is sold in hermetically sealed cans

F The licenses required by this act shall be in addition to any other licenses which are now or may hereafter be required by law

The twelfth section was read as follows:

Section 12 Licensee's Bonds or Securities Exemptions A Except as otherwise specifically provided in this act a license shall not be issued to a milk dealer purchasing milk from producers within this Commonwealth unless the milk dealer shall execute and file with the application a bond approved by the Board Such bond shall be upon a form prescribed by the Board shall be in a sum to be fixed by the Board but not exceeding by more than twenty-five per centum the value of the maximum amount of milk purchased from producers in any one month during the preceding year and in any event not exceeding one hundred thousand dollars shall be executed by a surety company authorized to do business in this Commonwealth and shall be conditioned for the faithful compliance by the licensee with the provisions of this act and for the prompt payment of all amounts due to producers for milk sold by them to such licensee subsequent to the posting of such bond

B In lieu of the bond required of a milk dealer by this section the Board may accept a collateral bond of the milk dealer secured by an actual deposit with the Board or with a bank bank and trust company or national bank within the Commonwealth of money to the full amount of the bond or by securities to such amount consisting of interest-bearing obligations of the United States government of this Commonwealth or of any political subdivision of this Commonwealth or by any other security or securities approved by the Board Such collateral bond shall be conditioned upon the same terms and in the same manner as is provided by this section in the case of a bond given by a surety company and the security or securities deposited therewith shall constitute a trust fund for producers from whom the licensee purchases milk

C The Board may likewise grant to any milk dealer the authority to substitute for any bond or any collateral another bond or other collateral provided that such other bond or collateral meets all the requirements of this act

D A license shall from time to time when required by the Board make and file with the Board a verified statement of his disbursements or of any other facts in connection with his business during a period to be prescribed by the Board which statement shall contain the names of the producers from whom milk was purchased the amount due to producers and any other relevant facts required by the Board If it shall appear from such statement or from facts otherwise ascertained by the Board that the security afforded to producers selling milk to such licensees by the surety bond or by the collateral bonds does not adequately protect such producers the Board may require such licensee to give an additional bond in a sum to be determined by the Board or additional security for the collateral bond but not exceeding by more

than twenty-five per centum the value of the maximum amount of milk purchased from producers in any one month during the preceding year and in any event not exceeding one hundred thousand dollars

Likewise the Board may grant a reduction of the surety bond or the collateral bond if it shall appear that owing to a decrease in the business of the licensee or to other causes a bond in a lesser amount will protect producers selling milk to such licensee

E All surety bonds and all collateral bonds together with any moneys security or securities given as collateral therefor received by the Board from milk dealers pursuant to the provisions of this section shall be transmitted by the Board to the State Treasurer for safe-keeping subject to withdrawal in whole or in part in any time by the Board

F The licensee shall be entitled to all moneys received by the State Treasurer as interest or dividends upon any securities deposited by such licensee with the Board and by it transmitted to the State Treasurer for safe-keeping in accordance with the provisions of this act

Provided however that such licensee shall not be entitled to such interest or dividends if there is on file with the Board a valid unpaid claim of a producer against such licensee based on milk sold by such producer to such licensee

G The Board may by reasonable rule or regulation provide the procedure for the payment out of the bonds or security or securities required by this section of the valid claims of producers based on sales by them of milk to the licensee who has posted the bonds or security or securities

Provided however that if the bond or security or securities which have been posted by a milk dealer shall be insufficient to pay in full the just claims of producers who have sold milk to such licensee the moneys available shall be divided pro rata among them

The Board shall have the power in its discretion to sue on the bond on behalf of producers

H A co-operative agricultural association organized under the laws of this Commonwealth or a similar association organized under the laws of this or any other state shall be deemed a producer within the provisions of this section and shall be entitled to its benefits Such an association if operated for the benefit of producers under contract with it and not conducted for profit shall not be required to file a bond under the provisions of this section

I If satisfied from an investigation of the financial condition of any applicant for a license under this section that such milk dealer is solvent and possessed of sufficient assets reasonably to assure payment to producers from whom he purchases milk the Board may by official order exempt such applicant from posting the surety bond or bond secured by collateral required by this section In such case the applicant shall post with the Board his personal bond in such form to such amount not greater than the maximum fixed by this section for surety bonds and upon such conditions as shall be prescribed by the Board

The Board may at any time it deems such action advisable rescind any order exempting a milk dealer from posting a surety bond or a bond secured by collateral and may require him to post such bond

J If any milk dealer is financially unable to post such surety bond or bond secured by collateral as may be required by the Board pursuant to the provisions of this act he may file with the Board under oath or affirmation upon a form to be prescribed by the Board an application for exemption from posting such surety bond or bond secured by collateral on the ground of his financial inability to do so Attached to such application shall be the signed statement of the producers from whom the dealer purchases his milk or of any cooperative agricultural association or similar association or corporation representing such producers to the effect that such producers or such association or corporation on their behalf consents to the exemption of such milk dealer from posting such surety bond or bond secured by collateral Such consent may be upon such special terms of payment and such other conditions as shall be agreed upon between such producers or such co-operative agricultural associations or similar association or corporation on their behalf and the milk dealer and approved by the Board

The Board may by official order exempt from posting a surety bond or a bond secured by collateral any dealer who has complied with the provisions of this subsection

The Board may at any time it deems such action advisable rescind any order exempting a milk dealer from posting a surety bond or a bond secured by collateral and may require him to post such bond

Amend section 12, page 25, line 27 by inserting at the end of the line after the word "bond" the words: "or bond and collateral."

On the question,

Will the House agree to the section?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the clerk.

The amendments were read by the Clerk as follows:

Amend Section 12, page 24, line 3 by inserting after the word "association" and before the word "organized" the words "or corporation."

Amend section 12, page 24, line 6 by inserting after the word "association" and before the word "if" the words: "or corporation."

Amend section 12, page 24, line 11 by striking out at the end of the line after the word "this" the syllable: "[sec-]"

Amend section 12, page 24, line 12 by striking out at the beginning of the line before the word "that" the syllable: "[tion]" and inserting in lieu thereof the word: "act."

Amend section 12, page 24, line 24 by inserting at the end of the line after the word "bond" the words: "or bond and collateral."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The thirteenth section was read as follows:

Section 13 Classification of Licenses The Board may classify licenses and may issue licenses to any milk dealer to operate as a milk dealer only in a particular municipality or in a particular market or markets in the Commonwealth but no milk dealer shall if he be granted a license under this act at all be prohibited from acting as a milk dealer in any municipality or in any market in which he was operating upon the effective date of this act

On the question,

Will the House agree to the section?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 13, page 26, line 1 by striking out after the word "dealer" and before the word "in" the word: "[only]."

Amend section 13, page 26, line 2 by inserting after the word "municipality" and before the word "or" the word: "only."

Amend section 13, page 26, line 3 by inserting after the word "Commonwealth" and before the word "but" the word: "only."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourteenth section was read as follows:

Section 14 Licenses Appeals from Board Decisions A Any person aggrieved by any decision of the Board may file within twenty days thereafter in the Court of Common Pleas of the county in which he resides or has his principal place of business or in the case of a nonresident who has no place of business within the Commonwealth in the Court of Common Pleas of Dauphin County a petition against the Board

officially as defendant alleging therein in brief detail the action and decision complained of and praying for a reversal thereof but it is hereby declared to be the legislative intent that such appeal shall not in the absence of extraordinary circumstances act as a supersedeas Such petition shall specify the petitioner's objections to the action and decision of the Board and no objection not so specified shall be considered by the court Upon service of a summons upon the Board returnable within ten days from its date the Board shall on or before the return day file an answer which shall deny or admit the allegations of fact in the petition and which shall allege by way of defense the grounds for its decision It shall also on or before the return day of such summons certify to the court the record of the proceedings to which the petition refers Such record shall include the testimony taken therein the findings of fact if any of the Board based upon such testimony a copy of all orders made by the Board in the proceedings and a copy of the action or decision of the Board which the petition calls upon the court to reverse

B Upon the filing of the Board's answer the case shall be at issue without further pleadings and upon application of either party the case shall be advanced and heard without further delay Mere technical irregularities in the procedure of the Board shall not be the basis of the decision of the court The case shall be heard upon the record certified to the court by the Board Additional testimony shall not be taken before the court but the court may in proper cases remit the record to the Board for the taking of further testimony

The court shall upon the record transmitted to it by the Board determine whether or not the order appealed from is reasonable and in conformity with law If it shall determine that the order is unreasonable or illegal it shall remit the case to the Board with directions to reform the findings or order or revoke the order in accordance with the court's opinion The court shall have full power to assess the costs upon either party or to divide them between the parties

C From a decision of the court of common pleas on the validity of an order of the Board in which the Board refused to issue reissue or transfer or revoked or suspended a license or in which it fixed the price of milk within the Commonwealth or within a particular market or markets an appeal may be taken by either party to the Superior Court of Pennsylvania in the manner provided by law In all other cases the decision of the Court of Common Pleas shall be final and there shall be no appeal therefrom

On the question,

Will the House agree to the section?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 14, page 26, line 8 by inserting at the end of the line after the letter "A" the following new paragraph:

"Any person aggrieved by an order of the Board fixing the price at, or the terms upon, which milk may be bought or sold, or by any other general rule, regulation, or order of the Board may file an appeal therefrom in the Superior Court within twenty days after the issuance of such order fixing the price of milk or such other general rule, regulation, or order, but such appeal shall not be permitted to act as a supersedeas. B."

Amend section 14, page 26, line 9 by striking out after the word "by" and before the word "of" the words: "[any decision]" and inserting in lieu thereof the words "an order."

Amend section 14, page 26, line 9 by inserting after the word "Board" and before the word "may" the following: "in which the Board refuses to issue, reissue, or transfer, or revokes or suspends a license to operate as a milk dealer, or by any other order of the Board applying only to a particular person or persons named therein and not otherwise specifically provided for in this section."

Amend section 14, page 26, line 10 by striking out at the beginning of the line before the word "within" the word: "[file]."

Amend section 14, page 26, line 10 by striking out after the word "days" and before the word "in" the word:: "[thereafter]" and inserting in lieu thereof the following: "after the issuance of such order file an appeal therefrom."

Amend section 14, page 26, line 15 by striking out after the word "County" and before the word "petition" the article: "[a]" and inserting in lieu thereof the following: "C. The appeal provided by this section from action of the Board, both in the cases of appeals to the Superior Court of Pennsylvania and appeals to the various Courts of Common Pleas, shall be by."

Amend section 14, page 26 by striking out lines 18 and 19.

Amend section 14, page 26, line 20 by striking out at the beginning of the line before the word "Such" the following: "[nary circumstances act as a supersedeas]."

Amend section 14, page 27, line 8 by striking out at the beginning of the line before the word "Upon" the letter: "[B]" and inserting in lieu thereof the letter: "D."

Amend section 14, page 27, line 27 by striking out at the beginning of the line before the word "From" the letter: "[C]" and inserting in lieu thereof the letter: "E."

Amend section 14, page 27, line 27 by striking out after the word "of" and before the word "court" the word: "[the]" and inserting in lieu thereof the article: "a."

Amend section 14, page 28, line 1 by striking out at the end of the line after the word "license" the following: "[or in which it fixed the price of]."

Amend section 14, page 28 by striking out line 2.

Amend section 14, page 28, line 3 by striking out at the beginning of the line before the word "an" the words: "[market or markets]."

Amend section 14, page 28, line 5 by inserting after the word "cases" and before the word "the" the following: "in which this section authorizes an appeal to a Court of Common Pleas from an order of the Board."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifteenth, sixteenth and seventeenth sections were separately read and agreed to as follows:

Section 15 Records The Board may require licensees to keep the following records

(1) A record of all milk received detailed as to location and as to names and addresses of producers or milk dealers from whom received with butter fat test prices paid and deductions or charges made

(2) A record of all milk sold classified as to grade location and market outlet and size and style of container with prices and amounts received therefor

(3) A record of quantities and prices of milk sold

(4) A record of the quantity of each milk product manufactured the quantity of milk used in the manufacture of each product and the quantity and value of milk products sold

(5) A record of wastage or loss of milk or butter fat

(6) A record of the items of the spread or handling expense and profit or loss represented by the difference between the price paid and the price received for all milk

(7) A record of all other transactions affecting the assets liabilities or net worth of the licensee

(8) Such other records and information as the Board may deem necessary for the proper enforcement of this act

Section 16 Reports A Each licensee shall from time to time as required by rule or order of the Board make and file a verified report on forms prescribed by the Boad of all matters on account of which a record is required to be kept together with such other information or facts as may be pertinent and material within the scope of the purposes and intent of this act Such report shall cover a period of time specified in the order

B The Board may at any time that it deems such action to the best interests of the dairy industry require similar reports from milk dealers whom it has pursuant to the provisions of this act exempted from the requirement of procuring a license.

Section 17 Payment of Fees into State Treasury "Milk Control Fund" Appropriation Expenses of Board A All moneys

collected or received by the Board arising from license fees penalties or any other source shall be paid by the Board into the State Treasury through the Department of Revenue and shall by the State Treasurer be placed in a separate fund to be known as the "Milk Control Fund" As much of the moneys in the "Milk Control Fund" as may be necessary is hereby specifically appropriated to the Board to be used to pay its expenses including the following

(1) Salaries of the Board of its employes and of any deputy attorney general special deputy attorney general assistant deputy attorney general or other counsel as may be assigned by the Department of Justice to the Board for the handling of any legal work pertaining to its business

(2) Rental and other expenses for offices rooms garage space and other accommodations outside of the Capitol Buildings either in or outside of the capital city occupied by the Board.

(3) Premiums for workmen's compensation insurance covering the offices and employes of the Board

(4) Premiums for surety bonds for such officers or employes of the Board as may be required by law to furnish such bonds

(5) Purchase and operating costs of motor vehicles required by the Board for full-time use including premiums for liability insurance covering such motor vehicles and the members of the Board and employes operating them also the amount payable to the Department of Property and Supplies for the use of automobiles supplied by it for temporary use by the Board

(6) Furniture stationery materials supplies and all other overhead expenses of the Board

(7) All other expenses of every kind and description necessary for the performance by the Board of its work

All such purchases and leases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as agent

B Estimates of the amounts to be expended under this act by the Board either itself or through the Department of Property and Supplies as purchasing agent shall be submitted to the Governor from time to time for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Board or by the Department of Property and Supplies as its agent in excess of the estimates approved by the Governor Subject to this provision the Auditor General shall from time to time draw warrants upon the State Treasury for the amounts specified in such requisitions not exceeding however the amount in the Milk Control Fund at the time of the making of any such requisition

The eighteenth section was read as follows:

Section 18 Order Fixing Price of Milk Penalties for Violations A The Board shall ascertain by such examination or investigation as the emergency may warrant what prices for milk in the several localities and markets of the Commonwealth and under varying conditions will be most beneficial to the public interest and will best protect the milk industry in the Commonwealth and insure a sufficient quantity of pure and wholesome milk to adults and minors in the Commonwealth having special regard to the health and welfare of children residing therein The Board shall take into consideration all conditions affecting the milk industry including the amount necessary to yield a reasonable return to the producer and to the milk dealer

B The Board after making such examination or investigation shall fix by official order the minimum wholesale and retail prices and may fix by official order the maximum wholesale and retail prices to be charged for milk sold within the Commonwealth wheresoever produced including the following classes

(1) By milk dealers to other milk dealers

(2) By milk dealers to consumers

(3) By milk dealers to stores either for consumption on the premises or resale to consumers

(4) By stores to consumers except for consumption on the premises where sold

(5) When pursuant to statute regulations adopted thereunder or ordinance various grades of milk are specified the Board shall fix the minimum price and may fix the maximum price applicable to each in each of the classes Orders fixing the minimum and maximum prices may vary in different markets and shall designate the markets to which applicable

Provided however that this section shall not be construed to empower the Board to fix the price at which milk may be sold to consumers for consumption on the premises where sold

C It is hereby declared to be the legislative intent that the public emergency requires that the benefits of any increase of prices received by milk dealers by virtue of the minimum price provisions of this section shall be given to producers except in any case where the Board deems a deviation from this policy necessary in order to maintain proper milk markets and outlets for producers The Board shall whenever it deems such action necessary to accomplish this purpose issue orders rules or regulations to effectuate this intent

D The Board after making the examination or investigation provided by this section shall fix by official order the minimum prices to be paid by milk dealers to producers and others for milk Provided however that the fixing of prices to be paid by milk dealers to producers for milk to be used solely in manufacturing shall be discretionary with the Board The order of the Board with respect to the minimum prices to be paid to the producers and others shall apply to the locality or zone in which the milk is produced and to the market or markets in which the milk so produced is sold and may vary in different localities or markets according to varying uses and different conditions Each such order may classify such milk by forms classes grades or uses as the Board may deem advisable and may specify the minimum prices therefor

The Board may likewise fix by official order the terms upon which milk dealers shall pay producers and others for milk

E After the Board shall have fixed prices to be charged or paid for milk whether by class grade or use it shall be unlawful for a milk dealer to sell or buy or offer to sell or buy milk at any price less or more than such price or prices as shall be applicable to the particular transaction and no method or device shall be lawful whereby milk is bought or sold or offered to be bought or sold at a price less or more than such price or prices as shall be applicable to the particular transaction whether by any discount or rebate or free service or advertising allowance or a combined price for such milk together with another commodity or commodities or service or services which is less or more than the aggregate of the prices for the milk and the price or prices for such other commodity or commodities or service or services when sold or offered for sale separately or otherwise

F The Board may upon its own motion or upon application from time to time alter revise or amend an official order at any time made with respect to the prices to be charged or paid for milk After making such investigation and before making revising or amending any order fixing the price to be charged or paid for milk the Board shall hold a hearing thereon after giving reasonable notice thereof to interested parties of whom the Board has notice and to the public in such newspaper or newspapers as in the judgment of the board shall afford sufficient notice and publicity

G It is hereby declared to be the legislative intent that the instant whenever that may be that the handling within the Commonwealth by a milk dealer of milk produced outside of the Commonwealth becomes a subject of regulation by the Commonwealth in the exercise of its police powers the restrictions set forth in this act respecting such milk so produced shall apply and the powers conferred by this act on the Board shall attach but this shall not apply to condensed or concentrated whole milk contained in hermetically sealed cans or tanks to be used solely for manufacturing purposes by the original consignee thereof After any such milk so produced shall have come to rest within the Commonwealth it shall be unlawful except in any cases in which the Board shall otherwise determine for any milk dealer to sell such milk within the Commonwealth if he has paid to the producer thereof outside the Commonwealth a price lower than that which he would have been required to pay for milk produced within the Commonwealth purchased for similar purposes and under similar conditions less a proper allowance for the transportation thereof

H It is also declared to be the legislative intent that the producers of milk in this Commonwealth who sell their milk to milk dealers for shipment into and sale in another state where prices to producers are regulated by a state board or other authority with powers substantially similar to the

Milk Control Board established by this act shall receive the same price that producers in such other state receive for milk purchased for similar purposes and under similar conditions less a proper allowance for the transportation thereof It shall be unlawful for any milk dealer except in any cases in which the Board shall otherwise determine to pay to a producer within this Commonwealth for milk to be sold in such other state a price lower than that fixed by the state board or other authority in such other state for sale of milk in such other state for similar purposes and under similar conditions minus a proper allowance for the transportation of the milk to the market in such other state

On the question,

Will the House agree to the section?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 18, page 32, line 13 by striking out after "[(4)]" and before the word "When" the figure: "[(5)]."

Amend section 18, page 32, line 19 by inserting at the end of the line after the word "applicable" the following: "Such orders may likewise classify milk dealers in any manner which the Board deems advisable and may vary according to the classes to which they are applicable."

Amend section 18, page 32, line 22 by inserting after the word "sold" and before the word "to" the words: "by any milk dealer or producer."

Amend section 18, page 32, line 23 by striking out at the end of the line after the word "premises" the words: "[where sold]" and inserting in lieu thereof the words: "of such milk dealer or producer."

Amend section 18, page 35, line 3 by inserting after the word "or" and before the word "tanks" the word: "in."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The nineteenth section was read as follows:

Section 19 Legislative Intent It is hereby declared to be the legislative intent that no provision of this act shall prevent and no provision contained therein shall be deemed or construed to prevent any co-operative agricultural association or corporation organized under the laws of this Commonwealth or a similar association or corporation organized under the laws of this or any other state and engaged in making collective sales or marketing of milk for the producers thereof from blending the net proceeds of its sales in all its markets or of its sales within any particular market in various classes and whether in fluid form or as manufactured products both within and without the Commonwealth and paying its producers such blended price with such deductions and differentials as may be authorized under contract between such association and its producers or from making collective sales of the milk of its members and other producers represented by it at a blended price based upon sales thereof in the various classes and whether in fluid form or as manufactured products both within and without the Commonwealth and which price is to be paid either directly to the producers or to the co-operative agricultural association Nothing herein contained shall prevent any milk dealer from contracting for his milk with such co-operative agricultural association upon such basis Also no provision of this act shall be deemed or construed to affect the contracts of such cooperative agricultural association with its producers nor to affect or abridge the rights and powers of such an association or any of its operations This section shall not however be construed to exempt such association from the jurisdiction of the Board over the prices at which it may sell milk to milk dealers or consumers

On the question,

Will the House agree to the section?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 19, page 36, line 20 by inserting after the word "association" and before the word "and" the words: "or corporation."

Amend section 19, page 36, line 27 by inserting after the word "association" and before the word "Nothing" the words: "or corporation."

Amend section 19, page 36, line 29 by inserting after the word "association" and before the word "upon" the words: "or corporation."

Amend section 19, page 37, line 3 by inserting after the word "association" and before the word "with" the words: "or corporation."

Amend section 19, page 37, line 6 by inserting after the word "association" and before the word "from" the words: "or corporation."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

Mr. HUTTON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 19, page 36, line 27 by inserting after the word "association" and before the word "Nothing" the following: "Provided however that such blending or such price shall be subject to disapproval by the Board."

Amend section 19, page 37, line 5 by inserting after the word "operations" and before the word "This" the following: "which shall however be subject to disapproval by the Board."

Amend section 19, page 37, line 8 by inserting at the end of the line after the word "consumers" the following: "or from the jurisdiction of the Board to disapprove the price which it pays to producers."

On the question,

Will the House agree to the amendments?

Mr. HUTTON. Mr. Speaker and members of the House, the amendments, which have just been read relate to section 19, and I think they require on my part some explanation to the members of the House.

The import of the amendments as offered to section 19 would be to place all of the cooperatives associations dealing in milk within the Commonwealth under the jurisdiction of the Milk Control Board.

In the deiberations in the committee this was one of the controversial questions and we labored long and seriously over the expediency of placing in the bill the amendments which are now proposed.

The final action of the committee was against the insertion of these amendments, and since coming to the floor of the House, I have learned that there is a considerable sentiment in the House in favor of the amendments as proposed, and in justice to the committee, in justice to myself and in justice to the members of the House, the suggestion was made by me that I offer these amendments upon the floor of the House, submitting therewith a full statement of the facts of the matter on the adoption of these amendments by the House.

I again reiterate that the effect of the amendments as proposed would be to place the cooperatives associations under the control of the board. If the amendments are not adopted, then the board has only control of the cooperatives so far

as it concerns the fixing of price for which the cooperatives may sell milk.

I direct your attention particularly on this point to the lines at the top of page 37, and particularly beginning at the middle of line 5 wherein it is said:

"This section shall not however be construed to exempt such association from the jurisdiction of the board over the prices at which it may sell milk to milk dealers or consumers."

The amendment would also insert the word "producers" so that it would give jurisdiction to the board over the price that the cooperative would give to its own producers.

The other amendments refer particularly to the matter of blending, as they call it, and as is described in the body of section 19. Therefore, the matter is left for the determination of the House as to whether it desires to insert these amendments.

Mr. HAINES. Mr. Speaker and members of the House, my colleague from Franklin, Mr. Hutton, has very well explained to you the situation in which we find ourselves with reference to the proposed amendments to section 19, therefore, I don't care to discuss them with this exception, to say that the main difference of opinion was, and we are all in accord, and when I say we were all in accord, I mean the gentlemen representing the joint committee of State Government and Agriculture, we were all in accord with reference to the fact that some governmental agency should have some supervisory control of the workings of all cooperatives.

I personally, and others believe, that if that is to be the situation ultimately to be adopted that we should have an agency set up here constituted to properly perform that duty. Certain gentlemen on the committees, believed, however, that this control board is to be set up for specific purposes so that they might not be called upon to enter into these practices in the internal workings of any cooperative, as Mr. Hutton said, in the supervision of the marketing of milk or for other purposes.

In justice to the membership of this Joint Committee, who have labored long and diligently, considering all amendments offered, and they extended every courtesy, and every opportunity for hearing and rehearing to all parties interested, in offering amendments to this bill—many of these amendments the committee in their wisdom believed should not be accepted—in justice and fairness to not only the Joint Committee, but the Committee on Agriculture, which committee has had all of the proposed amendments together with the bill before it for consideration, and have acted in accordance with the bill as reported out, the amendments previously offered and those offered by myself to it, I wanted to make this statement, and Mr. Speaker, I move you, sir, that the amendments, the proposed amendments, be considered separately, that is, the amendments offered by myself acted upon in one group, and those offered by my colleague, Mr. Hutton, in another.

The SPEAKER. The Chair desires to inform the gentleman from Bucks, Mr. Haines, that the amendments offered by him have already been adopted by the House.

The question before the House at this time is on the adoption of the amendments as offered by the gentleman from Franklin, Mr. Hutton. Does the gentleman from Bucks, Mr. Haines, desire to have the amendments agreed to separately, there are three of them?

Mr. HAINES. No, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I wish to express my appreciation for the fair manner in which the gentleman from Franklin, Mr. Hutton, and the gentleman from Bucks, Mr. Haines, have handled this matter, and also the manner in which it was handled in the Committee on Agriculture and State Government.

The milk proposition is one that is quite controversial I don't think that everybody understands the entire proposition, and I don't think at this point it is necessary to elucidate. However, we are concerned with an emergency as far as the farmer is concerned, and the amendments offered by the gentleman from Franklin are the solution as far as the farmers are concerned. You will notice in reading Section 19, as it is placed before you on page 36, Printer's No. 81, that the cooperatives are allowed to make certain deductions. Now, these deductions go to the cooperative and are paid for by the farmer. By this bill we attempt to regulate the price that they may sell to the milk dealers or the consumers, and to allow the farmer to remain out in the cold by making them subject to the cooperatives, which are allowed to deduct any price which they see fit from the moneys which he receives from his milk. The amendments as presented by the gentleman from Franklin will remedy that situation. They simply say this, that before any cooperative is allowed to make any deduction, those deductions must be made with the consent and approval of the Board. Now, I cannot see how that impinges upon the rights of any group. If we are willing to allow the Milk Control Board to set the price that will be paid by the milk dealers, if we are willing to allow the Milk Control Board to set the price paid by the consumer, undoubtedly it is quite fair that we should designate just how much these cooperative associations will be able to get from the farmer, and on that sound reasoning, I appeal to the membership of this House that the amendments offered by the gentleman from Franklin should be inserted in the bill.

On the question,

Will the House agree to the amendments?

The SPEAKER declared the ayes appeared to have it.

Whereupon, a division was called for and one hundred and twenty-one members, or more than a majority having voted in the affirmative, the question was determined in the affirmative and the amendments were agreed to.

On the question recurring,

Will the House agree to the section as amended?

It was agreed to.

The twentieth section was read as follows:

Section 20 Interstate and Federal Compacts The Board is hereby vested with authority to confer with legally constituted authorities of other states and of the United States with respect to uniform milk control within the states and as between states and may enter into a compact or compacts for such uniform milk control subject to such federal approval as may be required by law

On the question,

Will the House agree to the section?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 20, page 37, line 13 by inserting after the words "between states" and before the word "and" the following: "to conduct joint investigations, hold joint hearings, and issue joint or current orders."

Amend section 20, page 37, line 13 by striking out after the word "and" and before the word "enter" the word: "[may]" and inserting in lieu thereof the word "to"

Amend section 20, page 37, line 15 by inserting after the word "be" and before the word "required" the words: "author-

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twenty-first section was read as follows:

Section 21 Dissemination of Information Conferences Licensees under this act and associations thereof and producers of milk and co-operative agricultural associations engaged in collectively processing preparing for market handling or marketing milk may acquire exchange interpret and disseminate past present and future market statistical economic and similar information by direct exchange between such persons or such associations or by and through a common agent created or selected by them Any such producers and associations may confer and discuss the cost of production of marketing market conditions and prices for sale of milk

On the question,

Will the House agree to the section?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 21, page 37, line 17 by inserting after the word "associations" and before the word "thereof" the words: "or corporations."

Amend section 21, page 37, line 18 by inserting after the word "associations" and before the syllable "en-" the words: "or corporations."

Amend section 21, page 37, line 23 by inserting after the word "associations" and before the word "or" the words:: "or corporations."

Amend section 21, page 37, line 25 by inserting after the word "associations" and before the word "may" the words: "or corporations."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twenty-second to twenty-sixth sections, inclusive, and the preamble, were separately read and agreed to, as follows:

Section 22 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 23 Saving Clause No provision of this act shall apply or be construed to apply to foreign or interstate commerce except in so far as the same may be effective in accordance with the Constitution of the United States and the laws of the United States enacted pursuant thereto

Section 24 Duration of Board The Board shall continue with all its powers and shall be subject to all the duties and responsibilities prescribed by this act until the thirtieth day of April one thousand nine hundred thirty-five at which time it shall be deemed abolished and the powers duties and jurisdiction conferred or imposed upon the Board by this act shall terminate All books papers records and documents in its possession upon that date shall remain in the possession of the Department of Agriculture

Section 25 Appropriation In addition to any other appropriation made by this act the sum of one hundred thousand dollars ($100,000.00) or as much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Milk Control Board for its use in administering the provisions of this act

On the thirtieth day of April one thousand nine hundred thirty-five all unencumbered and unexpended moneys remaining in the Milk Control Fund shall be paid into the General Rund For such purpose such moneys are hereby appropriated

Section 26 This act shall take effect immediately upon its approval by the Governor and shall continue in effect until the thirtieth day of April one thousand nine hundred thirty-five

Whereas unhealthful unfair unjust destructive demoralizing and uneconomic trade practices have been and are now carried on in the production sale and distribution of milk and milk products in this Commonwealth whereby the dairy industry in the Commonwealth and the constant supply of pure milk to inhabitants of the Commonwealth are imperiled and

Whereas such conditions constitute a menace to the health welfare and reasonable comfort of the inhabitants of the Commonwealth and

Whereas it is necessary to protect the well-being of the inhabitants of this Commonwealth to promote the public welfare and to preserve the strength and vigor of the race by declaring that the production transportation manufacture processing storage distribution and sale of milk in the Commonwealth of Pennsylvania is a business affecting the public and affected with a public interest and

Whereas the production and distribution of milk is a paramount industry upon which the prosperity of the Commonwealth in large measure depends and

Whereas the present acute economic emergency being in part the consequence of a severe and increasing disparity between the prices of milk and other commodities which disparity has largely destroyed the purchasing power of milk producers for industrial products has broken down the orderly production and marketing of milk and has seriously impaired the agricultural assets supporting the credit structure of the Commonwealth and its local governmental subdivisions and

Whereas the danger to the public health and welfare is immediate and impending the necessity urgent and such as will not admit of delay in public supervision and control in accordance with proper standards of production sanitation and marketing the foregoing statements of fact policy and application of this act are hereby declared to be matters of legislative determination

The title was read as follows:

An Act relating to milk and the products thereof declaring an emergency with respect to their production and marketing creating a Milk Control Board establishing its jurisdiction powers and duties regulating the production transportation manufacture processing storage distribution delivery and sale of milk and the products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring licensees to furnish bonds for the protection of producers authorizing the examination of the business papers and affairs of and requiring the filing of reports by licensees other milk dealers and producers and permitting with limitations the disemination of information obtained therefrom authorizing the issuance of subpoenas by the Board or its agents and conferring jurisdiction upon courts to punish contempts providing for appeals to the courts from decisions of the Milk Control Board imposing penalties and making an appropriation

On the qestion,

Will the House agree to the title?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend page 1, line 16 of the title by inserting at the end of the line after the word "contempts" the following: "or to prohibit violations of orders of the Board"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

PERMISSION GRANTED COMMITTEE TO MEET

Mr. WITKIN obtained permission of the House for the Committee on Ways and Means to meet during the session of the House in the corner at the left of the Speaker's rostrum.

REPORTS FROM COMMITTEES

Mr. ROAN, from the Committee on Elections, reported as amended, House Bill No. 237 (Senate Bill No. 49), entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics and boards of school directors and imposing penalties

Mr. SPANN. Mr. Speaker, I ask consent of the House to have House Bill No. 237, Senate Bill No. 49, read for the first time.

The SPEAKER. Will the House give its unanimous consent to the reading of this bill for the first time? Are there objections?

Mr. WITKIN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

RULES SUSPENDED

Mr. STEEDLE. Mr. Speaker, I move that this House suspend House Rules Nos. 14, 41 and 43, so that this bill may be read for the first time in its amended form as reported from the Committee on Elections.

On the question,

Will the House agree to the motion?

Mr. STEEDLE. Mr. Speaker and members of the House, I know that everybody is almost worked to death here, but unfortunately after sending out this bill in its amended form, notwithstanding that in committee meeting the gentleman from Berks——

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. WITKIN. Mr. Speaker, the gentleman from Allegheny should not divulge anything that takes place in committee.

The SPEAKER. The point of order is well taken and the gentleman from Allegheny will confine his remarks to the motion that is before the House.

Mr. STEEDLE. Mr. Speaker and members of the House, as one of the members of the Allegheny delegation whom this bill particularly concerns, I wish to say that it only applies to cities of the second class, and therefore, we are asking that this House will vote affirmatively to suspend rules fourteen, forty-one and forty-three so that the bill may be voted upon at this special session of the legislature. If, unfortunately, there should be a sufficient number of members here voting against this motion, this bill will die a natural death, because without first reading here today this bill will absolutely of itself die in this session. Therefore, I am asking you ladies and gentlemen if you won't acceed to the desire of the delegation from Allegheny county and give them an opportunity to vote on this bill. I ask you, therefore, to kindly consider our request and give us an opportunity to vote by suspending rules fourteen, forty-one and forty-three.

Mr. WITKIN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Steedle.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. STEEDLE. I will, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, may I ask if this is the bill known as the permanent registration bill for Allegheny county?

Mr. STEEDLE. Mr. Speaker, for the city of Pittsburgh, yes sir.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Steedle and Mr. J. J. Kane and were as follows:

YEAS—137

Andrews,	Gallagher, W. J.	McElwee,	Scott,
Baldi,	Gillette,	McGinnis,	Sheffer,
Barnhardt,	Griffith,	McGrail,	Shellenberger,
Bechtel	Harmuth,	McGrail,	Shettel,
Beech,	Hartman,	McGregor,	Shortz,
Bernhard,	Heffernan,	McKinney,	Shugarts,
Boyd,	Hefferon,	Meredith,	Simon,
Brancato,	Hermansen,	Moore,	Sinwell,
Brown, J.E.,	Hewitt,	Mumford,	Snyder,
Brown, W. L.,	Himes, H. E.,	Murphy,	Spann,
Brownfield,	Himes, L. R.,	Nothnagle,	Stank,
Cannon,	Hoffman,	O'Connor,	Steedle,
Caputo,	Holmes, J. B.,	O'Keefe,	Sterling, P.,
Carson,	Hoopes,	O'Rourke,	Sterling, R. B.,
Chervenak,	Horst,	Peelor,	Stevens,
Cohen,	Hough,	Perry, D. R.,	Stiteler,
Conner,	Howard,	Perry, J. J.,	Stone,
Cooke,	Jones,	Powell,	Tahl,
Cordier,	Kane, J. J.,	Powers,	Terry,
Craig,	Kane, L. P.,	Quinn,	Trout,
Cramer,	Lane,	Rectenwald,	Wade,
Dane,	Laubach,	Reed,	Wagner,
Davies,	Lovett, J. E.,	Reilly,	Walker, G. E.,
Downey, G. E.,	Lovett, W. S.,	Rhodes,	Walker, W. A.,
Downey, J. J.,	Lynch, J. R.,	Rice,	Wall,
Dunmire,	Lynch, M.,	Roan,	Way,
Eroe,	Male,	Royle,	Weidemann,
Fitzgerald,	Malina,	Ruby,	Welsh,
Flanagan,	Maloney,	Ruth,	Westrick,
Flinchbaugh,	Marcks,	Sautter,	Williams, G. W.,
Flynn, J. M.,	Mason,	Schrock,	Wilson, L. M.,
Flynn, J. W.,	McBride,	Schrope,	Wilson, T. B.,
Forrest,	McCandles,	Schwab,	Wright,
Furman,	McClure	Schwartz,	Yourishin,
Gallagher, T. J.,	McCreary,		

NAYS—9

Carey,	Evans,	Sowers,	Wood,
Ederer,	Long,	Witkin,	Talbot,
Emhardt,	Shreiner,		Speaker.

So the question was determined in the affirmative and the motion was agreed to.

BILL ON FIRST READING

The SPEAKER. The rules have been suspended for the specific purpose of having House Bill No. 237 (Senate Bill No. 49), read for the first time.

Pursuant to action of the House.

The House proceeded to the first reading and consideration of House Bill No. 237 (Senate Bill No. 49), entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, and boards of school directors; and imposing penalties.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 260 (Senate Bill No. 143), entitled:

An Act requiring the Department of Property and Supplies to provide and install appliances to air condition the Halls of the Senate and House of Representatives, and to regulate temperatures therein, and making an appropriation.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 257 (Senate Bill No. 1), entitled:

An Act authorizing the Governor to accept funds from agencies of the Federal Government appropriating such funds for construction of public works for the Commonwealth and providing for repayment to the Federal Government of part of such funds with interest under certain conditions and making an appropriation for such repayment.

Mr. SPANN, from the Committee on Judiciary General, reported as committed House Bill No. 249 (Senate Bill No. 73), entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board.

Mr. BLUMBERG, from the Committee on Judiciary General, reported as committed, House Bill No. 252 (Senate Bill No. 77), entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board

Mr. BLUMBERG, from the Committee on Judiciary General, reported as committed, House Bill No. 256 (Senate Bill No. 118), entitled:

An Act to protect the owners of mortgaged property during the present emergency by limiting the amount of deficiency judgments during a certain period.

Mr. TURNER, from the Committee on Banking, reported as committed, House Bill No. 262 (Senate Bill No. 125), entitled:

An Act to amend the act approved the fifteenth day of May, One Thousand Nine Hundred and Thirty-three (Pamphlet Laws six hundred twenty-four), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons, restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts" by providing for establishment, maintenance, and operation of branch banks, branch offices and agencies and by further providing for the powers and limitations upon the facts of corporations and persons authorized to engage in a banking or a fiduciary business, or both, and of affiliates of such corporations or persons, and of officers, directods, trustees, and employees of such corporations and persons.

Mr. TURNER, from the Committee on Banking, reported as committed, House Bill No. 263 (Senate Bill No. 126), entitled:

An Act to amend sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and presicribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" by further limiting the exemption of certain private banks and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision

Mr. WOODSIDE, from the Committee on Judiciary General, reported as committed, House Bill No. 251 (Senate Bill No. 75), entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of the liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

Mr. SPANN, from the Committee on Judiciary General, re-reported as amended, House Bill No. 233 (Senate Bill No. 53), entitled:

An Act providing for the creation of public "Authorities" in counties of the second class; authorizing such "Authorities" to enter into agreements with the Government of the United States, particularly as they relate to the National Industrial Recovery Act and any amendments and supplements thereto, the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others; defining and providing for the organization and dissolution of such "Authorities;" conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions upon which such "Authorities" may exercise their powers; endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds; authorizing such "Authorities" to make and receive appropriations; repealing certain acts and parts of acts inconsistent herewith; and for other purposes.

BILLS ON FIRST READING

Mr. STEEDLE asked and obtained unanimous consent for House Bill No. 260 (Senate Bill No. 143), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 260 (Senate Bill No. 143), entitled:

An Act requiring the Department of Property and Supplies to provide and install appliances to air condition the Halls of the Senate and House of Representatives and to regulate temperatures therein and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. STEEDLE asked and obtained unanimous consent for House Bill No. 257 (Senate Bill No. 1), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 257 (Senate Bill No. 1), entitled:

An Act authorizing the Governor to accept funds from agencies of the Federal Government appropriating such funds for construction of public works for the Commonwealth and providing for repayment to the Federal Government of part of such funds with interest under certain conditions and making an appropriation for such repayment.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. SPANN asked and obtained unanimous consent for House Bill No. 249 (Senate Bill No. 73), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 249 (Senate Bill No. 73), entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. BLUMBERG asked and obtained unanimous consent for House Bill No. 252 (Senate Bill No. 77), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 252 (Senate Bill No. 77), entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. BLUMBERG asked and obtained unanimous consent for House Bill No. 256 (Senate Bill No. 118), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 256 (Senate Bill No. 118), entitled:

An Act to protect the owners of mortgaged property during the present emergency by limiting the amount of deficiency judgments during a certain period.

And said bill having been at length the first time,

Ordered, To be laid aside for second reading.

Mr. TURNER asked and obtained unanimous consent for House Bill No. 262 (Senate Bill No. 125), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 262 (Senate Bill No. 125), entitled:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the busines of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by providing for establishment maintenance and operation of branch banks branch offices and agencies and by further providing for the powers and limitations upon the facts of corporations and persons authorized to engage in a banking or a fiduciary business or both and of affiliates of such corporations or persons and of officers directors trustees and employes of such corporations and persons.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. TURNER asked and obtained unanimous consent for House Bill No. 263 (Senate Bill No. 126), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 263 (Senate Bill No. 126), entitled:

An Act to amend sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidiating the business and property of corporations, associations and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan associations, providing for the payment of the expenses of the Department of Banking by supervised corporations, associations or persons and appropriating the Banking Department Fund, authorizing the Department of Banking under certain circumstances to examine corporations, associations or persons affiliated or having business transactions with supervised corporations, associations or persons, authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions and officers, authorizing certain local public officers and State departments to collect fees for services rendered under this act, providing penalties, and repealing certain acts and parts of acts" by further limiting the exemption of certain private banks and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. WOODSIDE asked and obtained unanimous consent for House Bill No. 251 (Senate Bill No. 75), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 251 (Senate Bill No. 75), entitled:

An Act to further amend sectoin four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of the liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RECONSIDERATION OF VOTE

Mr. J. E. BROWN. Mr. Speaker, I move that the vote by which House Bill No. 43, Printer's No. 154, entitled

An Act to protect the lives and secure the safety and health of the people by making it unlawful to evict persons from dwellings under certain conditions or to levy upon and sell household goods of such persons

on page 4 of today's calendar, was defeated on final passage be reconsidered.

Mr. O'CONNOR. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Washington, Mr. Brown, vote on the final passage of the bill?

Mr. J. E. BROWN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Conner, vote on the final passage of the bill?

Mr. O'CONNOR. Mr. Speaker, I voted in the negative.

On the question,

Will the House agree to the motion?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Delaware will state his question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, I understand that the gentleman from Washington, Mr. Brown, states that he voted with the majority.

The SPEAKER. That is correct.

Mr. TURNER. Will the Chair inform us what was the vote on that bill, Mr. Speaker.

The SPEAKER. The Chair is informed that there were eighty-nine yeas and fifty-three nays.

Mr. LONG. Mr. Speaker, I ask for a roll call.

Mr. TURNER. Mr. Speaker, I second the request for a roll call.

The SPEAKER. The Clerk will call the roll.

Mr. HOOPES. Mr. Speaker,——

The SPEAKER. The Chair informs the gentleman that that is nothing in order except the calling of the roll.

Mr. HOOPES. Mr. Speaker, I addressed the Chair before the roll call was started. I did it as quickly as I could.

The SPEAKER. The Chair regrets exceedingly if the gentleman did not rise before the roll call was ordered. The Chair on all occasions has attempted to be fair in every respect, but must now of necessity rule that there is nothing before this body except the calling of the roll with which the Clerk will proceed.

The yeas and nays were required by Mr. Long and Mr. Turner and were as follows:

YEAS—99

Baldi,	Flynn, J. W.,	Malina,	Ruby,
Barnhardt,	Furman,	Maloney,	Ruth,
Bechtel,	Gallagher, T. J.,	Marcks,	Sattter,
Beech,	Gallagher, W. J.,	Mason,	Schrope,
Bernhard,	Gartner,	McClure,	Schwab,
Blumberg,	Green,	McCreary,	Schwartz,
Brancato,	Greenstein,	McGinnis,	Scott,
Brown, J. E.,	Hamilton,	McGrail,	Sheffer,
Brown, W. L.,	Harris,	Munley,	Shortz,
Cannon,	Hart,	Murphy,	Shugarts,
Caputo,	Heffernan,	Myers,	Sinwell,
Carey,	Hefferon,	O'Connor,	Snyder,
Carson,	Hermanson,	O'Keefe,	Sowers,
Chervenak,	Hester,	O'Neil,	Spann,
Cohen,	Himes, L. R.,	O'Rourke,	Stank,
Conner,	Hoffman,	Peelor,	Steedle,
Cooke,	Hoopes,	Pennock,	Sterling, P.,
Cordier,	Howard,	Perry, J. J.,	Stevens,
Craig,	Jaffe,	Powell,	Wasserman,
Dane,	Jones,	Powers,	Welsh,
Davies,	Lane,	Rectenwald,	Westrick,
Downey, G. E.,	Long,	Reed,	Wilson, L. M.,
Downey, J. J.,	Lovett, J. E.,	Reilly,	Yourishin,
Eroe,	Lynch, J. R.,	Roan,	
Fitzgerald,	Male,	Roth,	

NAYS—57

Andrews,	Haines,	Meredith,	Wade,
Boyd,	Harmuth,	Merrell,	Wagner,
Brennan,	Hewitt,	Mumford,	Wall,
Brownfield,	Holmes, J. L.,	Patterson,	Way,
Cramer,	Horst,	Perry, D. R.,	Weidemann,
DeFrehn,	Hough,	Peters,	Wike,
Duffy,	Hutton,	Rhodes,	Williams, G. W.,
Ederer,	Kane, J. J.,	Schrock,	Wilson, T. B.,
Emhardt,	Kane, L. P.,	Shellenberger,	Witkin,
Evans,	King,	Shreiner,	Wood,
Flanagan,	Laubach,	Simon,	Woodside,
Flinchbaugh,	Lord,	Stiteler,	Yeakel,
Gillette,	McElwee,	Stott,	Talbot,
Griffith,	McGregor,	Trout,	Speaker.
Habbyshaw,	McKinney,	Turner,	

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

MOTION TO ADJOURN

Mr. WADE. Mr. Speaker, I move that this House do now adjourn until Wednesday morning, December 20, 1933, at 11:00 o'clock.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. Cohen and Mr. O'Connor and were as follows:

YEAS—36

Brennan,	Hamilton,	Peters,	Wade,
Downey, G. E.,	Hewitt,	Reilly,	Wall,
Ederer,	Horst,	Rhodes,	Way,
Evans,	Hough,	Schrock,	Wilson, T. B.,
Flinchbaugh,	Hutton,	Sheffer,	Witkin,
Flynn, J. M.,	Kane, L. P.,	Sterling, P.,	Woodside,
Forrest,	King,	Stiteler,	Yeakel,
Gillette,	McGregor,	Trout,	Talbot,
Griffith,	Meredith,	Turner	Speaker.
Haines,			

NAYS—83

Andrews,	Davies,	Howard,	Perry, D. R.,
Baldi,	Downey, J. J.,	Jaffe,	Perry, J. J.,
Bechtel,	Dunmire,	Long,	Rectenwald,
Beech,	Emhardt,	Lovett, J. E.,	Reed,
Bernhard,	Eroe,	Lovett, W. S.,	Ruby,
Blumberg,	Fitzgerald,	Lynch, M.,	Sautter,
Boyd,	Flynn, J. W.,	Male,	Schrope,
Brancato,	Furman,	Malina,	Schwab,
Brown, J. E.,	Gallagher, T. J.,	Maloney,	Shellenberger,
Brown, W. L.,	Gallagher, W. J.,	Marcks,	Shugarts,
Brownfield,	Gartner,	McClure,	Sinwell,
Cannon,	Harmuth,	McCreary,	Snyder,
Caputo,	Harris,	McGinnis,	Sowers,
Carey,	Heffernan,	McGrail,	Spann,
Carson,	Hefferon,	McKinney,	Steedle,
Chervenak,	Hermansen,	Merrell,	Stone,
Cohen,	Hester,	Moore,	Tahl,
Conner,	Himes, H. E.,	O'Connor,	Welsh,
Cooke,	Himes, L. R.,	O'Keefe,	Westrick,
Craig,	Holmes, J. L.,	O'Rourke,	Wilson, L. M.,
Dane,	Hoopes,	Peelor,	Yourishin,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. HOOPES. Mr. Speaker and members of the House, I know you want to get away from here, but I am going to talk only a very few moments. I want to thank you for voting down the motion to adjourn.

In order that you may understand what you are voting on this bill is intended to permit a tenant who is threatened with eviction to petition the court of common pleas of his county setting forth the reasons why he can't pay the rent and then the court fixes a hearing, and then after hearing the story of both the tenant and the landlord, if the judge is of the opinion that under all of the circumstances of the particular case the tenant is entitled to have the distraint stayed, then only can there be a stay of eviction. There are some cases of eviction where it is vitally necessary that the courts should have this power, and I ask the members of this House to vote aye on the bill.

The reason I asked to have it reconsidered was because I was requested by a member of the House to take such action, over eighty members having failed to vote when the roll was called this morning.

I ask you to vote aye at this time.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—104

Andrews,	Fitzgerald,	Lewis,	Roan,
Baldi,	Fleisher,	Long,	Roth,
Barnhardt,	Flynn, J. W.,	Lord,	Ruby,
Bechtel,	Furman,	Lovett, J. E.,	Ruth,
Beech,	Gallagher, T. J.,	Lynch, M.,	Sautter,
Bernhard,	Gallagher, W. J.,	Male,	Schrope,
Blumberg,	Gartner,	Malina,	Schwartz,
Boyd,	Gorman,	Marcks,	Scott,
Brancato,	Hamilton,	Mason,	Sheffer,
Brennan,	Harmuth,	McClure,	Shettel,
Brown, J. E.,	Heffernan,	McCreary,	Shortz,
Brown, W. L.,	Hefferon,	McElwee,	Shugarts,
Brownfield,	Heffner,	McGinnis,	Sinwell,
Cannon,	Hermansen,	McGrail,	Snyder,
Caputo,	Hester,	Munley,	Sowers,
Carey,	Hewitt,	Murphy,	Spann,
Carson,	Himes, L. R.,	O'Connor,	Stank,
Chervenak,	Hoffman,	O'Keefe,	Sterling, P.,
Cohen,	Hoopes,	O'Rourke,	Stevens,
Conner,	Horst,	Pennock,	Wagner,
Cooke,	Howard,	Perry, J. J.,	Wasserman,
Cordier,	Jaffe,	Powell,	Way,
Dane,	Jones,	Powers,	Welsh,
Davies,	Kane, J. J.,	Price,	Westrick,
Downey, G. E.,	Lane,	Reed,	Wilson, L. M.
Downey, J. J.,	Laubach,	Reilly,	Yourishin,

NAYS—25

Craig,	Meredith,	Shreiner,	Wall,
Ederer,	Merrell,	Simon,	Wike,
Evans,	Peelor,	Stiteler,	Wilson, T. B.,
Flanagan,	Peters,	Stott,	Wood,
Habbyshaw,	Rhodes,	Trout,	Talbot,
Hutton,	Rice,	Wade,	Speaker.
Melchiorre,	Shellenberger,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

COMMITTEE ON ELECTIONS GIVEN PERMISSION TO MEET

Mr. BLUMBERG asked and obtained permission for the Committee on Elections to meet during the session of the House in Room 324.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. COHEN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from York will state his question of parliamentary inquiry.

Mr. COHEN. Mr. Speaker, is the constitutional majority of this House now 105?

The SPEAKER. That is correct.

ADJOURNMENT

Mr. MEREDITH. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11:00 o'clock.

The motion was agreed to, and (at 7:28 o'clock P. M.) the House adjourned until Wednesday, December 20, 1933, at 11:00 o'clock A. M

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., WEDNESDAY, DECEMBER 20, 1933. No. 21.

SENATE

WEDNESDAY, December 20, 1933.

The Senate met at 10:30 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

The PRESIDENT. In the absence of the Chaplain, the Reverend George P. Donehoo, who is ill, the Chair asks the Senator from Cumberland, Dr. Prince, to offer prayer.

PRAYER

The Senator from Cumberland, Dr. Prince, offered the following prayer:

Lord of all being, throned afar yet imminent in all processes of life, "closer to us than breathing, nearer than hands and feet," we invoke Thy guidance in these perplexing problems that engage our thought. As we endeavor, through legislation, to rear the structure of recovery that shall redeem from waste and want, may we remember that "except the Lord build the house they labor in vain that build it."

Purify motive and illuminate understanding, to the end that the solutions here sought shall approximate just settlement and restore sufficiency and contentment to this sorely troubled land.

In the name of Him who took upon Himself the woes of mankind, Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM MRS. MAY BENNETT MUIR

The Chair cleared his table and laid before the Senate the following communication:

Baltimore, Maryland,
December 19, 1933.

Mr. A. Boyd Hamilton:

The wonderful tribute paid to General Muir's memory by the Senate of the State of Pennsylvania will be a fine heritage for his sons and is deeply appreciated by his family.

It is a proud remembrance that his name is linked with honor and glory with the history of Pennsylvania as long as history endures.

Sincerely,
MAY BENNETT MUIR.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

DELAWARE COUNTY

Allyn H. DeBeust, Prospect Park.

WESTMORELAND COUNTY

James Hutson, New Alexandria.

GIFFORD PINCHOT.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 41

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, December 20, 1933.

Resolved (if the Senate concur), That House Bill No. 41, Printer's No. 23, entitled: "An Act making an appropriation for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the municipal election held in November one thousand nine hundred thirty-three'

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RELATIVE TO THE SALE OF LIQUOR ON JANUARY 1, 1934

Mr. ARON. Mr. President, I move that the Senate do now proceed to the consideration of House Resolution No. 20, reported from the Committee on Law and Order on December 18th.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

The resolution was twice read, as follows:

In the House of Representatives, December 18, 1933.

Whereas New Year's Day a legal holiday falls for the year one thousand nine hundred and thirty-four on Monday and

Whereas New Year's Eve is generally celebrated throughout the State by people awaiting the advent of the New Year and

Whereas The sale of liquors is allowed by the Pennsylvania Liquor Control Act only from seven o'clock ante meridian of

any week day until two o'clock of the following week day and is prohibited on Sunday therefore be it

Resolved (if the Senate concur) That it is the sense of the General Assembly that persons licensed to sell liquors for consumption on the premises where sold shall be permitted to sell such liquors between the hours of twelve o'clock midnight and two o'clock ante meridian on Monday January first one thousand nine hundred and thirty-four and that no licensee shall be penalized or his or her license revoked for the sale of liquors on said day between the hours specified in this resolution

Resolved That a copy of this resolution be transmitted to the Pennsylvania Liquor Control Board by the acting Chief Clerk of the House of Representatives

Mr. ARON. Mr. President, I move that the resolution be adopted.

Mr. KRAUSE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I should like to register my disapproval of that resolution. If it is illegal to sell liquor between the hours specified, then I do not think that anything we could do would have any effect. If it is not illegal, then our action would be surplussage, and I do not think this resolution should be passed.

Mr. ARON. Mr. President, this resolution is to allow hotels to do business on Monday morning between the hours of 12 o'clock midnight and 2 o'clock ante meridian. It does not interfere with the observation of the Sabbath, and it is only an emergency proposition, to permit the people to enjoy New Year's Eve, that is all. There is no harm in it at all.

Mr. REED. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Aron.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Aron, permit himself to be interrogated?

Mr. ARON. Mr. President, I will.

Mr. REED. Mr. President, I desire to ask the Senator from Philadelphia, Mr. Aron, the effect of this resolution—whether it is to suspend or nullify the law.

Mr. ARON. Mr. President, it is merely to suspend the law for two hours on New Year's Eve.

And the question recurring,

Will the Senate agree to the motion?

The motion was not agreed to.

RESOLUTION RELATIVE TO AGENCIES OF FORD MOTOR COMPANY BIDDING ON MOTOR EQUIPMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now proceed to the consideration of House Resolution relative to agencies of the Ford Motor Company bidding on motor equipment, reported from committee at yesterday's session.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

The resolution was twice read, as follows:

In the House of Representatives, December 18, 1933.

Whereas, The Ford Motor Company is one of the important industries of the State as the following statistics show:

(a) It paid out in wages at its Chester plant alone, $2,394,000 during the year 1933 not including the month of December;

(b) It pays a capital stock tax to the State of approximately $8,500 a year;

(c) It pays a real estate tax to local government in excess of $75,000 a year;

(d) It pays taxes on liquid fuels of about $30,000 a year;

(e) It employs, directly at the present time, approximately 8,000 persons in this State;

(f) It has 500 authorized dealers in the State employing approximately 3 000 employes;

(g) It purchases parts and supplies from 240 different manufacturers in this State; and

Whereas, The Ford Motor Company has complied fully with the National Industrial Recovery Act, as is best evidenced by the recent purchases of its products by agencies of the Federal Government; and

Whereas, The agencies representing the Ford Motor Company have recently been unable to do any business with the Commonwealth, not by reason of inability to meet specifications contained in requests for bids, but for the reason that makes of cars have been specified, and the products of the Ford Motor Company have seemingly been discriminated against by being omitted from said specifications, although the Ford Motor Company products come in the same class as, and in direct competition with, those set forth in the specifications; and

Whereas, The Ford Motor Company is the only industry which maintains and operates plants in this State for the production of certain types of motor vehicles; and

Whereas, The establishment of industry in this State should at all times be encouraged and supported, therefore be it

Resolved (if the Senate concur), That it is the demand of the members of the General Assembly that agencies of the Ford Motor Company should be permitted to become bidders on motor equipment in this State when bids are requested for types of equipment similar to those manufactured by said company, to the end that Pennsylvania industry may be aided and encouraged.

Resolved, That a copy of this resolution be transmitted to the Governor, the purchasing agent of the Commonwealth, i. e., the Department of Property and Supplies and to the Department of Highways by the Acting Chief Clerk of the House.

Mr. BUCKMAN. Mr. President, I move that the resolution be adopted.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 43

Mr. REED offered the following resolution, which was twice read, considered and agreed to:

In the Senate, December 20, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 43, Printer's No. 48, entitled "An act making an appropriation to the Department of Military Affairs," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORT OF JOINT LEGISLATIVE COMMITTEE TO INVESTIGATE CONDITIONS CONCERNING VETERANS RECEIVING FEDERAL AID

Mr. STAUDENMEIER. Mr. President, at this time I desire to present a copy of the transcript of testimony taken in pursuance of the resolution passed at the last regular session of the General Assembly, providing for the appointment of a joint legislative committee to investigate conditions concerning veterans receiving Federal aid; and I desire, in connection therewith, to say that the representatives of the various veterans' organizations desire that the committee be continued until the next Regular Session, in order that they may be given the opportunity to present statistics as to the number of veterans in the State of Pennsylvania that would be affected.

It is to be noted, also, that it is the unanimous opinion of the representatives of the various veterans' organizations that the Commonwealth of Pennsylvania, up to this date, has

done everything possible for the aid of the veterans. That will be noted in the testimony.

TRANSCRIPT OF TESTIMONY

In accordance with House Resolution No. 43, Printer's No. 1175, Joint Legislative Committee to investigate conditions concerning veterans receiving Federal Aid, meeting held on Tuesday, November 21, 1933, at 1 o'clock P. M. in Room 249, State Capitol Building, Harrisburg, Pa.

Present:

Senator Staudenmeier presiding.

Senator Ziesenheim;

Representatives Wade, McKay and Frederick H. Myers, members.

A. Boyd Hamilton, Secretary.

William J. Best, Department Commander, Department of Pennsylvania, United Spanish War Veterans.

C. A. Gnau, Adjutant, Department of Pennsylvania, Veterans of Foreign Wars of the United States.

Walter J. Kress, Chairman of the American Legion Legislative Committee, Department of Pennsylvania.

Joseph J. Feidler, State Adjutant of the Disabled Veterans of America of the World War.

Irvin E. Armstrong (429 Verbeke Street, Harrisburg, Pa.), a veteran of the Spanish-American War.

Byron S. Behney, Disabled Veterans of America of the World War.

The SECRETARY. Shall I read the enacting clause for the benefit of those present?

The CHAIRMAN. Yes.

The SECRETARY. I will read this clause:

"This committee was created whose duty it shall be to inquire into, investigate and compile statistics concerning the number of disabled or partially disabled veterans in this Commonwealth affected by such Federal action and the amounts of money involved and to report during the next session of the General Assembly in order that the additional duty so imposed on this Commonwealth may be assumed by proper legislation."

The CHAIRMAN. Now, Mr. Best, do you have any statistics or figures that you would like to submit to the committee here?

Mr. BEST. No. I understand in reading that bill over, that is what I understand about it, that is something impossible to furnish at the present time due to the fact that bonus reductions and applications have not all been reviewed, and there is no way of finding out just how many have passed their pensions, either completely or partially. There is no way of finding that out. It may be another two or three weeks.

Senator ZIESENHEIM. It is presumed that this would be presented at the next General Session. We did not anticipate this Extraordinary Session and, therefore, we didn't have plans for getting anything together until the 1935 Session, but this resolution says "the next session."

Mr. BEST. I will have to tell you this. There was in the service during these times in the war service seventeen thousand four hundred in the Pennsylvania National Guard, enrolled in the service and about an equal amount of regular army enlistments in this State and at the present time there are about fifty per cent of those people still living and about fifty per cent have passed away. We have in our organization just nine thousand members in this State and there is supposed to be at this time just about an equal number who are not members of our organization. We have about fifty per cent of those eligible in the organization.

The CHAIRMAN. Then, would you say, as far as your body is concerned, there are about eighteen thousand veterans still surviving?

Mr. BEST. About that, and probably that many have passed away; about thirty-five thousand.

The CHAIRMAN. And you feel that inasmuch as there are a number of cases that have not yet been reviewed, there is no way for your organization to advise this committee as to the number of veterans of the Spanish-American War who are affected by this Federal change?

Mr. BEST. There is no way of telling.

The CHAIRMAN. And you think it is your opinion that in approximately two weeks this information may be available?

Mr. BEST. It may take longer than that, because they are pretty slow down there in Washington.

Now, do you want to find out about the number of people that are eligible, or are in need of help?

I would say thirty-five thousand of them in the State. Of course not all of them are going to apply for aid—not all, but many of those who have passed away have left a wife or a sister or daughter and those people, you know, all come in for aid from the Federal Government. They have been cut off, too; a great many of the widows and the orphan children have been cut off.

The CHAIRMAN. Is it your thought that before the next Regular Session, which will take place on the first day of January, 1935, that your organization will have, we may say, complete data as to the number of veterans that have been affected?

Mr. BEST. You see I didn't get this letter until Friday in Pittsburgh, and there has been no way for me to get in touch with our headquarters in Washington, and even if I had gotten in touch with them it would have taken quite a while to get it. It would have had to be worked up.

The CHAIRMAN. The question that comes to my mind: Can we do anything at the present time? This resolution was meant to come up in the 1935 Session. It seems to me that if the other organizations will have a report similar to Mr. Best's, the proper procedure would be to have this committee continued up until the next Regular Session to give these various organizations through their proper officers, an opportunity to compile the necessary data for that session. Don't you think that is correct, Mr. Best?

Mr. BEST. I think that would be correct.

The CHAIRMAN. Does that apply also to your organization?

Mr. GNAU. We have some figures, but of course we haven't compiled any real figures due to several reasons. One of them is that they are still reviewing these presumptive cases. This is just an estimate, which covers disability allowances and claims from March 30 to July 30; it is a comparative statement. Thirty-two thousand four hundred people were removed from the Federal rolls in that time out of the total and on March 30th there was a total of fifty-six thousand one hundred and fifty-five World War Veterans receiving compensation in some form. As of July 30th, there was three —three thousand; in other words, it is greater than half have been stricken from the rolls, and it is continuing at the rate about fifty per cent of these presumptive cases, which are reviewed in Pittsburgh or Philadelphia regional offices.

We don't keep any records at our headquarters, but we do know the number of transient veterans who are desirous

of relief is at least five to sixfold than six or eight months ago.

Many of our posts are finding out that their relief funds are entirely exhausted. Many of the posts are not able to take care of the transients; they are not even able to take care of their own members. The loss of the allowance was a serious blow to many of these fellows. As I say, we don't keep records up to date, which would show the number of veterans that are up against it. Of course, it would be absolutely impossible to keep such a record. We keep it pretty close.

Of course, as you know, there is something which will relieve the situation somewhat, and that is the Pennsylvania State Bonus, and that will bring some relief, because the distribution of $50,000,000, or nearly that amount, will help the veterans considerably. Of course, our State Commander just got the notice last week, I believe, and he had to be in Washington today. We realize that the time has been very short, because this Special Session was unthought of,

That is about all I can give you at the present time.

The CHAIRMAN. Isn't it true that there is some likelihood that some legislation may be enacted by the Congress, which will change, we may say, the drastic regulations that were promulgated at the last session?

Mr. GNAU. We are hoping for that.

The CHAIRMAN. Yes. You mentioned the State bonus and changes that may probably be effected by the Federal Government which will tend in all likelihood to greatly reduce the number that would be affected by this particular resolution until the next Regular Session?

Mr. GNAU. Oh, yes; considerably.

The CHAIRMAN. I should think so.

Mr. GNAU. Surely it will. And then unemployment may change sometime in the next year or so; that will help it.

The CHAIRMAN. That is correct. Do you have any questions, Senator?

Mr. ZIESENHEIM. I am just wondering if either of these organizations have any suggestions as to what the Committee might do by way of alleviating this situation. Of course, that is a little bit out of the way, I presume. We are supposed to be a fact finding committee.

The CHAIRMAN. That is correct.

Mr. ZIESENHEIM. I was just wondering, along with the fact fidnings, they had any suggestions.

The SECRETARY. There is another thing, Senator, that I think is in line with this resolution. This committee was organized after the introduction of legislation in the Legislature.

The CHAIRMAN. Before you came in, Representative Wade, we went over this resolution, and it seems to me that the resolution makes us a strictly fact finding body.

Mr. GNAU. We have no recommendations, inasmuch as the voters in the Commonwealth were very generous in the last regular election, and furthermore, I believe in this $20,000,000 relief measure there is $300,000 allotted to the veterans. I believe that is right, isn't it? As much as there is plenty of relief measures in this session, I don't see what we could recommend at this time, so far as State legislation is concerned.

Mr. ZIESENHEIM. That sounds very good then, doesn't it?

The CHAIRMAN. Yes. What do you think of the suggestion that this Committee be continued until the next Regular Session?

Mr. GNAU. That would give us all, including the Committee, ample time.

The CHAIRMAN. Well, Mr. Best, how does that sound to you?

Mr. BEST. That sounds all right to me. I was just wondering when this resolution was presented, it was presented at a time with the thought that perhaps the $50,000,000 would not go over.

Mr. ZIESENHEIM. In other words, you feel that the State putting this up and the Federal Government doing as much, you would not have any trouble?

Mr. GNAU. After the passing of this measure, I don't believe there will be many veterans who will think that the State is not trying to do its best for the veterans. The people have evidenced that by their vote, and the Legislature has also been very generous.

The CHAIRMAN. That is exceedingly helpful.

Mr. ————. I was wondering if the Veterans Bureau couldn't make a provision for these veterans, so that they could get their medicines from the doctor, instead of sending the prescription to Philadelphia, where the prescription is filled, and then they send the medicine back to the disabled man.

The CHAIRMAN. The difficulty with that is that this resolution would not give this committee any such authority, or vest any authority of that kind in this committee to do anything of that type. We are really confined by the very terms of this resolution, and than make an incomplete or hapnazard, you might say, hit or miss report to the Legislature, it seems to me, as Mr. Gnau has stated, that by the time the next Regular Session comes along, which will be in January of 1935, there may be something tangible that the various organizations could present to this Committee, provided the Committee were continued. If I am wrong in that, I would—

Mr. BEST. I think that is about the right thing. You put it very well. I think that would be the proper way to do it.

The CHAIRMAN. Is there anybody here for the American Legion?

Mr. KRESS. Mr. Chairman and gentlemen, the State Commander was unable to come up here, and he asked me to come up in his stead. I am chairman of the American Legion Legislative Committee.

So far as I know, the American Legion didn't introduce this resolution; and I was secretary of the Legislative Committee last year, and of course, our organization would be very much in sympathy with the success back of the introduction of the resolution, but we also realize that it is asking an almost impossible task, and at best the information which a Legislative Committee could obtain on such a matter, merely concerns the Federal Government, would be to a great extent inadequate.

I believe that the American Legion and the Veterans of Foreign Wars and the other organizations, have through their National Conventions, taken action which is going to be translated into real action at the seat of the Government in Washington either in Legislation or Administration, which will cure the reasons for making this request of the Legislature, represented by this resolution.

I know that our own organization very much feels the terrible effects of some of the cuts, particularly to the disabled, and I know that the entire strength, not only of the Department of Pennsylvania of the American Legion, but of the National Organization, will be felt at Washington during the term of Congress about to be convened, and whether our

Congress is in session or not until such a time as these great injustices are remedied, insofar as is possible.

I know that I am speaking for the Department of Pennsylvania when I say that our department intends to bend every effort in behalf of the disabled veterans. I believe that the—I want to make myself clear that the concentration of these efforts should be in Washington, and it is my own personal belief that more can be gained through the organized veterans concentrating their efforts in Washington on the Administrative Officers on the one hand and on our Representatives at Washington on the other hand, than through any—and I say with respect, that I believe that you realize that this is a Federal question to be worked out through Federal Officers rather than to be worked out through the State Legislature.

We are asking the State Legislature at the present time, in the present Special Session, for the enabling legislation to the bonus approved by the people on November 7th. We appreciate the great compliment to the Pennsylvania soldiery paid by the electorate on November 7th, and we feel sure that the Legislature will not be hesitant to enact that enabling legislation, and we feel too that in doing so that these deserving disabled, who are temporarily embarrassed by the Federal cuts will be helped over this chasm, until we have had time to make the injustice felt in Washington.

The CHAIRMAN: Is there anybody else present representing any organization of veterans? Is there any ex-soldier who has any thought that he would like to advance to the Committee? Have you anything to say to the Committee?

Mr. IRVIN E. ARMSTRONG. Mr. Chairman and members of the Committee, I am a member of Veterans of the Spanish American War. I was cut in my pension on the first of July from $60 to $15, and I can't work no more. They claim 62 years, and I am 75. I can't work no more. That was my living, and they cut it on me. I am ruptured, and I am all out of shape in my machinery. I understood there was a meeting here today, and I thought I would come and see what it was like. I would like to get this back some way if I could. I haven't worked any for two years, and I am 75 years old.

The CHAIRMAN: Your case, of course, would be comprehended by any report that would be made by this Committee. Of course, I imagine you would come under the report made by Comrade Best of the United Spanish War Veterans. That is correct, is it not?

Mr. ARMSTRONG: Yes sir. That is all I wanted to ask, and if there is any information that I can find out. I don't expect any information until after Congress meets, anyhow, that is all I wanted to know.

The CHAIRMAN: There are representatives of the Disabled Veterans here today, are there?

Mr. JOSEPH J. FEIDLER: (Adjutant of the Disabled American Veterans of the World War) I am sorry, gentlemen. Our State Commander was to appear before this body, and what he has prepared for this hearing, I do not know. I would rather that Comrade Behney address your committee. I have nothing to offer personally.

The CHAIRMAN: If your Commander has a report to make and if through some unforeseen cause he has been unable to be here, he of course, can file that report with the Secretary of this Committee.

Mr. FEIDLER: Yes. Something has probably held him up, and we have been unable to get in touch with him.

Mr. BYRON S. BEHNEY, (The Disabled American Veterans): I have no statement to make. As our adjutant has stated, our Commander had prepared a report, and we do not know what it is . We have waited for him until the last minute. As you stated, he can make his report in writing.

The CHAIRMAN: That will be all right.

Mr. ZIESENHEIM: Doctor, is he going to contact you when he gets in town?

Mr. BEHNEY: Yes; I think so.

The CHAIRMAN: Then he can give it to Mr. Hamilton.

Now, is there any other person here that would like to be heard?

(No response)

The CHAIRMAN: Does any member of the Committee desire to make any statement?

Mr. ZIESENHEIM: I am just wondering of this D.A.V. proposition would not be somewhat like the first two here: Whether this is a State obligation or a Federal obligation in their opinion, and whether the State is doing that which it might be reasonably expected to do.

Do you have any suggestions along that line?

Mr. FEIDLER: Mr. Chairman, this resolution, as I understand, was originally introduced in the House to find out what the burden of the State would be. It seems to be the policy of the administration that the responsibility must go back on the State instead of on the Federal Government. I think it would be better to ascertain just what the responsibility of this State would be in the event it would have to take up the burden where the Federal Government left off. It is our opinion that it will be a State obligation if the policy of the Federal Government is to continue, as it is now under the Economy Act. The purpose of this resolution, as I understand, is to find out what the policy of the State will be.

The CHAIRMAN: The thought was advanced before you came in that the situation may perhaps be considerably alleviated at the next session of Congress.

Mr. FEIDLER: Yes; very true.

The CHAIRMAN: And it was thought advisable that this committee be continued until the next Regular Session, which would be convened on January 1, 1935, and that would give all the veterans organizations an opportunity of ascertaining whether or not the Federal Government has changed its attitude towards these veterans that are effected; and, if that, then they would be in a position to report to this Committee the number of veterans that have been adversely effected by the Federal legislation.

Mr. FEIDLER: I think the idea is very good, and we are satisfied to go along with it.

The CHAIRMAN: Does any other person here have any suggestion, or wish to make a statement? After all, I may say, for the benefit of you veterans, that the personnel of this Committee consists of veterans, and our sympathies are naturally with you folks, because some day, perhaps if we are not directly affected ourselves, we may be in the same position with those that are affected.

Mr. BEST: Would it be possible for us to get a copy of that resolution?

The SECRETARY: Oh, yes; very glad to.

The CHAIRMAN: Mr. Wade, have you any thought that you wish to offer?

Mr. WADE. No, I have nothing to offer. I think everything, as far as we have gone, has been nicely covered in the hearing. I think it would be well for us to ascertain our position: Whether this Committee should be continued or whether we should ask for its continuation.

The CHAIRMAN: Mr. McKay?

Mr. McKay: I have nothing to say, Mr. Chairman, thank you.

The CHAIRMAN: I believe the representatives of the organizations here have already expressed the thought that the Committee should be continued, so that it can report to the next Regular Session of the Legislature, which is to convene on January 1, 1935.

If there is nothing else, I will entertain a motion to adourn.

(Upon motion duly made and seconded, the hearing adjourned to meet at the call of the Chairman)

RESOLUTION CONTINUING JOINT LEGISLATIVE COMMITTEE TO INVESTIGATE CONDITIONS CONCERNING VETERANS RECEIVING FEDERAL AID

Mr. STAUDENMEIER offered the following resolution, which was twice read, considered and agreed to:

In the Senate, December 20, 1933.

Resolved (if the House of Representatives concur), That the Joint Legislative Committee created by the General Assembly of 1933 to investigate conditions concerning disabled veterans in Pennsylvania be and the same is hereby continued, and shall make a report of their findings and recommendations to the General Assembly of 1935.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE

Agreebaly to order,

The Senate resumed consideration of Senate Bill No. 19, as follows:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties

SHORT TITLE CITATION

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Permanent Registration Act in Cities of the Second Class "A"

Section 2 Definitions a The word "Commission" shall mean any registration commission having jurisdiction in any city of the second class A

b "Commissioner" shall mean a member of a registration commission

c "Oath" shall include affirmation and "Swear" shall include affirm

d "Election" shall mean any general special municipal or primary election unless otherwise specified

e "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

f "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

g "Primary election" shall mean any election for the nomination of candidates

h "November election" shall mean either the general or the municipal election or both according to the context

i "Party" shall mean any political party or body of electors one of whose candidates either at the last general or at the last municipal election shall have polled at least five per centum of the largest entire vote cast for any elected candidate in any city of the second class A although such percentage of said vote may not have been attained in any particular election district thereof

j "Body of electors" shall mean any political body not recognized as a political party but entitled to make nominations of candidates for any public office by nomination papers on whose behalf proper affidavits shall have been filed with the prothonotary or elsewhere as required by law to obtain the exclusive right to use a party name or appellation for any election or primary

k "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

l "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commission as hereinafter provided

m "County" shall mean any county of this Commonwealth within which is located a city of the second class A

n "City" shall mean only a city of the second class A

o All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the second class A or to those of any county within which such city is located or of any school district with which it is coextensive

p "Public office" shall mean and include any national state judicial county city schools district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

q Wherever a term in the masculine form is used in this act it shall refer alike to men and women

r "District" shall mean any election district of the city

Section 3 Registration Commission Membership Bipartisan Term of Office Vacancies Removal Compensation Oath of Office Organization Chairman Secretary Action by Vote of Majority of Members Record of Proceedings Annual Report a There shall be a registration commission in and for each city of the second class A which commission shall have jurisdiction over the registration of electors of such city under the provisions of this act

b The registration commission shall consist of four commissioners who shall be qualified electors of the city not more than two of whom shall be enrolled members of the same political party who shall be appointed by the Governor with the advice and consent of the Senate and shall hold office for terms of four years or until their successors qualify unless sooner removed or otherwise disqualified Provided however That the terms of office of the commissioners first appointed by the Governor under this act shall commence on the first day of February one thousand nine hundred thirty-four and shall expire on the first Monday of January one thousand nine hundred thirty-eight Upon the appointment by the Goveronor of the registration commission for any such city the terms of office of the existing registration commission or commissioners of any such city shall terminate

c The Governor shall fill any vacancy in any such commission within ten days after the vacancy shall occur by appointing a qualified elector of the city to hold office during the remainder of the term of the commissioner whose place shall have become vacant

d The Governor may at any time remove any commissioner for cause and may appoint a duly qualified elector of the city as his successor for the remainder of his term

e Each commissioner shall receive compensation at the rate of three thousand dollars per annum

f As soon after their appointment as may be the members of each commission shall take the oath of office

required by the Constitution of this Commonwealth and shall organize by selection from their number a chairman and a secretary who shall not be members of the same party

g All actions of a commission shall be decided by a majority vote of all members except as may be otherwise provided herein

h Each commission shall keep a record in permanent form of all its proceedings and shall make an annual written report to the Governor

Section 4 Powers of Commission Regulations Enforcement correction of Errors or Irregularities Cancellation of Registration Powers of Commissioners a The commission may make regulations not inconsitent with this act or the laws of this Commonwealth (1) to govern the public sessions of such commission and (2) for the performance of the duties imposed by this act and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the court of common pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

b The commission shall have the power to correct any error or any irregularity in registration and to cancel the registration of any person whom it may find to be improperly registered subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration is cancelled

c The commission and any commissioner shall have power on its or his own motion (1) to summon and interrogate any person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses (4) to require the production of any relevant books and papers

d Each commissioner shall have power to administer oaths and affirmations Each person testifying before a commission shall be first duly sworn or affirmed

Section 5 Employes Registrars Inspectors of Registration Duties Appointment Incompatible Officers a The commission shall have power to appoint such assistants and employes as from time to time it may deem necessary to carry out the provisions of this act and may at any time remove the same The number and compensation of all such assistants and employes shall be fixed by the salary board of the county The commission may with the consent of the county commissioners appoint employes of the county commissioners to act as such for the registration commission without any additional compensation as such

b The employes to be appointed by the commission shall include (1) registrars who shall be empowered to register the qualified electors of such cities and in so doing to administer oaths and affirmations and (2) inspectors of registration who shall have and may exercise the powers conferred upon them by this act

c Registrars and inspectors of registration shall be qualified electors of the city No person who holds or is a candidate for public or party office shall be appointed to or hold any office or employment under any commission except as otherwise provided by this act Registrars and inspectors of registration shall receive such compensation either on a per diem basis for time actually employed or on the basis of work actually done by them as shall be fixed by the salary board of the county

d No registrar or inspector of registration shall exercise any power of his office until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and address the date of his appointment and the length of time for which he shall have been appointed

e Each commission may appoint a chief clerk who shall have authority to administer oaths and to sign vouchers

f Any inspector of registration and when directed by the commission shall

(1) Investigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling building inn lodging-house or hotel within such city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment

(2) Inspect in like manner and copy any register of lodgers in any lodging-house inn or hotel relating to or affecting the right of any person to vote or to be registered in such city

(3) Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

(4) Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest

Section 6 Counsel Compensation Duties The commission may employ special counsel at a compensation not exceeding two thousand dollars per annum Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent the commission on all appeals taken from its decisions or orders to a court of common pleas as herein provided

Section 7 Appropriations by County Commissioners Unexpended Balances of Appropriations Heretofore Made Additional Appropriations a The county commissioners shall appropriate annually and from time to time the funds that shall be necessary for the maintenance and operation of the commission and the carrying out of the provisions of this act therein including the payment of the compensation of the commissioners counsel a sufficient number of registrars inspectors of registration and other assistants and employes and the fee of witnesses as herein provided and likewise for preparing in accordance with the direction of the commission securing and distributing or receiving and preserving all street lists registration cards affidavits vouchers notices account books stationery and other supplies which the commission shall consider necessary for the purpose of this act and for all other necessary expenses

b The county commissioners shall provide the commission with suitable and adequate offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties

c Any unexpended balances of any appropriations heretofore made by the county commissioners for the purpose of carrying out any provision of any existing registration act or the amendments thereto shall be transferred to and made available for the commission hereby created or constituted for the expenses of carrying out the provisions of this act immediately after the effective date of this act All moneys required in addition to any original appropriation in the current year or any other year shall be appropriated from time to time as soon as it shall appear what extra sums are needed

Section 8 Acts of Employes Any insertion or removal of names or other information in registers or the amending of any records done by any employe of the commission by order of the commission shall be construed to have been done by the commission itself which shall likewise be responsible for the correction of any errors in the doing thereof

Section 9 Commissioners may act as Registrars and Inspectors A commissioner may act at any time as registrar or inspector of registration and when so acting shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with law upon registrars and inspectors of registration respectively

Section 10 Immunity from Arrest Commissioners registrars and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrant of a court of record or judge therefor for felony for wanton breach of the peace or for a criminal violation of this act

Section 11 Acts to be done on Legal Holidays and Sundays No part of any day fixed for the performance of any duties by any person or official under this act shall be deemed a Sunday or a legal holiday so as to affect the legality of any work done for the purpose of carrying out the provisions hereof or the right of any person to any compensation herein provided for rendering any service required hereby or so as to relieve any person from doing on such day whatever is necessary for such purposes and such services are hereby declared to be necessary public services

Section 12 Records and Documents to be open to Public Inspection The records of such commission and all district registers street lists voting check lists voter's certificates affidavits petitions appeals witness lists accounts contracts reports and other documents in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the city during ordinary business hours at any time when they are not necessarily being used by the commission or its employes having duties to perform in reference thereto Such public inspection thereof shall only be in the presence of a commissioner or authorized employe of a commission and shall be subject to proper regulation for safe-keeping of the records and documents and subject to the further provisions of this act

Section 13 Watchers at Places of Registration Privileges a Any party or body of electors which now is or hereafter may be entitled to have watchers at any election as well as any organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds may recommend not more than three electors to act as watchers without expense to the county at any place of registration during the time when it shall remain open for the registration of electors The commission shall appoint all such persons as watchers and shall provide them with proper certificates stating their names and the party or policy or citizens' organization which they represent respectively unless any be shown to have previously been convicted of any crime

b Any watcher shall be entitled to remain at any place of registration during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registration and to interrogate or challenge any person regarding his right to be registered and to inspect any papers produced by such person The registrars commissions and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided That a registrar commission or commissioner may at any time require any watcher to show his certificate of appointment and Provided That not more than one watcher for any party or body of electors or citizens' organization represented shall be allowed in a place of registration at any one time

Section 14 Watchers or Attorneys at Sessions of Commission Any party or body of electors or body of citizens which now is or hereafter may be entitled to have watchers at any place of registration or at any election shall also be entitled to appoint any watchers who are qualified electors of the city or attorneys to represent such party or body of electors or body of citizens at any public session or sessions of the commission Such watchers or attorneys may exercise the same rights as watchers at places of registration but the number who may be present at any one time may be limited by the commission to not less than three for any party or body of electors

Section 15 Candidates may be Present at Proceedings Every candidate for nomination or election to any office shall be entitled to be present in person or by attorney in fact duly authorized and to participate in any proceeding before any commission whenever any matters which may affect his candidacy are being heard

Section 16 Days and hours of Registration Places of Registration Use of Polling Places Payments of Rentals Use of School Buildings Public Notice a From and after the first days of February one thousand nine hundred and thirty-four each commission or any commissioner or a registrar shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sunday holidays the day of each election and each primary the thirty days next preceeding each election and each primary and the five days next following each election and each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration Provided however That in the year one thousand nine hundred and thirty-four applications for personal registration may be received up to and including the fifth day of May anything in this section to the contrary nothwithstanding and Provided further That in the year one thousand nine hundred and thirty-four each commission shall arrange to have a registrar present to receive applications for the personal registration of electors at the polling place or some other suitable place in each election district of the city on at least three separate days prior to May fifth (one of them being in March and another in May) and one day in the period beginning September twenty-fourth and ending October sixth

b The county commissioners shall cause any polling place to be open in proper order for use as a place of registration on each day when such polling place may be desired by the registration commission for use as a place of registration and the said county commissioners shall provide for the payment of all rentals for such polling places upon proper vouchers by the treasurer of the county

c The board of school directors of each school district shall furnish a room or rooms in any public school building under its jurisdiction or control and shall cause the room or rooms to be open and in proper order for use as a place of registration on each day when such room or rooms may be desired by the registration commission for use as a place of registration Provided That such use shall not interfere with instruction for the conduct of which such board of school directors shall be responsible

d The proper city authorities shall furnish a room or rooms in the city hall or other municipal building under their jurisdiction or control and shall cause the room or rooms to be opened and in proper order for use as a place of registration on each day when such room or rooms may be desired by the commission for use as a place of registration Provided That such use shall not interfere with the use for which such room or rooms is primarily designed

e The commission shall publicly announce the address of each place of registration other than the office of the commission and the days and hours when the place shall be open for the registration of electors by posting a notice thereof at its office and at least five placards or notices thereof in conspicuous places in the neighborhood of such place of registration and by publication at least once in a newspaper of general circulation published in the city at least three days prior to the date when the place shall be so open and by such other newspaper publication as it deems desirable

Section 17 Registration Cards Preparation and Distribution a For the purpose of registering the qualified electors of such city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section eighteen of this act and the following affidavit

REGISTRATION AFFIDAVIT

State of Pennsylvania } ss:
County of }

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before
me this day of 19

.....
Signature of Voter

.....
Signature of Registrar

b Subject to the foregoing provisions of this section the Secretary of the Commonwealth shall prescribe the form of such registration cards

c Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate for each applicant for registration The commission shall provide suitable binders for filing and indexing the registration cards which binders can be locked The keys of all such binders shall at all times be retained by the commission

d The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar

e Before 10 o'clock ante meridian on the day following the last day for registration before an election or primary and

at such other times as the commission may prescribe each registrar shall return to the commission at its office all registration cards used or unused in his possession and shall account fully in writing for each missing card

f Unused registration cards may be reissued by the commission but the commission shall preserve all other papers records and memoranda as a part of its record

Section 18 Manner of Registration a Every person claiming the right to be registered as an elector must appear in person before the commission or a commissioner or a registrar at the office of the commission or at such other place as the commission shall have designated and answer the questions required to be asked in accordance with this act

b He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with other information herein required shall be recorded in his presence by the registrar or commissioner in permanent writing or typewriting in duplicate in the proper spaces on the registration cards as follows

c (1) The surname of the applicant (2) his Christian name or names (3) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the rooms apartment flat or floor which he occupies (6) the date his residence in the district began (7) his residence address when he last registered and the year of such registration (8) the sex of the applicant (9) the color of the applicant (10) the state or territory of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of the naturalization certificate (12) if not naturalized personally the name of father or husband through whom naturalized (13) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance at the ensuing election and if so his declaration of that fact and his statement of the exact nature of such disability (14) the designation of the political party of the elector for the purpose of voting at primaries (15) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar and dated by him If the elector is unable to sign his name there shall also be recorded on the registration card (16) his height in feet and inches (17) the color of his hair (18) the color of his eyes and (19) the date of his birth Each registration card shall also have a sufficient number of spaces thereon for the insertion of (20) the ward and election district in which the elector resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal (21) the date of each election and primary at which the elector votes and (22) the signature or initials of the election officer who enters the record of voting on the card

d The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed for the whole city the registration affidavits will be known as the General Registers when filed by election districts as the District Registers

e If the applicant shall allege inability to sign his name the registrar shall require him to present the affidavits subscribed in person before a registrar or commissioner of two electors who are personally acquainted with the applicant and who know his qualifications as an elector Each of said two electors shall state in his affidavit the applicant's residence his own residence his knowledge of the statements made by the applicant under oath or affirmation in applying for registration and his belief that they are true Upon the filing thereof the applicant shall be permitted to subscribe to his oath or affirmation by making his mark except that if the applicants inability to sign his name is not due to some apparent physical infirmity he shall first also be required to make and file with the registrar an affidavit of his inability to sign his name Every affidavit required because of an applicant's inability to sign his name shall be filed with the duplicate registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

f When the registration of an elector has been completed the registrar or commissioner shall deliver to the registered elector upon his request a written statement signed by such registrar or commissioner setting forth the name and address of the elector the fact of registration and the date thereof

Section 19 Who May Register Who May Vote Electors Need Register Only Once Exception Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered as herein provided From and after the fifth day of May one thousand nine hundred and thirty-four no person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered except by order of a court of common pleas as hereinafter provided and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address unless his registration is cancelled by reason of his failure to vote during a period of four years as hereinafter provided

Section 20 Applicants to Register May be Challenged Procedure Challenge Affidavit a Any person claiming the right to register may be challenged by a registrar or by any commissioner or by a qualified elector of the city Any person so challenged shall answer the questions of the challenge affidavit as herein specified and after his answers have been recorded he shall subscribe to them his signature or mark and swear to their truth

b The affidavits of all persons so registered shall be filed with the duplicate registration affidavits and shall be returned with them to the office of the registration commission

c The challenge affidavit shall be in form prescribed by the Secretary of the Commonwealth and shall contain spaces for the following information (1) serial number (2) place and date of execution (3) full name of challenged applicant (4) whether he is married or single (5) if married where his family resides (6) if single where his parents reside (7) where applicant actually resided immediately before he took up his present residence (8) his residences for the four months immediately preceding date of execution (9) the name of his present employer (10) the street and number of his place of business (11) the name of his last employer and the year in which he left his employ (12) the city street and number of said last employer's place of business (13) sex of the applicant (14) his color (15) the date of his birth and (16) such distinguishing marks peculiarities and further information for identification as the commission shall prescribe

d The challenged applicant shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his residence in the election district and shall produce such other evidence as may be required to satisfy the registrar or commissioner as to his qualifications as an elector If such challenged applicant shall establish his right to be registered as required by this act to the satisfaction of the registrar or commissioner he shall be permitted to be registered

e Any person making application to be enrolled as a member of a political party for the purpose of voting at primaries may be challenged by any qualified elector of the city Any person so challenged shall be enrolled as a member of such party if he shall make and subscribe an affidavit that at the last election at which he voted he voted for a majority of the candidates of such party all of the candidates of a party for presidential elector being counted as two candidates but if he is unable or unwilling to make such affidavit he shall be denied enrollment as a member of such party but he shall not be deemed to be guilty of any violation or attempted violation of any law by reason thereof

Section 21 Naturalized Applicants Applicants whose Fathers or Husbands were Naturalized All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certified copy thereof before they shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father during his minority may be registered either by the production of his father's original papers or a certified copy thereof or by making affidavit that his father was naturalized at a time when he the applicant was less than twenty-one years

of age and that he is unable to produce his father's papers or a certified copy thereof and Provided further That any woman claiming citizenship by reason of her marriage pior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturalized prior to their marriage and that she is unable to produce his original naturalization papers or a certified copy thereof or (b) by the production of evidence that her husband was a native born citizen of the United States Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

Section 22 Incomplete or Rejected Applications to be Recorded The registrar or commissioner shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filed in the registration card or cards shall be marked "Applicant Rejected" and the registrar or commissioner shall note thereon the reason for the rejection and shall sign his name thereto The registrar or commissioner shall forthwith personally notify the applicant if his application for registration is rejected All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 23 Appeal of Rejected Applicant Any person whose application to be registered has been denied by a registrar or by a commissioner may file a petition with the commission not later than the fifteenth day prior to an election or primary setting forth the ground of his complaint under oath and praying to be registered The commission shall fix a time for a public hearing thereof at its office not later than the tenth day prior to the election or primary At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar or commissioner who rejected the petitioner's application for registration The commission if satisfied that the petitioner is entitled to be registered shall direct a registrar or commissioner to register him in the usual manner and shall amend accordingly the records affected but any registrar or inspector of registration or qualified elector of the city may appear and show cause why the petitioner should not be registered

Section 24 General Register The duplicate registration affidavits for the entire city shall be placed in exact alphabetical order and shall be indexed and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded These affidavits shall constitute the General Register of such city and shall not be removed from the office of the commission execept upon order of the court of common pleas of the county

Section 25 District Registers The original registration affidavits shall be filed by election districts and within each election district in exact alphabetical order and indexed The affidavits so filed for each election district shall constitute the District Register for such district The district register shall be kept at the office of the commission except as herein provided and shall be open to public inspection at all times subject to reasonable safe-guards rules and regulations

Section 26 Removal Notices The commission shall provide removal notives which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room apartment flat or floor if his residence is a portion of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present address and (4) space wherein the elector shall sign his name The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring sixty days or more after the receipt of the notice at the office of the commission Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission with the elector's signature in the general and district register

Section 27 Transfer of Registration a Upon receipt of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration affidavit of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the general and district registers and if the removal shall have been from one election district to another in the same city shall transfer the registration affidavits of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence.

b If the commission shall doubt that the request for transfer is authentic it shall without transferring the registration of the elector promptly notify the elector that it will be necessary for him to apply in person at the office of the commission for the transfer of his registration

c No elector who is unable to write his name shall be permitted to apply for transfer of registration by use of a written removal notice but each such elector must apply in person at the office of the commission establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar or a commissioner who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice

Section 28 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation a At any time prior to the fifteenth day next preceding a primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar or commissioner and state in writing over his signature the political party in which he desires to be enrolled and the registrar or commissioner shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar or commissioner and shall produce such other evidence as may be necessary to establish his identity

b At any time not later than the tenth day preceding any primary any qualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is no longer a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at least twenty-four hours prior to presentation of the same by delivering a copy of the petition to him personally or by leaving it with an adult member of the family with which he resides If at the hearing of any such petition the elector against whom the petition is filed appears and swears or affirms that at the last election at which he voted he voted for a majority of the candidates of the party with which he was then enrolled all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise the party enrollment of such elector shall be forthwith cancelled

c Any elector who has since the time of registration suffered a physical disability which renders him unable to see or mark the ballot or prepare the voting machine or to enter the voting compartment or voting machine booth without assistance shall at least ten days prior to the next succeeding primary or election personally make application under oath to the commission or a registrar to have such fact entered on his registration affidavit together with the exact nature of his physical disability which entry shall be made accordingly

d When the commission shall ascertain that any elector who has declared his need for assistance no longer suffers from the disability stated by him or has voted without assistance it shall

forthwith cancel on his registration affidavit the entry relating to physical disability which authorized him to have assistance and shall fortwith notify such elector by mail of its action

Section 29 Reports of Deaths from Registrars of Vital Statistics Cancelling Registration Correction If Person is Falsely Reported Deceased Reports of Removals from Municipal Officers Departments and Bureaus and Real Estate Brokers and Rental Agents Notice a The Registrar of vital statistics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the deaths of residents of the city except residents less than twenty years of age The commission shall forthwith cancel the registration of each registered elector so reported

b Any person falsely reported deceased by any registrar or vital statistics may appear in person before a registrar or commissioner at the office of the commission in such city and prove his identity and the commission thereupon shall correct its records accordingly

c All municipal officers departments or bureaus furnishing electricity gas water steam or other service to householders in any city shall report in writing from time to time to the registration commission upon the request of the commission all cases of discontinuance of their service to residences together with the names of the persons who contracted for such service and the addresses to which such persons have removed if known to them All real estate brokers and rental agents shall report in writing from time to time to the commission upon the request of the commission all cases of residence property managed by them which have been vacated by the tenants thereof together with the names of such tenants and the addresses to which they have removed if known to them The commission shall forthwith send to each such person who is found to be registerd as an elector from the address given in said report and to all the members of his family and household who are electors registered from the same address the notice provided for by section thirty of this act and shall proceed thereupon in accordance with the provisions of that section

Section 30 Mail Check-up of Registers a At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon At least once in each year the commission shall send such notice by mail to each registered elector in the city.

b Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee can not be found there the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-one of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector

Section 31 Canvass of Registered Voters as The commission may at any time by individual commissioners or by inspectors of registration verify the registration in any election district of such city by visiting each building from which an elector is registered and such other buildings as the commission may deem necessary and shall make a record of the name and address of each person registered who shall not be found to reside at the address from which he is registered or who for any other reason shall appear to be not qualified to vote in the election district from which he is registered and shall leave at the address of each such person a notice requiring him to appear personally at the office of the commission on or before a date and hour which the notice shall appoint and which shall be not later than the tenth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector and the commission shall cause a confirmation of each such notice to be sent by mail promptly to such person at the address from which he is registered

b At the expiration of the time specified in the notice the commission shall cancel the registration of each such person who has not personally appeared and proved his qualifications as an elector

c For the purpose of facilitating any such canvass the commission may when necessary appoint special inspectors of registration in number not exceeding double the number of election districts which the commission shall determine to canvass

d Such special inspectors shall have and may exercise the powers conferred by this act upon inspectors of registration They shall be qualified electors of the city and shall be appointed without reference to residence in election districts or to their political affiliations or beliefs

e The commission shall instruct each special inspector in his duties

Section 32 Comparison and Correction of Registers Preliminary Street Lists a Commencing thirty days prior to each election or primary the commission shall compare and correct the general and district registers

b Three months after each municipal election and seven months after each general election the commission shall prepare for each election district a preliminary street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers

c The commission shall cause to be made a sufficient number of exact copies of each such list and as soon as possible and not later than the first day of March in each even numbered year and the first day of July in each odd numbered year shall distribute the same among the inspectors and special inspectors of registration and the officials concerned with the conduct of primaries and elections and among the parties bodies of electors candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the city committee of each political party or body of electors upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 33 Corrected Street Lists Posting Commencing not later than the thirtieth day prior to each primary and election the commission shall prepare for each election district a corrected street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers The commission shall cause to be made a sufficient number of exact copies of each such list which may be made by correcting and supplementing exact copies of the preliminary street lists A copy of the corrected street list of each election district shall forthwith be publicly posted at the polling place of such district Two complete sets of such lists shall be kept on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 34 Petitions to Strike Off Names At any time not later than the tenth day preceding any election or primary any qualified elector of the city including any watcher and any registrar or inspector of registration may petition the commission to cancel the registration of any registered elector of such city setting forth under oath supported by the affidavits of at least two adult persons sufficient grounds for such cancellation and also setting forth that due notice of the time and place when said petition would be presented and heard had been given to the person so registered personally at least twenty-four hours prior to the presentation of the same or that he could not be found at the place given in the district register as his residence and that the person in charge thereof to be mentioned by name in said petition had de-

clared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them or that no person is residing at the address given whereupon the commission shall forthwith cancel the registration of such elector and amend accordingly the general and district registers and the other records affected unless the person so registered shall appear and show cause why the same should not be done

Section 35 Delivery of District Registers to County Commissioners a Not later than noon of the second day preceding an election or primary the commission shall deliver to the county commissioners of the proper county the district register accurately corrected to date for each election district in order that the same may be delivered to the election officers with other election materials for use on election day in the manner in which the county commissioners now are or hereafter may be required to deliver the same Provided That the registration commission shall not deliver to the county commissioners the registration card for use at the polls on election day of any person who has removed from one election district to another within two months of any general municipal primary or special election The registration commission shall withdraw from the district registers the cards of all such persons before the registers are delivered to the county commissioners.

b District registers when so delivered to the county commissioners shall be contained in suitable binders so constructed and locked that the name address voting record and other data on each card may be visible and that entries may be made on each card but that the cards can not be removed by the election officers Said binders shall have printed or written thereon the words "District Register of Voters" and the name of the district

Section 36 Persons Registered are Entitled to Vote at General or Municipal Elections if Identified by Signature Proviso Evidence of Registration Discrepancies Persons Registered and Enrolled May Vote at Primaries if Identified by Signtures Proviso Persons Not Registered are Not Entitled to Vote Challenging of Persons Registered Voter's Certificates Voting Check List Elections and Primaries Counting Et Cetera of Names Checked as Having Voted Sealing of Registers and Voting check Lists Return of Lists of Voters and Registers a Any person whose names is in the district register of any election district in such city and who upon applying to vote shall have signed his name to a voter's certificate in the form hereinafter provided for as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and view of the watchers with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers shall be entitled to vote in such district at any general municipal or special election unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from the district since registration or that he has violated any law of this Commonwealth prohibiting betting or bribery at elections

b No elector shall be required to sign a voter's certificate as a means of identification if he shall have been unable to sign his name when registered or if having been able to sign his name when registered he subsequently shall have lost his sight or lost the hand with which he was accustomed to sign his name or shall have been otherwise rendered by disease or accident unable to sign his name when he applies to vote but each elector shall establish his identity to the satisfaction of the election officers and in such case a voter's certificate shall be prepared for him by one of the election officers upon which the facts as to such disability shall be noted and attested by the signature of such election officer

c No person who applies to vote shall be permitted by any election officer or clerk or other person to see the signature recorded as his in the district register until after he shall have signed his name to the voter's certificate

d Any person who is registered and also enrolled as a member of a political party and who upon applying to vote shall have established his identity by signing his name or otherwise as herein required at elections and is otherwise qualified may vote as a member of said party at any primary succeeding such registration without being subject to any challenge regarding his party membership No elector registered and enrolled as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party at any primary election and any qualified elector registered although not enrolled as aforesaid shall be permitted to vote a non-partisan ballot according to any law providing for same at any primary election

e No one except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by the authority of this Commonwealth shall be entitled to vote at any election or primary without being personally registered as an elector in the election district in which he offers to vote except by order of the court of common pleas as herein provided regarding appealed cases Any person although personally registered may be challenged by any qualified elector watcher overseer or election officer at any election or primary as to his identity as to his continued residence in the election district or as to any alleged violation of the laws of this Commonwealth prohibiting betting or bribery at elections and if challenged as to identity or residence he shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his identity or continued residence in the election district and shall produce such other evidence as may be required to satisfy the election officers of his identity or continued residence in the election district and if challenged as to betting he shall produce proof that he has not made any bet or wager on the result of the election or is not interested therein and if challenged as to bribery he shall be required to swear or affirm that the matter of the challenge is untrue before his vote shall be received

f The county commissioners shall cause to be printed for each election district a suitable number of Voter's Certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows

VOTER'S CERTIFICATE

(Primary) (Election) ..... 19....

I hereby certify that I am qualified to vote at this (primary) (election)

Signature .....

Address .....

..... Pennsylvania

Approved .....

Number of stub of ballot issued (or number of admission to voting machines).....

(and party at primary) .....

The voter's certificates shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the county commissioners After a voter's certificate has been presented by an elector and has been compared with his signature in the district register and approved or in the case of an elector who is unable to write the notations hereinabove required have been made thereon one of the election officers who made the comparison shall sign his name or initials thereon and if the elector's signature is not readily legible shall print such elector's name over his signature After the elector has been admitted to vote the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at primaries a letter or abbreviation designating the party in whose primary he votes shall be entered on his voter's certificate and the same shall thereupon be inserted in the file or binder One such file or binder shall be furnished for each election district for each primary and election and shall have been printed or written thereon the words "Voting Check List" and the name of the district and date of the primary or election The voter's certificates so bound shall constitute the voting check list of the district All voter's certificates prepared by persons applying to vote whose applications to vote are refused by the election officers shall be carefully preserved and returned to the commission with the voting check list

g The district register shall constitute the ballot check list of the district As each voter is found to be qualified and votes the election officer in charge of the district register shall write or stamp the date of the election or primary and sign his name or initials in the proper space on the registration affidavit of such voter contained in the district register After the polls are closed the names of all electors on the district register marked or stamped as having voted shall be

immediately counted and the result compared with the number of persons voting shown by the voting check list and numbered lists of voters and announced and the cause of any difference ascertained if possible before the ballot-box or voting machine is opened The district register and the voting check list shall be immediately sealed in envelopes and shall be returned to the custody of the registration commission by the judge of election before noon on the day following the election or primary

Section 37 Entry of Information in General Registers Following Elections and Primaries Report of Indications of Fraud to District Attorney a Immediately following each election or primary the commission shall cause each district register to be examined and shall enter the date of the election or primary in the proper space on the registration affidavits in the general register of each elector whom the district register indicates as having voted

b In the case of any elector whom the election officers shall have recorded as removed deceased or challenged and prevented from voting the commission shall ascertain the facts and shall correct the general and district registers in accordance therewith

c The commission specifically shall compare the signature of each elector on each voter's certificate with his signature in the district register and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of voter's certificates and registers hereby prescribed

d Whenever the registration affidavits of any registered elector shall have been entirely filled up so that the entries required to be made thereon by this Act can no longer be made the Commission shall have prepared and attached to such registration affidavits in each register a supplemental card Each supplemental card shall be printed in a color different from the registration affidavits It shall have the same serial number as the registration affidavit following by the letter "A" "B" etc according to the number of supplemental cards attached to each registration affidavit Each supplemental card shall have space thereon for the entry of the surname of the registered elector his Christian name or names the street and number of his residence the ward and election district in which he resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal the date of each election and primary at which the elector votes and the signature or initials of the election officer who enters the record of voting on the card Each supplemental card shall be attached to the registration affidavit to which it relates by permanent fasteners in such a manner that the contents of the registration affidavit may be examined and the entries required by this Act may be made on the supplemental card Whenever supplemental cards are attached to the registration affidavit of any elector the registration affidavit shall be stamped with the words "Supplemental cards attached" together with the date thereof

Section 38 Cancellation of Registration upon Failure to Vote within Four Years Request for Reinstatement Within three months after the municipal election held in the year one thousand nine hundred and thirty-seven and within three months after each general and municipal election thereafter the registration commission shall cause all of the district registers to be examined and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of four years immediately preceding the commission shall send to such elector by mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has not voted within a period of four years and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration setting forth his place of residence and signed by him At the expiration of the time specified in the notice and after publication of the information contained in the notice mailed as aforesaid at least one time in at least one newspaper of general circulation published in the city the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote within a period of four years shall not affect the right of any such elector to subsequently register by personal application to the commission or a commissioner or a registrar in the manner provided by this act

Section 39 Cancellation Removal and Preservation of Registration Affidavits Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration affidavits of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such affidavit shall be kept for five years after which the commission may destroy it

Section 40 Appeals to Court Time of Hearing Notice Postponement Hearing Decision of Court Costs and Fees a Any person whose claim for registration has been denied by the commission or whose name although previously registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of such city whose rights are impaired by any general order made by the commission not including registration of particular names by the commission or personal application made to it as aforesaid or refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper court of common pleas not later than the fourth day preceding any election or primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief of the court may fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the counsel for the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court Proof of notice or the waiver thereof must be filed therein

b Any judge of the court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary At the time so fixed the court or any judge thereof assigned for the purpose shall hear all the witnesses and other evidence that may be offered unless the issue can be decided in some other manner by agreement of the parties concerned

c If after any such public hearing the court shall find that an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed

d The court may compel the appellant or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner

Section 41 Production of Documents Et Cetera At Appeals At the written request of any person taking an appeal from any action or order of a commission as aforesaid the commission shall produce at the hearing thereof any petition register or other record in its custody relevant to the issue involved but the commission shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so

Section 42 Subpoenas and Witness Fees a Any person filing any petition of any kind with a commission or opposing same shall have the privilege of having subpoenas issued by the commission to compel the attendance of witnesses upon condition that all witnesses so subpoenaed shall be paid two dollars and fifty cents each per day as witness fees in the manner here provided

b The commission on its own motion may subpoena witnesses including registrars each of whom shall also be entitled to daily witness fees at the rate aforesaid to be paid out of any money to be provided for the purpose to the commission by the county commissioners in the same manner as other necessary expenses of such commission are to be provided for

c All subpoenas shall be in substantially the same form and shall have the same force and effect as subpoenas now issued by a court of common pleas The commission shall have the benefit of the process of said courts if necessary to enforce any subpoena issued by such commission

d No subpoena shall be issued for the benefit of any person other than the commission until he shall have paid the commission a fee of twenty-five cents for issuing the same and deposited with said commission one day's witness fees for each witness to be summoned thereby whose names shall be given to the commission and entered by it in such subpoena and among the records of the commission No such subpoena shall be of any virtue to require the further attendance of any witness after the day mentioned therein unless the hearing be postponed or continued by the commission and unless before four o'clock post meridian of said day the person for whose benefit it is issued shall have deposited with the commission an additional day's witness fees for each witness whose further attendance is desired As soon as convenient after any hearing is concluded (or postponed or continued) on any day the commission shall disburse the fees deposited with it by any person among those witnesses who have appeared in response to subpoenas issued and shall return to the person who deposited the same any fees deposited for others who did not attend and shall also pay like fees to any summoned by the commission taking their receipts therefor so long as there are sufficient funds available for such payments

e The commission shall pay over to the county treasurer all fees received for subpoenas The accounts of such commission respecting disbursements of witness fees out of appropriations made to such commission by the county commissioners shall be subject to audit from time to time by the county controller

Section 43 Crimes and Penalties a Any person who wilfully disobeys a lawful order of the commission or refuses to obey its subpoenas duly issued and served under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500)

b Any wilful false statement made under oath or in writing stating that it is so made although such oath may not have actually been made by any person regarding any material matter or thing relating to any subject investigated heard or acted upon by any registrar commissioner judge watcher inspector of registration court or commission by virtue of this act shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

c Any registrar or commissioner who knowingly registers or permits to be registered a person not lawfully entitled to be registered or who without reasonable cause refuses to register a person entitled to be registered or knowingly assists in preventing such person from being registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

d Any person who applies for registration knowing or having reason to know that he is not entitled to be registered or who falsely personates another in an application for registration or who knowingly offers false naturalization papers to establish his claim to be registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

e Any registrar commissioner or assistant or employe of a commission who inserts or intentionally permits to be inserted a name or other entries in any registration card without a proper application in person on the part of the person registered or without requiring the proper evidence of the right of the applicant to be registered or who materially alters any registration card after the entries have been made except upon an order of the court of common pleas or of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than (5) years

f Any election officer who knowingly refuses the vote of a duly registered and qualified elector or who knowingly accepts the vote of a person not registered in accordance with the provisions of this act (except that of a person in actual military or naval service or a person having an order of court) or who knowingly receives a vote from a person falsely claiming to be a registered voter shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding on thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

g Any commissioner registrar inspector of registration or other officer assistant or employe upon whom a duty is laid by this act who shall wilfully neglect or refuse to perform such duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

h Any person who inserts or intentionally permits to be inserted any name or material entry in any registration card street list affidavit petition subpoena certificate report or other record authorized or required by this act to be made or prepared for any purpose herein mentioned except in accordance herewith or who materially alters or destroys an entry which has been duly made therein except as herein provided or who takes and removes any such book paper card or other record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspected or copied as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

i Any person who neglects or refuses to furnish to any commissioner or to any inspector of registration any information which he is herein authorized to obtain or to exhibit any records papers or documents herein authorized to be inspected by him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

j Any constable policeman sheriff or other peace or police officer or deputy or subordinate thereof who shall fail upon demand of any commissioner or inspector of registration to render such aid and assistance to him as he shall demand in the maintenance of peace and in the making of arrests without warrant as herein provided or who shall wilfully hinder or delay or attempt to hinder or delay any commissioner or inspector of registration in the performance of any duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

k Any person who intentionally interferes with hinders or delays any other person in the performance of any act or duty authorized or imposed herein shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500)

Section 44 Effective Date Partial Invalidity Legislative Intent a Except as otherwise provided therein this act shall be in force and take effect from and after the first day of February one thousand nine hundred thirty-four

b It is the intention of the General Assembly that if this act cannot take effect in is entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 45 Repeal of Prior Laws Proviso a The following acts of Assembly and parts of acts and any amendments and supplements thereto are hereby repealed absolutely in so far as they effect the personal registration and enrollment of voters in cities of the second class A

(1) Section fifty-nine of an act entitled "An act relating to the Elections of this Commonwealth" approved July second one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred nineteen)

(2) Sections one two three fifteen and nineteen of an act entitled "A further supplement to the act regulating elections in this Commonwealth" approved January thirtieth one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one)

(3) Section one of an act entitled "An act declaratory of and amending the act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand

eight hundred and seventy-four" approved February thirteenth one thousand eight hundred and seventy-four (Pamphlet Laws forty-four)

(4) An act entitled "An act to amend sections one two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four changing the time and manner of making the registry of voters and the duties of registry assessors" approved May twenty-ninth one thousand eight hundred and ninety-one (Pamphlet Laws one hundred thirty-four)

(5) An act entitled "An act to authorize the election of assistant assessor for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" approved June sixteenth one thousand eight hundred and ninety-one (Pamphlet Laws two hunderd ninety-eight)

(6) An act entitled "An act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four as amended by the act of May twenty-ninth one thousand eight hundred and ninety-one fixing the place at which the assessors shall sit to perform the duties imposed upon them by the second section of the said supplement of May twenty-ninth one thousand eight hundred and ninety-one in all voting districts or precincts in this Commonwealth where temporary voting places are or may be established" approved June twelfth one thousand eight hundred and ninety-three (Pamphlet Laws four hundred fifty-five)

(7) An act entitled "An act to amend sections two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the twenty-ninth day of May one thousand eight hundred and ninety-one changing the time and manner of making the registry of voters and duties of registry assessors" approved May sixteenth one thousand eight hundred and ninety-five (Pamphlet Laws seventy-five)

(8) An act entitled "An act supplementary to an act entitled 'An act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violations of its provisions approved the seventeenth day of February Anno Domini one thousand nine hundred and six providing for the continuance in office of the registration commissioners of consolidated cities" approved June third one thousand nine hundred and seven (Pamphlet Laws three hundred ninety-four)

(9) An act entitled "An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" approved July twenty-fourth one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven)

(10) An act entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of assessors and registry assessors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers wilfully permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket" approved July twenty-fifth one thousand nine hundred and thirteen (Pamphlet Laws one thousand and forty-three)

(11) An act entitled "An act to amend section six of an act entitled "An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' aproved the twenty-fourth day of July one thousand nine hundred and thirteen" approved May twenty-eighth one thousand nine hundred and fifteen (Pamphlet Laws five hundred and seventy-six)

(12) An act entitled "An act to amend sections fifteen and eighteen of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July one thousand nine hundred and thirteen by providing for attendance of witnesses fees for subpoenas witness fees and the manner of payment of same and providing a penalty for disobedience to the lawful order of the commissioners or refusal to obey their subpoenas and by repealing inconsistent legislation" approved June eighteenth one thousand nine hundred and fifteen (Pamphlet Laws one thousand and twenty-seven)

(13) An act entitled "An act to amend the third section of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July Anno Domini one thousand nine hundred thirteen (Pamphlet Laws nine hundred seventy-seven) by regulating the compensation of the registration commissioners" approved July nineteenth one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred eight)

(14) An act entitled "A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" approved July twenty-first one thousand nine hundred and nineteen (Pamphlet Laws one thousand and sixty-five)

(15) An act entitled 'An act amending section sixteen of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved July twenty-four one thousand nine hundred and thirteen providing for a change in salaries of the employes of the registration commissioners" approved April twenty-first one thousand nine hundred and twenty-one (Pamphlet Laws two hundred thirty-nine)

(16) An Act entitled "An Act to amend section one of an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand sixty-five) entitled 'A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a politi-

cal party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith'" approved June seventh one thousand nine hundred and twenty-three (Pamphlet Laws six hundred eighty)

(17) An Act entitled "An Act to amend part of section seven of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a poiltical party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith'" approved April twenty-third one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred seventy)

b All other acts or parts of acts of Assembly in conflict or inconsistent with this act or any part hereof are hereby repealed so far as they are inconsistent herewith

c The provisions of this act shall not affect any suit or prosecutions pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such acts so repealed respecting any act done or omitted prior to such repeal

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Miller,	Shapiro,
Aron,	Einstein,	Norton,	Snyder,
Batchelor,	Fay,	Owlett,	Sones,
Baumer,	Frazier,	Parkinson,	Sordoni,
Bell,	Gelder,	Pethick,	Staudenmeier,
Bennett,	Graff,	Pierson,	Thompson,
Boyd,	Harris,	Prince,	Trainer,
Brandt,	Harvey,	Quigley,	Williamson,
Buckman,	Homsher,	Reed,	Ziesenheim,
Chapman,	Hunsicker,	Rice,	Scott,
Clark,	Lanius,	Roberts,	Pres. Pro Tem.
Coyne,	Mansfield,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 87 (House Bill No. 74), as follows:

A Supplement to act number three hundred-A approved the third day of June one thousand nine hundred thirty-three One Thousand Nine Hundred Thirty-three (Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to the Executive Legislative and Judicial Departments of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the appropriations made by the act to which this act is a supplement the following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund in the State Treasury to the several hereinafter named agencies of the Executive and Judicial Departments of the Commonwealth for the purposes hereinafter set forth for the two fiscal years ending the thirty-first day of May one thousand nine hundred thirty-five

To the Department of Forests and Waters

For further flood prevention work along the Darby Creek in Delaware County in cooperation with the Federal Government the sum of ten thousand dollars ($10,000)

To the Department of Health

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and incidental expenses necessary for the proper conduct of the work of the department and the Sanitary Water Board the Advisory Health Board and other boards including the continuation of the investigation and study of the effect of the diversion of water from the tributaries of the Delaware River as authorized by the law the sum of thirty-seven thousand dollars ($37,000)

To the Department of Labor and Industry

For the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees the members of the Industrial Board and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and incidental expenses necessary for the proper conduct of the work of the Department including the work formerly performed by the Bureau of Industrial Relations the Workmen's Compensation Board the Workmen's Compensation Referees and the Industrial Board and for the purchase of artificial appliances for and the payment of maintenance costs of physically handicapped persons in training and all other expenses necessary to carry out the provisions of rehabilitation acts the sum of two hundred twelve thousand dollars ($212,000)

To the Department of Military Affairs

For the preparation of the new State Military Reservation at Indiantown Gap for occupancy by the Pennsylvania National Guard including necessary grading and improvements to the new site the construction or repair of roads sewers sewage lines tent floors and electric lines the construction and furnishing of buildings and the purchase of labor horses supplies equipment and materials the sum of seventy-five thousand dollars ($75,000)

To the Department of Property and Supplies

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of postage traveling expenses mileage charges to the department for the use of automobile telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and incidental expenses necessary for the proper conduct of the work of the department the Capitol Police the Board of Commissioners of Public Grounds and Buildings and other boards attached to the department for the care maintenance and preservation of public grounds and buildings including the Executive Mansion for the payment of the cost of advertising schedules of supplies the sale of unserviceable property proposals for executing the State printing and binding proposals for any contract work readvertising any schedules or proposals when necessary and all other advertising necessary for the proper conduct of the work of the department the sum of two hundred twenty-five thousand dollars ($225,000) Provided how-

ever That the department shall not use any part of this appropriation for the payment of the salaries wages or other compensation of employes necessary for the cleaning and care of offices or other quarters either in the Capitol Building or elsewhere used by the Department of Banking the Department of Highways the Department of Revenue to the extent to which appropriations for this purpose shall have been made to them from special funds the General Assembly the Judicial Department the Department of the Auditor General the Treasury Department the Board of Game Commissioners the Board of Fish Commissioners or the State Workmen's Insurance Board for the cleaning and care of offces or other quarters outside the city of Harrisburg used by any other department board or commission or for the cleaning and care of the State Arsenal or any barracks used by the Pennsylvania State Police

For the purchase of supplies including medicines medical surgical laboratory chamical biological and electrical supplies military stores and supplies stationery and office supplies for the purchase of food and forage and other animal foods for the purchase of furniture and equipment including office chemical laboratory medical surgical biological and electrical equipment furniture furnishings utensils military and police equipment fire arms and other accoutrements artifical appliances fire protection and fire fighting equipment for the purchase of animals poultry seedlings and transplants for the purchase of legal and other books periodicals maps charts manuscripts pamphlets exchanges records lantern slides archaeological and historical markers and for the purchase of all other materials supplies or equipment as set forth in the schedules of the Department of Property and Supplies or for which requisition is made but the want of which was not anticipated at the time of the making of said schedules for the cost of repairing office equipment for the cost of miscellaneous services for the payment of rental charges for telephones and other patented leased office devices for the payment of the cost of printing and printing processes such as binding ruling lithographing color printing and engraving for the purchase of paper envelopes cloth and other substances on which printing is done cuts electrotypes dies stamps and other printing and binding supplies as may be required for the Executive Mansion and the several administrative departments boards and commissions of the State Government except the Department of Highways the Department of Banking and the Department of Revenue to the extent to which appropriations for these purposes shall have been made to them from special funds the Department of the Auditor General the Treasury Department the Board of Fish Commissioners the Board of Game Commissioners the State Farm Products Show Commission the State Workmen's Insurance Board and departmental administrative boards or commissions having control of State institutions or supervision over or the duty of planning for State parks harbors or canals for the payment of the cost of making tests of materials supplies and equipment whether purchased by the Department of Property and Supplies directly or as purchasing agency for the payment of the cost of preparation of plans designs and specifications including necessary tests or borings and the preparation of same required for the performance of the work of the Department of Property and Supplies (when said cost is not otherwise provided for) including those to be purchased or altered at the expense of a fund other than the General Fund and for the payment of expenses incident to condemnation proceedings in the event such expenses are not provided for in any Act of the General Assembly authorizing the acquisition of land for the Commonwealth the sum of seventy five thousand dollars ($75,000)

To the Department of Public Instruction

For aid to financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine the sum of five million dollars ($5,000,000)

To the Department of Revenue

For the payment of salaries wages or other compensation of deputies and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and incidental expenses necessary for the proper conduct of the work of the department for the payment of the cost of filing liens and for the payment of costs of advertising required by any Act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of two hundred fifteen thousand dollars ($215,000) Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purposes

To the Pennsylvania State Police

For the payment of salaries wages or other compensation of the State Police Force a deputy superintendent and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and incidental expenses necessary for the proper conduct of the work of the Pennsylvania State Police for medical attendance and hospital charges not covered by insurance for members of the State Police Force injured in the line of duty and for the maintenance and operation of a radio broadcasting station the sum of ninety-three thousand dollars ($93,000)

LEGISLATIVE DEPARTMENT

To the Secretary of the Senate for the purpose of paying unpaid bills of joint legislative or Senate or House investigations held prior to the ninth of November one thousand nine hundred thirty-three and for expenses incurred in public hearings and investigations by the House Ways and Means Committee during this Extraordinary Session in amounts not exceeding those hereinafter specified

Banking Code Hearings	$ 353.60
Investigation of closed banks	978.08
Investigation of Securities Commission	45.00
Investigation of the finances of the State Government	500.00
Investigation of the production and distribution of milk	1,000.00
Investigation of Philadelphia Poor Boards	13,739.20
Investigation by the House of Representatives of the Public Service Commission session of 1931	21,640.40
Investigation by the Senate of the Public Service Commission 1931	16,842.00
Investigation by the Senate of the Public Service Commission 1932-1933	47,026.13
Investigation of sweatshops	2,700.00
Investigation of the purchase and use of voting machines in Allegheny County	1,000.00
Hearings and investigations by the House Ways and Means Committee during this Extraordinary Session	2,182.50
Total	$108,006.91

Provided that the amounts hereby appropriated to the Secretary of the Senate shall be disbursed by him only after the receipt by him of detailed itemized vouchers satisfactory to the Department of the Auditor General and the Treasury Department covering the several amounts disbursed

JUDICIAL DEPARTMENT

To the Juvenile Court of Allegheny County

For the payment of the salary of the Judge of the Juvenile Court of the County of Allegheny the sum of fifteen thousand dollars ($15,000)

Section 2 This act shall become effective on the date of its final enactment

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Shapiro,
Batchelor,	Fay,	Norton	Snyder,
Baumer,	Frazier,	Owlett,	Sones,
Bell,	Gelder,	Parkinson,	Sordoni,
Bennett,	Graff,	Pethick,	Staudenmeier,
Boyd,	Harris,	Pierson,	Thompson,
Brandt,	Harvey,	Prince,	Trainer,
Buckman,	Homsher,	Quigley,	Williamson,
Chapman,	Hunsicker,	Reed,	Ziesenheim,
Clark,	Krause,	Rice,	Scott,
Coyne,	Lanius,	Roberts,	Pres. Pro Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 109 (House Bill No. 94), entitled:

An Act to repeal the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (P. L. 34), entitled, "An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Fay,	Norton,	Shapiro,
Aron,	Frazier,	Owlett,	Snyder,
Batchelor,	Gelder,	Parkinson,	Sones,
Baumer,	Graff,	Pethick,	Sordoni,
Bell,	Harris,	Pierson,	Staudenmeier,
Bennett,	Harvey,	Prince,	Thompson,
Boyd,	Homsher,	Quigley,	Trainer,
Brandt,	Hunsicker,	Reed,	Williamson,
Buckman,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	Scott,
Ealy,	Mansfield,	Salus,	Pres. Pro Tem.
Einstein,	Miller,		

NAYS—2

Chapman, Clark,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 129 (House Bill No. 97), entitled:

An Act authorizing officers, departments, boards, and commissions of any political subdivision of the Commonwealth, and cities, counties, boroughs, incorporated towns, townships, school districts, to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances.

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. EALY. Mr. President, I ask unanimous consent to amend section 1, page 2, line 17, by striking out the words "said contracts" and insert in lieu thereof "any such contract which contained provisions for the adjustment of prices in the event of the enactment of State or Federal legislation increasing costs to the contractor"; also line 18, by inserting before the word "to" the following: "however"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS OVER IN ORDER

Mr. SHAPIRO. Mr. President, I ask unanimous consent that Senate Bill No. 133 (House Bill No. 190), on third reading, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the state line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same; and relieving said Townships or Counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of townships, or county roads and prescribing the contents of township, county, borough, or incorporated town, petitions providing for percentage of cost of improvement or repairs to be paid by state, county, township, borough or incorporated towns and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of

materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not effected by provisions of this act," as amended, by providing for payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY. Mr. President, I ask unanimous consent that Senate Bill No. 142 (House Bill No. 73), on third reading, entitled:

An act to regulate the sale and delivery of coal, coke, petroleum coke, briquettes, and other solid fuels; providing for appointment of public weighmasters; prescribing their powers and duties; imposing certain duties on the Department of Internal Affairs; and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 154 (House Bill No. 177), entitled:

An Act providing that one-third of the cost of the board of revision of taxes and of the assessors other than personal property assessors in counties of the first class shall be paid by the school district coextensive therewith.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Miller,	Shapiro,
Aron,	Einstein,	Norton,	Snyder,
Batchelor,	Fay,	Owlett,	Sones,
Baumer,	Frazier,	Parkinson,	Sordoni,
Bell,	Gelder,	Pethick,	Staudenmeier,
Bennett,	Graff,	Pierson,	Thompson,
Boyd,	Harris,	Prince,	Trainer,
Brandt,	Harvey,	Quigley,	Williamson,
Buckman,	Homsher,	Reed,	Ziesenheim,
Chapman,	Hunsicker,	Rice,	Scott,
Clark,	Lanius,	Roberts,	Pres. Pro Tem.
Coyne,	Mansfield,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. EALY. Mr. President, I ask unanimous consent that Senate Bill No. 105 (House Bill No. 16), on second reading, entitled:

An Act to amend Whereas clauses and sections one two and four of and to add sections eight and nine to the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred and twenty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 113 (House Bill No. 120), as follows:

An Act in aid of unemployment relief for the citizens of this Commonwealth by providing for preference to citizens of this Commonwealth in employment upon public works of this Commonwealth conferring certain duties on the Department of Labor and Industry and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in aid of unemployment relief to the citizens of this Commonwealth it is hereby provided that in the erection construction enlargement or improvement of any public building or public works by the Commonwealth or by persons firms associations or corporations contracting with the Commonwealth preference in employment shall be given to citizens of the Commonwealth of Pennsylvania and of states not discriminating against the employment of citizens of Pennsylvania on public works therein Persons other than citizens of the Commonwealth may be employed when such citizens are not available In each contract for such erection construction enlargement or improvement a provision shall be inserted that if this act is wilfully violated the contractor shall be liable to a penalty in the nature of liquidated damages to be fixed by the State agency letting the contract

Section 2 The person or persons who may be by law empowered to enter into a contract for the erection enlargement or improvement of any public building or public work shall insert in such a contract a stipulation or covenant that the provisions of section one of this act will be fully complied with

Section 3 Each contractor or sub-contractor shall keep a file of all employes showing the citizenship of each such employe which files shall be open at all times to the inspection of any duly authorized representative of the Department of Labor and Industry

Section 4 The Department of Labor and Industry shall be charged with the enforcement of this act and shall in the event that any contractor or sub-contractor fails to comply with or evades the provisions hereof bring such fact to the attention of the contracting agency of the State and the Department of Justice for proper action on said contract

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 148 (House Bill No. 62), as follows:

A Supplement to act number three hundred-A approved the third day of June one thousand nine hundred thirty-three One Thousand Nine Hundred Thirty-three (Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for

two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to certain administrative departments

Whereas, Additional powers and duties are conferred and imposed upon the Department of the Auditor General the Treasury Department and the Department of Public Instruction by the Pennsylvania Liquor Control Act and

Whereas, The appropriations made by the act to which this act is a supplement are inadequate to enable such departments to exercise and perform such additional powers and duties therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the appropriations made by the act to which this act is a supplement the following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund in the State Treasury to the several hereinafter named agencies of the Executive Department of the Commonwealth for the purposes hereinafter set forth for the two fiscal years ending the thirty-first day of May one thousand nine hundred thirty-five

To the Department of the Auditor General

For the payment of salaries wages or other compensation of deputies and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and other incidental expenses for the payment of rentals of patented leased office devices for the purchase of automobiles furniture furnishings and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of eight hundred eighty-two thousand dollars ($882,000)

To the Treasury Department

For the payment of salaries wages or other ecompensation of a Deputy State Treasurer and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspapers advertising and notices freight express cartage and other incidental expenses for the purchase of insurance covering the loss of any or all cash and securities of which the Treasury Department or State Treasurer is custodian and covering forgeries of all kinds on checks drafts warrants and requisitions for the payment of rentals and patented leased office devices and for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of one hundred sixty-five thousand dollars ($165,000)

To the Department of Public Instruction

For the payment of salaries wages or other compensation of officers examiners and other employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising printing freight express cartage and incidental expenses necessary for the proper conduct of the work of the Department of Public Instruction in conducting civil service examinations for the selection of the officers and employes to be employed by the Pennsylvania Liquor Control Board to operate or assist in the operation of Pennsylvania Liquor Stores or other establishments maintained by the board for storing and testing liquors the sum of one hundred fifty thousand dollars ($150,000)

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 156 (House Bill No. 193), entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities pensions for certain blind persons and the administration of this act by the Department of Welfare providing penalties.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be administered by the Department of Welfare of this Commonwealth

"There is hereby created in the Department of Welfare a Board consisting of three persons to be appointed by the Governor two of whom shall be without sight for the purpose of the administration of this act No person shall be eligible for appointment to this Board who at the time of appointment is an executive or member of the Board of any institution or agency for the Blind"

The Department of Welfare shall have the power and its duties shall be to set up rules and regulations for the administration of this act with the approval of the Welfare Commisison

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend page 1, line 4 of the title by inserting after the word "Welfare" and before the word "providing" the following: "the trustees who administer mothers' assistance in the several counties or by other trustees in certain cases; authorizing appointment of trustees for the pensions payable to certain individuals and"; also line 5 by inserting at the end of the line after the word "Commonwealth" the following: "and the Boards of Trustees of the Mothers' Assistance Funds of the several counties, who, when acting under the provisions of this act shall be known as Boards of Trustees of Pension Fund for the Blind. In the event that any county shall not have a Board of Trustees of the Mothers' Assistance Fund because of the failure of such county to have accepted the provisions of the Mothers' Assistance Act the Trustees of the Old Age Assistance Fund of the county if any shall have the duties and powers of and shall be the trustees for the Pension Fund for the Blind. If there shall be neither a Board of Trustees of the Mothers' Assistance Fund nor a Board of Trustees of the Old Age Assistance Fund in the county the Governor shall appoint a board of trustees composed of seven residents of the county who shall be called a Board of Trustees of Pension Fund for the Blind. If at any time thereafter a Board of Trustees of a Mothers' Assistance Fund shall be appointed for such county it shall immediately take over the work of the Board of Trustees of Pension Fund for the Blind and this act shall be administered as in other counties. Any trustees of the Pension Fund for the Blind appointed under the provisions of this section shall hold office for a term of six years or until a Board of Trustees of the Mothers' Assistance Fund has been appointed in their county"; also amend section 1, page 1, by striking out line "6 to 11 inclusive"; also amend section 1, page 2, by striking out line "1."

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 Such supervisors and assistants as shall be necessary to exercise general supervision over the administration of this act shall be appointed by the Secretary of Welfare subject as in other cases to the approval by the Governor of the number and compensation of such supervisors and assistants

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend page 2, by inserting between lines 11 and 12, the following new section: "Section 3 The boards of trustees in the several counties shall appoint such additional investigators and clerical assistants as may be necessary to enable them to distribute pensions for the blind in their respective counties but as far as possible the investigators engaged in the administration of the Mothers' Assistance Law shall also perform the work necessary for the administration of this act at no time shall the additional expense of administering this act in any county exceed in amount six per centum of the allocation to such county from the appropriation for pensions for the blind."

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows:

Section 3 Pensions may be granted under this act only to an applicant who

(a) Has attained the age of twenty-one years or upwards

(b) Resides in the Commonwealth and has so resided continuously for at least ten years immediately preceding the date of application Provided That absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the State if a domicile be not acquired outside the State

(c) Is not at the date of making application an inmate of any prison jail workhouse insane asylum or other public reform or correctional institution

(d) Is not at the date of making application suffering from mental or physical infirmity which in itself would make him or her a charge upon any other institution or agency of this State and which has so incapacitated him or her prior to the loss of sight that such person was a public charge prior thereto

(e) Has not sufficient means of his own to enable him to maintain himself and is incapable of or lacking the opportunity of self-support

(f) Has vision so defective or impaired that he is unable to earn a livelihood except through special training and in occupations which can successfully be carried on by blind persons

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend section 3, page 2, line 12, by striking out after the word "Section" and before the word "Pensions" the numeral "[3]" and inserting in lieu thereof the numeral "4"; also page 3, line 13, by inserting after the word "[visions]" and before the word "vision" the following: "less than 3/60 or 10/200 normal vision"; also page 3, line 13, by striking out after the word "vision" and before the word "is" the following: "[so defective or impaired that he]" and inserting in lieu thereof the following: "and by reason thereof.".

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows:

Section 4 All applications for pensions under this act shall be made to the Department of Welfare in such form as the Department may prescribe No application shall be approved until the Department of Welfare is satisfied after proper investigation that the applicant is entitled thereto under the provisions of this act and particularly not until an ophthalmologist certified by the American Board of Ophthalmic examinations shall have certified in writing as to the diagnosis prognosis and visual acuity of the applicant

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend section 4, page 3, line 17, by striking out after the word "Section" and before the word "All" the numeral: "[4]" and inserting in lieu thereof the numeral: "5"; also line 18, by striking out after the word "the" and before the word "in" the following: "[Department of Welfare]" and inserting in lieu thereof the following: "Board of Trustees of Pension Fund for the Blind of the county in which the applicant resides"; also line 19, by inserting after the word "Department" and before the word "may" the following: "of Welfare"; also line 20, by striking out after the word "the" and before the word "is" the following: "[Department of Welfare]" and inserting in lieu thereof the following: "Board of Trustees"; also line 25, by striking out at the beginning of the line before the word "shall" the word: "[examinations]" and inserting in lieu thereof the word: "Examinations"; also line 25, by inserting after the word "examinations" and before the word "shall" the following: "or an oculist duly licensed to practice in Pennsylvania and actively engaged in treatment of the human eye."

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifth section of the bill was read as follows:

Section 5 The Department of Welfare may require any recipient of pension hereunder to submit to further examination of his eyes by a compentent ophthalmologist at such reasonable times as the Department shall deem necessary

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend section 5, page 4, line 1, by striking out after the word "Section" and before the word "The" the numeral: "[5]" and inserting in lieu thereof the numeral: "6"; also line 1, by striking out after the word "The" and before the word "may" the following: "[Department of Welfare]" and inserting in lieu thereof the

following: "Board of Trustees of Pension Fund for the Blind of a county"; also line 4, by inserting after the word "ophthamologist" and before the word "at" the words: "or oculist"; also line 5, by inserting after the word "the" and before the word "Department" the following: "the board of trustees or the"; also line 5, by inserting after the word "Department" and before the word "shall" the following: "of Welfare."

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth section of the bill was read as follows:

Section 6 The maximum payment to any one person allowed by the Department under the provisions of this act shall be thirty dollars per month

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend section 6, page 4, line 6, by striking out after the word "Section" and before the word "The" the numeral: "[6]" and inserting in lieu thereof the numeral: "7"; also line 7 by striking out after the word "by" and before the word "under" the following: "[the Department]" and inserting in lieu thereof the following: "a board of trustees"; also page 4, by inserting between lines 11 and 12, the following new section: "Section 8. Before any payment is made to any person under the provisions of this act a complete report shall be made of all matters stated in the application giving the name of the beneficiary the number and kinds of relatives the financial condition of relatives and all other matters which shall be from time to time required by the Department of Welfare All such reports shall be made upon forms supplied for the purpose by the Department of Welfare All such reports shall be made in triplicate One copy shall be retained by the local board of trustees one copy shall be forwarded to the Department of Welfare and one copy to the Auditor General All reports shall be sworn to by the investigator and shall be approved by a majority of the board of trustees."

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventh section of the bill was read as follows:

Section 7 If any person receiving pension under this act shall refuse or neglect to comply with any reasonable request of the Department of Welfare for information concerning the continued existence of need and the other qualifications for such pension or who shall on request neglect or refuse to authorize any other person firm or corporation to furnish such information about the pension recipient or his affairs or who shall refuse to submit to any examination required by this act the Department of Welfare may suspend all payments to such recipient until he shall have complied with the requirements of the Department

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend section 7, page 4, line 12, by striking out after the word "Section" and before the word "If" the numeral: "[7]" and inserting in lieu thereof the numeral: "9"; also line 14, by inserting after the word "of" and before the word "the" the following: "a county board of trustees or of"; also line 20, by striking out at the end of the line after the word "the" the following: "[Department of Welfare]" and inserting in lieu thereof the following: "board of trustees"; also line 22, by striking out after the word "with" and before the word "requirements" the word: "[the]" and inserting in lieu thereof the word: "such"; also line 22, by striking out at the end of the line after the word "requirements" the following: "[of the Department]."

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eighth section of the bill was read as follows:

Section 8 If the condition or circumstances of any person receiving a pension under this act should change in such way that the person does not have all the qualifications required to obtain a pension hereunder pension payments to such person shall at once cease

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend section 8, page 4, line 23, by striking out after the word "Section" and before the word "If" the numeral: "[8]" and inserting in lieu thereof the numeral: "10."

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The ninth section of the bill was read as follows:

Section 9 The Department may appoint a trustee to take charge of the expenditures of the pension granted any applicant when in its opinion such trustee is necessary In such case the payment shall be made direct to such trustee upon requisition of the Department Such trustee shall serve without pay and shall be subject to the rules and regulations which the Department shall prescribe

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend section 9, page 4, line 28, by striking out after the word "Section" and before the word "The" the numeral: "[9]" and inserting in lieu thereof the numeral: "11"; also line 28, by inserting after the word "Department" and before the word "may" the following: "of Welfare"; also line 29, by striking out after the word "the" and before the word "of" the word: "[expenditures]" and inserting in lieu thereof the word: "expenditure."

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The tenth section of the bill was read as follows:

Section 10 All payments under the provisions of this act shall be made monthly direct to the recipient thereof by warrant after requisition as provided by law in other cases

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend section 10, page 5, line 25, by striking out after the word "Section" and before the figure "12" the bracket; also line 25, by striking out after the figure "[12" and before the word "All" the following: "[10]."

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eleventh section of the bill was read as follows:

Section 11 No person receiving pension under this act shall at the same time receive any other relief from the Commonwealth or from any political subdivision thereof except for medical and surgical assistance

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend page 6, by striking out lines 1, to 4, inclusive.

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twelfth section of the bill was read as follows:

Section 12 The initial appropriation made by the General Assembly for Pensions for the Blind shall be allocated among the several counties of the State according to population Any amount so allocated and unused in any fiscal year in any county shall be added to the amount of the appropriation subject to allocation for the following fiscal year under the current or any future appropriation For the second and subsequent fiscal years allocations of amounts available for such pensions shall be made among the several counties according to the number of persons receiving pensions and who are eligible for pensions up to the end of the tenth month of the previous fiscal year

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend section 12, page 6, line 5 by striking out after the word "Section" and before the word "The" the following: "[[14] 12]" and inserting in lieu there of the numeral: "13."

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirteenth section of the bill was read as follows:

Section 13 Any person securing any pension contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment not exceeding one year or both at the discretion of the court

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend section 13, page 6, line 18, by striking out after the word "Section" and before the word "Any" the following: "[[15] 13]" and inserting in lieu thereof the numeral: "14."

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourteenth section of the bill was read as follows:

Section 14 This act shall not relieve any county city or poor district from responsibility for the maintenance either in an institution or otherwise of any person who cannot qualify for pension under this act or who cannot be provided for under the current appropriation for carrying out the provisions of this act

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend section 14, page 6, line 24, by striking out after the word "Section" and before the word "This" the following: "[[16] 14]" and inserting in lieu thereof the numeral "15."

Mr. SONES. Mr. President, I second the motion.

On the question.

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifteenth section of the bill was read as follows:

Section 15 This act shall become effective immediately upon its approval by the Governor but the first payments hereunder shall be made for the month of June one thousand nine hundred and thirty-four

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend section 15, page 7, line 1, by striking out after the word "Section" and before the word "This" the following "[[17] 15]" and inserting in lieu thereof the numeral: "16."

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixteenth section of the bill was read as follows:

Section 16 It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend section 16, page 7, line 5, by striking out after the word "Section" and before the word "It the numeral "[16]" and inserting in lieu thereof the numeral: "17."

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventeenth section of the bill was read as follows:

Section 17 All acts or parts of acts inconsistent herefith are hereby repealed

On the question,

Will the Senate agree to the section?

Mr. LANIUS. Mr. President, I move to amend section 17, page 7, line 11, by striking out after the word "Section" and before the word "All" the numeral: "[17]" and inserting in lieu thereof the numeral: "18."

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act providing for and regulating subject to certain restrictions limitations and liabilities pensions for certain blind persons and the administration of this act by the Department of Welfare providing penalties.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 157 (House Bill No. 197), entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing on elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 163 (House Bill No. 86), entitled:

An Act to prohibit discrimination and intimidation on account of race or color in employment under contracts for public buildings or public works, and fixing penalties therefor.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 164 (House Bill No. 171), entitled:

An Act to amend section one of article six of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An act for the government of cities of the second class" as amended by providing for the assessment of a less rate of tax upon buildings than upon land graded over a period of years until the rate upon buildings shall become one-fifth of the rate upon land

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. BUCKMAN. Mr. President, I move that the bill just read be recommitted to the Committee on Finance.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 166 (House Bill No. 196), entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 167 (House Bill No. 199), entitled:

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 168 (House Bill No. 200), entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hun-

dred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liablty of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule in compensation and providing procedure for the determination of liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 169 (House Bill No. 153), entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. ARON. Mr. President, I ask unanimous consent that Senate Bill No. 173 (House Bill No. 66), on second reading, entitled:

An Act for the relief of financially distressed taxpayers providing for the payment in installments of delinquent county city borough incorporated town township school and poor taxes in certain cases and abating additional penalties and interest thereon

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 174 (House Bill No. 109), entitled:

An act to amend section one of the act, approved the twenty-sixth day of August, one thousand nine hundred and thirty-two (P. L. 100), entitled "An act authorizing the abatement of penalties on local taxes," as amended, by providing for the extension of time during which such abatements may be allowed.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 175 (House Bill No. 138), entitled:

An Act to further amend clause (e) of section three hundred and six of the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," by permitting the extension of time for hospitalization to ninety days at the option of the employer or insurer; and fixing the date when this act becomes effective.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 178 (House Bill No. 191), as follows:

An Act to amend section one of the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred thirty-seven) entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two and validating the liens of such taxes" further extending the period for such returns and providing for returns for the year one thousand nine hundred and thirty and for the year one thousand nine hundred and thirty-three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred thirty-seven) entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two and validating the liens of such taxes" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any tax collector or receiver of taxes of any county city borough town township school district or poor district shall have failed or neglected to make return to the county commissioners of taxes assesed and levied against seated lands for the years one thousand nine hundred and thirty or one thousand nine hundred and thirty-one or one thousand nine hundred and thirty-two or one thousand nine hundred and thirty-three within the time required by law such tax collector or receiver upon obtaining the written consent of the taxing authorities of the municipal subdivision which levied the tax may legally and validly make return of such taxes for any of the aforesaid years in the manner provided by law for such return at any time within six months after this [act] amendment takes effect and the liens of any taxes for said years so returned under the authority of this act shall be valid and are hereby ratified and confirmed and a county treasurer's sale may be had for such taxes at any time when a treasurer's sale is held or on any day to which said sale may be adjourned or readjourned in the manner provided by existing law Provided however That the return of any tax under this act shall not revive or re-establish any tax lien against real estate which was transferred to any purchaser during the time when any such lien was lost or shall such return affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the collector to return the taxes at the regular time

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. OWLETT. Mr. President, I ask unanimous consent that Senate Bill No. 179, (House Bill No. 212), on second reading entitled

An Act to amend section two hundred and four of the act approved the fifteenth day of May, one thousand nine

hundred and thirty-three, (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations, authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothontaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts;" regulating the establishment and maintenance of branch banks, offices and agencies.

go over in its order.

The PRESIDENT. Is there objection?

Mr. BUCKMAN. Mr. President, I would suggest to the Senator from Tioga, Mr. Owlett, that he withdraw his request to have the bill go over in its order. I was about to make a motion that the bill be recommitted to the Committee on Banks and Building and Loan Associations.

Mr. OWLETT. Mr. President, I think that it is going to be amended so that it will meet the objections of us who opposed this bill. I have the consent of the Chairman of the Committee on Banks and Building and Loan Associations that this bill go over in order and it may expedite the matter if my request is agreed to.

Mr. WILLIAMSON. Mr. President, I agree with Senator Buckman. This bill has come out of committee and is now on the calendar, with amendments, and the proper action now should be to put it back in committee.

Mr. OWLETT. Mr. President, perhaps it should go back later, but I shall insist on my request that the bill go over in its order.

The PRESIDENT. Is there objection?

Mr. WILLIAMSON. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

BILL RECOMMITTED

Mr. WILLIAMSON. Mr. President, I move that Senate Bill No. 179 (House Bill No. 212), on second reading, be recommitted to the Committee on Banks and Building and Loan Associations.

Mr. REED. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SORDONI. Mr. President, as Chairman of the Committee on Banks and Building and Loan Associations I would suggest that the members of this Senate permit this bill to go over in its order. We have some amendments that we feel will satisfy all the members of the Senate on this matter and that they will withdraw the objections. We cannot do it if we put it back in committee but we can do it by holding a committee meeting informally and discussing it. If the Senator from Huntingdon, Mr. Williamson, will withdraw his motion and permit the bill to go over in its order we would very much appreciate it.

Mr. WILLIAMSON. Mr. President, I am not inclined to withdraw the motion for the reason that we have had several spirited meetings in the Committee on Banks and Building and Loan Associations and we were confronted this morning with a bill from the printer that certainly did not measure up with what the members of the Committee on Banks and Building and Loan Associations believed it would contain.

Now there is plenty of time, the day is early. We have been in session scarcely an hour. Send this bill back to committee, with notice to members of that committee that later in the day certain amendments will be submitted by the Chairman of that Committee, or some other person. Certainly this measure has made so much trouble that it ought to be recommitted, where we can deliberate on it and know what the amendments are that will be proposed.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. WILLIAMSON and Mr. REED, and were as follows, viz:

YEAS—26

Batchelor,	Graff,	Prince,	Snyder,
Baumer,	Harris,	Reed,	Sones,
Bennett,	Homsher,	Rice,	Sordoni,
Buckman,	Hunsicker,	Roberts,	Staudenmeier,
Clark,	Lanius,	Salus,	Trainer,
Ealy,	Mansfield,	Shapiro,	Williamson,
Frazier,	Miller,		

NAYS—20

Armstrong,	Chapman,	Harvey,	Pethick,
Aron,	Coyne,	Krause,	Quigley,
Bell,	Einstein,	Norton,	Thompson,
Boyd,	Fay,	Owlett,	Ziesenheim,
Brandt,	Gelder,	Parkinson,	Scott,
			Pres. Pro Tem.

So the question was determined in the affirmation.

Mr. EALY. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Somerset, Mr. Ealy, will state his question of parliamentary inquiry.

Mr. EALY. Mr. President, if this bill is recommitted without second reading may it be reported out and read the second time today?

The PRESIDENT. The Chair informs the Senator from Somerset, Mr. Ealy, that the bill has been recommitted without second reading.

Mr. EALY. Mr. President, if the bill is amended in committee and reported out today as amended, can it then be read the second time today?

The PRESIDENT. The Chair informs the Senator from Somerset, Mr. Ealy, that it can be read the second time today if printed.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 180 (House Bill No. 137), entitled:

An act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four by installments and for a discount for prompt payment of such taxes in cities of the second class

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 181 (House Bill No. 245), entitled:

An Act to amend section three clause (b) and sections nineteen and twenty-three of the act approved the fifth day of December one thousand nine hundred thirty-three (Act Number six) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties."

The first section of the bill was read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three clause (b) of the act approved the fifth day of December one thousand nine hundred thirty-three (Act Number Six) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties" is hereby amended to read as follows

Section 3 Imposition of Tax

(a) Except as otherwise in this act provided every manufacturer shall be subject to pay to the Commonwealth of Pennsylvania the taxes imposed in this section for the privilege of producing manufacturing distilling rectifying or compounding distilled spirits rectified spirits or wines in this Commonwealth when such distilled spirits rectified spirits or wines are withdrawn from bond or if not required by Act of Congress to be stored or placed in bond when prepared for market or for use in the manufacture or production of any beverage intended for sale

Such taxes shall be measured by the amount of such distilled spirits rectified spirits and wines so produced manufactured distilled rectified or compounded by the manufacturer on or after the effective date of this act and shall be computed thereon at the following rates

On distilled spirits one dollar ($1) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On rectified spirits thirty cents ($.30) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon in addition to the tax imposed herein on the privilege of manufacturing or producing using or selling within this Commonwealth the distilled spirits or wines from which said rectified spirits are produced manufactured or compounded

On wines one-half cent ($.005) per unit or proof per wine gallon and a proportionate tax at a like rate on all fractional parts of such wine gallon

Provided however that the rate of tax on the privilege of manufacturing producing or distilling in this Commonwealth distilled spirits or wines until January first one thousand nine hundred thirty-four shall be two dollars on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon and that until January first one thousand nine hundred thirty-four the tax of thirty cents ($.30) per proof gallon or wine gallon when below proof shall not be imposed for the privelege of rectifying spirits

(b) Except as otherwise in this act provided every importer shall be subject to pay to the Commonwealth of Pennsylvania the taxes imposed in this section for the privilege of selling or using in this Commonwealth distilled spirits rectified spirits or wines [produced manufactured distilled rectified or compounded without] brought into this Commonwealth Such taxes shall be measured by the amount of such distilled spirits rectified spirits and wines so sold or used by the importer in this Commonwealth on or after the effective date of this act except as hereinafter provided and shall be computed thereon at the following rates

On distilled spirits one dollar ($1.) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On rectified spirits one dollar and thirty cents ($1.30) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On wines one-half cent ($.005) per unit of proof per wine gallon and a proportionate tax at a like rate on all fractional parts of such wine gallon

Provided however that until the first day of January one thousand nine hundred thirty-four the rate of tax for the privilege of selling or using in this Commonwealth distilled spirits rectified spirits or wines [produced manufactured distilled rectified or compounded without] brought into this Commonwealth shall be two dollars on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon unless a tax shall have been paid upon the privilege of producing manufacturing distilling rectifying or compounding such distilled spirits rectified spirits or wines under clause (a) of this section or unless a floor tax shall have been paid upon such distilled spirits rectified spirits or wines under the provisions of Act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties"

Also provided that the tax imposed by this [clause] section shall not be payable on any distilled spirits and wines sold to or used by [the] any manufacturer or importer in this Commonwealth [in] for the manufacture of rectified spirits which are exempt from tax under the provisions of this act

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend section 1, page 5, line 24 by inserting after the word "on" and before the word "any" the following: "the privilege of manufacturing or bringing into this Commonwealth"; also line 27 by striking out after the word "spirits" and before the syllable "pro-" the following: "[which are exempt from tax under the]" and inserting in lieu thereof the following: "whenever the manufacture of such rectified spirits is exempt from tax under the following"

Mr. CHAPMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 That section nineteen of said act is hereby amended to read as follows

Section 19 Exemption from Tax [From and after the date upon which the Commonwealth of Pennsylvania begins to operate Pennsylvania Liquor Stores no] No taxes shall be imposed or collected under the provisions of this act upon the privilege of producing selling or using such distilled spirits rectified spirits and wines as are sold to or sold or used by the Commonwealth or are sold to the United States or any governmental agency thereof or for the use of any university

or college of learning any laboratory for use exclusively in scientific research or any hospital sanatorium or eleeomosonary dispensary

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend section 2, page 6, line 13 by striking out after the word "or" and before the word "dispensary" the word: "[eleeomosonary]" and inserting in lieu thereof the word: "eleeomosynary"

Mr. CHAPMAN. Mr. President, I second the motion

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third and fourth sections of the bill were read as follows and agreed to:

Section 3 That section twenty-three of said act is hereby amended to read as follows

Section 23 Effective Date and Effective Period This act shall become effective the day after the day the Twenty-first Amendment of the Constitution of the United States is ratified by conventions in at least three-fourths of the several states

This act shall cease to be effective upon the effective date of any act of Congress providing for participation by the states or by those states which do not tax distilled spirits in the proceeds of the tax imposed and collected by the United States upon distilled spirits

Section 4 This act shall be effective immediately upon its final enactment

The title of the bill was read as follows and agreed to:

An act to amend section three clause (b) and sections nineteen and twenty-three of the act approved the fifth day of December one thousand nine hundred thirty-three (Act Number six) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties".

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 182 (House Bill No. 246), entitled:

An act to amend act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" by providing for an extension of time for payment in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

RECONSIDERATION OF SENATE BILL No. 166 (HOUSE BILL No. 196).

Mr. EALY. Mr. President, I ask unanimous consent that Senate Bill No. 184, (House Bill No. 135), on second reading, entitled:

An Act relating to past executions providing for the entry of deficiency judgments and limiting the amount collectible thereafter.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

RECONSIDERATION OF SENATE BILL NO. 166 (HOUSE BILL No. 196).

Mr. CHAPMAN. Mr. President, I move to reconsider the vote by which Senate Bill No. 166, (House Bill No. 196), entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board.

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. CHAPMAN. Mr. President, I voted "aye".

Mr. BUCKMAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "aye".

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 166, (House Bill No. 196),

Mr. CHAPMAN. Mr. President, I move to reconsider the vote by which the Senate agreed to transcribe the bill for a third reading.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. CHAPMAN. Mr. President, I move to reconsider the vote by which the title of the bill was agreed to.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the title?

Mr. CHAPMAN. Mr. President, I move to reconsider the vote by which the first section of the bill was agreed to.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. CHAPMAN. Mr. President, I move to strike out the word "Twenty" in line 9, Page 2, and insert the word "Fifteen" in its place.

Strike out the following words in lines 18, 19 and 20: "The Board may upon cause shown extend the time provided in

this article for taking such appeal or for the filing of an answer or other pleading."

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read and agreed to, and said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF SENATE BILL, No. 179, HOUSE BILL No. 212

Mr. OWLETT. Mr. President, I move to reconsider the vote by which Senate Bill No. 179 (House Bill No. 212), on second reading, entitled:

An Act to amend section two hundred and four of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers and banking corporations with or without fiduciary powers including the conversion of national banks into State banks and for the licensing of private bankers; defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business, with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporations conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers; imposing penalties; and repealing certain acts and parts of acts;" regulating the establishment and maintenance of branch banks offices and agencies

was recommitted to the Committee on Banks and Building and Loan Associations.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WILLIAMSON. Mr. President, I desire to interrogate the Senator from Tioga, Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga permit himself to be interrogated?

Mr. OWLETT. Mr. President. I will.

Mr. WILLIAMSON. Mr. President. I would like to know how the Senator from Tioga, Mr. Owlett, voted.

Mr. OWLETT. Mr. President, I voted "no".

Mr. WILLIAMSON. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Huntingdon, Mr. Williamson, will state his point of order.

Mr. WILLIAMSON. Mr. President, a Senator voting "no" on a motion to recommit a bill to committee may not move to reconsider the vote by which that bill was recommitted.

The PRESIDENT. The point of order submitted by the Senator from Huntingdon, Mr. Williamson, is well taken.

Mr. SALUS. Mr. President, I move to reconsider the vote by which Senate Bill No. 179 (House Bill No. 212), on second reading, was recommitted to the Committee on Banks and Building and Loan Associations.

The PRESIDENT. How did the Senator vote?

Mr. SALUS. Mr. President, I voted "aye".

Mr. FRAZIER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FRAZIER. Mr. President, I voted "aye."

On the question,

Will the Senate agree to the motion?

Mr. HARRIS. Mr. President, if this is the banking bill I think it highly improper to take any action on it until the sponsor is on the floor. He is around some place, and I do not think we should take any action on this bill until the Senator from Luzerne, Mr. Sordoni, is here.

The PRESIDENT. The Senator from Luzerne, Mr. Sordoni, is now here.

Mr. SORDONI. Mr. President, I have no objection to the motion.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILL ON SECOND READING

Mr. FRAZIER. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 179 (House Bill No. 212), on second reading, entitled:

An Act to amend section two hundred and four of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" regulating the establishment and maintenance of branch banks offices and agencies

Mr. ARMSTRONG. Mr. President, I second the motion.

The motion was agreed to,

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 179, (House Bill No. 212), as follows:

An Act to amend section two hundred and four of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments

commissions and officers imposing penalties and repealing certain acts and parts of acts" regulating the establishment and maintenance of branch banks offices and agencies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assmbly met and it is hereby enacted by the authority of the same That section two hundred and four of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" is hereby amended to read as follc s

Section 204 Branch Offices and Sub-agencies A An institution shall not establish maintain or operate either directly or indirectly any branch bank branch office agency sub-office sub-agency or branch place of business within this Commonwealth [for the transaction of any part of its business but all of the business of such institution shall be carried on solely and exclusively at its principal place of business] except as may be permitted by this act

[This section shall not apply to branches sub-offices and sub-agencies established or those for which locations had been purchased or leased by deed recorded or leases actually delivered prior to the first day of March one thousand nine hundred twenty-seven or to branches sub-offices and sub-agencies which resulted from mergers or consolidations of institutions effective prior to the first day of April one thousand nine hundred twenty-seven and such institutions shall have the right to relocate the same within the corporate limits of the city borough or township in which the principal place of business is located at the time of such relocation provided that such relocation is made with the approval of the Department in the manner provided by this act for any removal of the places of business of an institution

[This section shal not apply to any institution which has its principal place of business in a city borough or township within this Commonwealth in which one or more national banking association incorporated under the laws of the United States was on the first day of March one thousand nine hundred twenty-seven operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business for the transaction of any part of its business and any such institution may hereafter establish subject to the approval of the Department and thereafter maintain and operate branch banks branch offices agencies sub-offices sub-agencies and branch places of business for the transaction of any part of its business but only within the corporate limits of the city borough or township in which its principal office is located and in which such national banking association was on the first day of March one thousand nine hundred twenty-seven operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business The right to establish and maintain branch banks branch offices agencies sub-offices sub-agencies or branch places of business under the provisions of this subsection shall be limited to the territory included within the corporate limits on the first day of March one thousand nine hundred twenty-seven of the respective cities boroughs or townships in which such national banking associations were on that date operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business and such right shall not extend to additional territory which may after the first day of March one thousand nine hundred twenty-seven be added to such cities boroughs or townships by annexation consolidation with one or more municipal corporations or otherwise nor shall it extend to other portions or divisions of municipal corporations to which such cities boroughs or townships may be annexed or with which they may be consolidated after that date the intention being to limit to the respective corporate limits such cities boroughs or townships as they existed on the first day of March one thousand nine hundred twenty-seven the right to establish and maintain the branch banks branch offices agencies sub-offices sub-agencies and branch places of business authorized in this section]

B Any institution may continue to maintain and operate any branch bank branch office agency sub-office sub-agency or branch place of business lawfully established by such institution

C Any institution may in the manner provide by this act for an amendment to its articles establish a branch bank branch office agency sub-office sub-agency or branch place of business at any place within this Commonwealth where at the time such institution proposes to establish such branch bank branch office agency sub-office sub-agency or branch place of business any national banking association having its principal office in the same county as that in which the principal office of the institution proposing to make such action is located would have the power under the laws of the United States now or hereafter enacted to establish a branch bank branch office agency sub-office sub-agency or branch place of business of such national banking association

D Any institution may in the manner provided by this act for an amendment to its articles established and thereafter maintain and operate a branch bank branch office agency sub-office sub-agency or a branch place of business at any place within the county in which its principal office is located or in any contiguous county if it shall appear that the community in which such institution proposes to establish such branch bank branch office agency sub-office sub-agency or branch place of business is without [adequate] banking facilities

E Any intitution may establish and thereafter maintain and operate any branch bank branch office agency sub-office sub-agency or branch place of business at any place within the county in which its principal office is located or in any contiguous county where the establishment of such branch bank branch office agency sub-office sub-agency or branch place of business is effected by the merger or consolidation in the manner provided in this act of two or more institutions

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WILLIAMSON. Mr. President, I move that Senate Bill No. 179 (House Bill No. 212), the bill just read, be recommitted to the Committee on Banks and Building and Loan Associations.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. EALY. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. MANSFIELD. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 43

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, December 20, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 43, Printer's No. 48, entitled "An act making an appropriation to the Department of Military Affairs,"

be recalled from the Governor for the purpose of amendment.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 55

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, December 19, 1933.

Resolved (if the Senate concur), That House Bill No. 55, entitled:

An Act making an appropriation out of The State Stores Fund to the State Emergency Relief Board, for direct relief, work relief and expenses; defining the purposes for which such moneys may be expended; providing for the audit of such expenditures; and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION URGING SUPPORT OF FEDERAL AND LYNCHING LAW

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Federal Relations:

In the House of Representatives, December 19, 1933.

Whereas, A disregard for the proper and orderly procedure of justice appears to be rampant in various parts of our country resulting in unparalleled examples of mob violence

And Whereas such subversion of justice is destructive to the very fabric of our civilization and may be regarded as a sign of ominous portent

And Whereas the Congress of these United States will convene in a few weeks

And Whereas certain members of Congress have declared and stated it to be their intention to sponsor and introduce a Federal Anti-Lynching Law; therefore be it

Resolved (if the Senate concur), That the Representatives in Congress from Pennsylvania be respectfully urged and requested to actively support such legislation when the same may be introduced

Resolved That a copy of this resolution be furnished each Senator and Representative in Congress from Pennsylvania

RESOLUTION URGING INCREASED APPROPRIATION FOR ACCIDENT PREVENTION ON HIGHWAYS

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Public Roads and Highways:

In the House of Representatives, December 18, 1933.

Whereas, The rapid improvement of the highways of the Commonwealth and the greatly increased traffic thereon has resulted in a deplorable number of accidents and a consequent loss of life and property and

Whereas This loss to the Commonwealth could be made less by a more thorough and continuous supervision of traffic on the highways by the Motor Patrol which within its means has in the past prevented many accidents and afforded valuable aid to those injured in collisions and

Whereas Many members of the Motor Patrol have been assigned to tasks other than those for which they were originally intended thereby reducing the number available for patrol duty on the highways and

Whereas The necessary thorough and continuous patroling of the highways by these capable employes of the Commonwealth can only be secured by increasing the number of men to be assigned to this duty and

Whereas The unprecedented increase in mileage of improved highways during the past few years makes necessary such an increase therefore be it

Resolved (if the Senate concur) That it is the opinion of this General Assembly that consideration should be given by His Excellency the Governor during the next budget period to allowing a substantial increase in the appropriation to be made by the Commonwealth for this purpose to the end that a suffcient number of men can be assigned for patroling the highways in order to prevent accidents and the loss of life and property attendant thereon and be it further

Resolved That a copy of this resolution be handed to the Governor of the Commonwealth as the recommendation of the General Assembly

RESOLUTION RELATIVE TO PRINTING COPIES OF THE BOROUGH ACT OF MAY 4, 1927

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Resolution as follows:

In the House of Representatives, December 4, 1933.

Resolved (if the Senate concur), That the Legislative Referencse Bureau is hereby directed to have printed, as a Legislative document, five thousand copies of the General Borough Act of May 4, 1927, P. L. 519, with all amendments thereto, to be distributed as follows: one thousand (1000) copies for the use of the Senate, two thousand (2000) copies for the use of the House of Representatives and the remaining copies to be distributed and sold by the Division of Documents of the Department of Property and Supplies in the manner provided by law.

BILLS SIGNED

The President (Lieutenant Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 42, entitled:

A Joint Resolution creating a Liquor Control Investigation Commission, defining the powers and duties of said Commission; and making an appropriation.

Senate Bill No. 52, entitled:

An Act to amend the title and sections one, two, and three of the act approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand two hundred twenty-nine), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," as amended, by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health.

Senate Bill No. 56, entitled:

An Act authorizing counties, poor districts, boroughs, towns, townships and school districts having money borrowed for one

purpose to use the same for other purposes which will aid recovery from existing economic depression; and requiring in certain such cases the assent of the electors.

Whereupon,

The PRESIDENT (Lieutenant Governor Edward C. Shannon) in the presence of the Senate, signed the same.

RESOLUTION RELATIVE TO STATE-WIDE UNEMPLOYMENT CENSUS

Mr. SALUS. Mr. President, I move that the Senate do now proceed to the consideration of the resolution relative to state-wide unemployment census, reported from the Committee on Judiciary General at yesterday's session.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

The resolution was read as follows:

In the House of Representatives, December 18, 1933.

Whereas, In planning of future unemployment relief activities, public works programs, and other projects relating to the welfare of the citizens of Pennsylvania, it is of vital importance to obtain information and statistics regarding the extent of unemployment; and

Whereas, The Federal Civil Works Administration of Pennsylvania has indicated its approval of a State-wide unemployment census for the duel purpose of obtaining information and providing work for the unemployed; and

Whereas, The Federal Civil Works Administration has indicated its willingness to finance such surveys from Federal Civil Works Administration funds;

Therefore, Be It Resolved, If the Senate concur, that it is the sense of the General Assembly that if the making of such survey is financed by the Federal Civil Works Administration, the people of the State should co-operate to the fullest extent to make such surveys or studies complete and accurate; and

Be It Further Resolved, That the Governor of the Commonwealth be requested to issue a proclamation calling upon all citizens to afford to the persons making such surveys or studies all information which may be requested

Mr. SALUS. Mr. President, I move that the resolution be adopted.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. SALUS. Mr. President, I move that the Senate do now take a recess until two o'clock this afternoon, and that at that time we take up the matter of the consideration of he discharge of the Committee on Executive Nominations from the further consideration of certain nominations.

Mr. HARRIS. Mr. President, I second the motion

The motion was agreed to.

AFTER RECESS

The PRESIDENT (Lieutenant- Governor Edward C. Shannon) in the chair.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

When the Senate recessed this morning it was with the understanding that upon reconvening there would be a motion to discharge a committee.

QUESTION OF PERSONAL PRIVILEGE

Mr. BUCKMAN. Mr. President, I want to pay a tribute to the Highway Department of Pennsylvania. During the latter part of last week we had a storm consisting of rain, snow and sleet, and in traveling over the highways of this Commonwealth I was impressed with the loyalty, the energy and the work performed by the employes of the State Highway Department in scattering cinders over the icy hills of this Commonwealth. I know a great many of those men stayed out and worked at their job all night, and in so doing no doubt saved the lives of many, many people and prevented hundreds of accidents.

It is a small matter to speak of, but it was very noticeable to me, in traveling over several of the counties of this Commonwealth, to see these men doing their job and doing it well. It was also a noticeable matter to me that the cities through which I passed had not done as the State Highway Department had done, and that as a result there were many more accidents, I think, in proportion to the mileage of roads, in the cities of the Commonwealth than there were in the country districts; and I want to take this opportunity to give a word of encouragement and commendation to those men who did this work,—not only the Secretary of Highways himself, and his engineers, and the other men in the higher positions, but also to the laborers and other toilers who left their homes and firesides and stayed up all night, in many cases, in order to protect the traveling public.

Mr. COYNE. Mr. President, would it be out of order at this time to move that the President appoint a committee of one for the purpose of having the State Highway Department take over all the streets of the cities and see that they be kept in this condition?

MOTION TO RECESS

Mr. SORDONI. Mr. President, I move that the Senate do now take a recess for five minutes, in order that there may be a meeting of the Committee on Banks and Building and Loan Associations.

Mr. HARRIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

It was not agreed to.

Mr. HARRIS. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. SORDONI. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HARRIS. Mr. President, I ask for a roll call.

Mr. COYNE. Mr. President, I would like to know the purpose of the recess.

The PRESIDENT. There is nothing before the Senate but the calling of the roll.

The roll was called by the Clerk.

Mr. HARRIS. Mr. President, I ask for a verification of the roll.

The roll was verified, and was as follows:

The yeas and nays were required by Mr. HARRIS and were as follows, viz:

YEAS—17

Aron,	Harvey,	Pethick,	Sordoni,
Bennett,	Homsher,	Prince,	Thompson,
Brandt,	Lanius,	Salus,	Trainer,
Buckman,	Mansfield,	Shapiro,	Ziesenheim,
Harris,			

NAYS—29

Armstrong,	Ealy,	Krause,	Rice,
Batchelor,	Einstein,	Miller,	Roberts,
Baumer,	Fay,	Norton,	Scott,
Bell,	Frazier,	Owlett,	Snyder,
Boyd,	Gelder,	Parkinson,	Sones,
Chapman,	Graff,	Quigley,	Staudenmeier,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,			

So the question was determined in the negative.

MOTION TO DISCHARGE COMMITTEE FROM FURTHER CONSIDERATION OF NOMINATION

Mr. SALUS. Mr. President, I move that the Committee on Executive Nominations be discharged from further consideration of the nomination by the Governor of P. Stephen Stahlnecker as a member of The Public Service Commission of the Commonwealth of Pennsylvania, which was transmitted to and received by the Senate of Pennsylvania on November 13, 1933, and referred to said committee on November 13, 1933.

Mr. MANSFIELD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. PRINCE. Mr. President, I want to preface my vote on this motion with a statement of my position. In the regular session last spring I voted against discharging the Committee on Pensions and Gratuities which had under consideration an old age pension constitutional amendment. My action was interpreted, as I knew it would be, as a gesture of hostility to old age pensions, though such was not my attitude. If the resolution had been reported out I would have voted "aye," for the people of the State had a constitutional right to decide for themselves whether or not they wished to empower the Legislature to enact an old age pension law. Yesterday I voted "aye" on the Einstein motion to recess for fifteen minutes in order to give the Railroad Committee a chance to report out the full crew bill. After that was defeated I voted "no" on the Harris motion to suspend the rules, which was merely preliminary to discharging the Committee. I presume my action on the Harris motion was construed by the public as a vote against the full crew bill. That is an erroneous inference. I have an open mind on all subjects of legislation except proposed amendments to the Federal Constitution conferring additional powers upon the Federal Government.

As Senators our concern is for the welfare of the people of our respective districts and of the State at large. The Legislature is the agency for transmitting the will of the people as expressed through us into the accompished fact of statutory enactment. The Committee system is the legislative mechanism which simplifies and facilitates our task by selective process. In my judgment it is the most vital element in American government, State or National. The Committee system is absolutely necessary. It is the only way to handle legislation in its preliminary stages. I have heard it charged that the Senate does not represent the people, and that the Committee system is responsible for its alleged failure in that respect. I do not believe this for one moment. The Senate simply refuses to allow itself to be stampeded. I would suggest, however, that bills in which considerable and influential bodies of our citizens are interested ought to be accorded a place on the calendar and a public hearing if desired. But while the Committees may kill some good bills, they kill a far greater number of bad bills. I have a profound respect for Senatorial precedent, and I am not willing to weaken by my vote a system which I believe to be both necessary and wise. For this reason if for no other I would vote "no" on the motion to discharge any committee from the consideration of a legislative bill, even if that bill were my own.

But, Mr. President, in the present instance it is not a legislative bill which the Committee on Executive Nominations has under consideration. This Committee is arresting the processes of administration by withholding legal status from the members of a supremely important division of the State Government. Appointment is an executive function.

The participation of the Senate is incidental and secondary. The Senate would be within its technical right in refusing its assent, but unless it had good and sufficient reason it could hardly escape the opprobrium of deliberate obstruction. If the committee refuses to act and the Senate ignores the issue, it can scarcely fail to be regarded not only as a discourtesy to the Chief Executive but as a mistake in political strategy.

The Governor was elected largely on his promise to protect the public from extortionate utility rates and practices. This he has consistently endeavored to do, both by earnest appeal to the General Assembly for the enactment of adequate control legislation, and by the character of his appointments to the Public Service Commission. These men have rendered just judgment. Neither the public nor the utilities can deny this patent fact.

Because of the non-legislative nature of the subject-matter under discussion; because of the demonstrated fitness and fidelity of the Commissioners in the performance of the duties of their office; because I believe the people of this State desire and demand their confirmation, I shall vote to discharge the Committee on Executive Nominations from further consideration of these appointments.

What I have said implies no personal criticism of those who see this question in a different light, and who will follow an opposite course. They have as good a right to their convictions as I claim for mine.

The yeas and nays were required by Mr. SALUS and Mr. MANSFIELD and were as follows, viz:

YEAS—19

Aron,	Homsher,	Prince,	Thompson,
Bennett,	Lanius,	Rice,	Trainer,
Brandt,	Mansfield,	Salus,	Williamson,
Einstein,	Miller,	Shapiro,	Ziesenheim,
Harris.	Pethick,	Sordoni,	

NAYS—27

Armstrong,	Clark,	Harvey,	Reed,
Batchelor,	Coyne,	Hunsicker,	Roberts,
Baumer,	Ealy,	Krause,	Scott,
Bell,	Fay,	Norton,	Snyder,
Boyd,	Frazier,	Owlett,	Sones,
Buckman,	Gelder,	Parkinson,	Staudenmeier,
Chapman,	Graff,	Quigley,	

So the question was determined in the negative.

QUESTION OF PERSONAL PRIVILEGE

Mr. BUCKMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his question of personal privilege.

Mr. BUCKMAN. Mr. President and members of the Senate, on the vote which was just taken I voted "no," which was a vote against the discharge of the Committee on Executive Nominations. If the name of Mr. Stahlnecker or of any other of the sitting members of the Commission had been upon the floor of this Senate, I would cheerfully and gladly have voted for the confirmation of Mr. Stahlnecker or any other of the Commissioners who are now on the Commission. Unlike the Senator from Cumberland, Mr. Prince, I can make no distinction between the Committee on Executive Nominations and any other committee. I have sat in this Senate twenty-four years and have never voted to discharge any committee, and I do not intend to start now. That is the reason I voted "no" on this motion.

RECESS

Mr. HARRIS. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. SORDONI. Mr. President, I second the motion.

The motion was not agreed to.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for half hour.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was not agreed to.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for minutes.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 43.

Governor's Office, Harrisburg, December 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 43, Printer's No. 48, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL NO 43

Mr. REED. Mr. President, I move to reconsider the vote by which Senate Bill No. 43 passed finally.

Mr. PRESIDENT. How did the Senator vote?

Mr. REED. Mr. President, I voted "aye".

Mr. WILLIAMSON. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WILLIAMSON. Mr. President, I voted "aye"

The motion was agreed to.

And the question recurring.

Shall the bill pass finally?

Mr. REED. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. REED. Mr. President, I voted "aye."

Mr. WILLIAMSON. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WILLIAMSON. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring.

Will the Senate agree to the bill on third reading?

Mr. REED. Mr. President, I ask unanimous consent to amend title, page 1, by inserting after the word "appropriation" the words: from the General Fund; also page 1, by inserting at the end thereof, after the word "Affairs," the following: for certain administration expenses necessary for the payment of adjusted compensation to veterans as provided by law, and making an appropriation out of the Veterans' Compensation Fund to reimburse the General Fund, also section 1, page 1, line 15, by inserting after the word "repaid" the following: from the Veterans' Compensation Fund; also page 2, line 4, by inserting after the word "law" the following sentence: As much of the money in the Veterans' Compensation Fund, as may be necessary is hereby appropriated for this purpose.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

HOUSE MESSAGES

RESOLUTION CONTINUING JOINT LEGISLATIVE COMMITTEE TO INVESTIGATE CONDITIONS CONCERNING VETERANS RECEIVING FEDERAL AID.

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate, as follows:

Resolved (if the Hous of Representatives concur), That the Joint Legislative Committee created by the General Assembly of 1933 to investigate conditions concerning disabled veterans in Pennsylvania be and the same is hereby continued. and shall make a report of their findings and recommendations to the General Assembly of 1935.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 74

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 74, entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive. Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the repayment of bills incurred and remainig upaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," by making additional appropriations to the Executive and Judicial Departments of the Commonwealth.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 77

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 77, entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to and the burial of certain aged indigent persons and the administration of the act by the Department of Welfare the trustees who administer mothers' assistance in the several counties and others making counties liable for certain expenses providing penalties and making an appropriation.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 78

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 78, entitled:

An Act making an appropriation out of The State Stores Fund to the Department of Welfare for old age assistance

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO 102

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 102, entitled:

An Act authorizing the issuance and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO 103

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 103, entitled:

An Act to amend sections one, two, nine and eleven of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 395), entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing for the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation;" extending the provisions thereof to all bridges wholly within the Commonwealth and providing for the payment of the cost of acquiring such bridges out of the Toll Bridge Fund.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 128

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 128, entitled:

An Act to amend section one of article one of the act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "Anthracite Coal Mining Law," as amended, empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 129

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 129, entitled:

An Act to amend section three of article twenty-eight of the act, approved the ninth day of June, one thousand nine hundred and eleven (P. L. 756), entitled "Bituminous Coal Mining Law," by extending the provisions of said act to all bituminous coal mines employing five or more persons, and empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 19, RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 19, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

Said bill having been recalled from the Governor for the purpose of amendment, the votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 19, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties.

Whereupon,

The PRESIDENT (Lieutenant Governor Edward C. Shannon) in the presence of the Senate signed the same.

HOUSE MESSAGE

JOINT LEGISLATIVE COMMITTEE TO INVESTIGATE RECORDS OF INSURANCE DEPARTMENT

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Repreentatives, which was twice read as follows and referred to the Committee on Insurance:

In the House of Representatives, December 18, 1933.

Resolved (If the Senate concur), That the second paragraph of Resolution Number eighty-three Serial Number one hundred thirty-nine House History Session of one thousand nine hundred thirty-three page two hundred eighty-six which was adopted by the House of Representatives May fourth one thousand nine hundred nine hundred thirty-three and by the Senate May fifth one thousand nine hundred thirty-three be hereby amended to read as follows

Resolved (if the Senate concur), That the President Pro Tempore of the Senate shall appoint [three] four Senators and the Speaker of the House of Representatives shall appoint [three] four Members of the House of Representatives who together shall constitute a joint legislative committee whose duty it shall be to investigate the affairs and records of the Insurance Department relating to casualty and fire insurance companies to ascertain whether certain companies are permitted to do business in this Commonwealth when inadequately financed "or otherwise operating in violation of the insurance laws of this Commonwealth" and to ascertain whether mergers or consolidations of casualty companies ap-

proved by the Department have been made in accordance with law and whether securities withdrawn from the Treasury Department if any after any such merger or consolidation have been legally withdrawn and all matters relating to the liquidation of insurance companies and all other matters and affairs of the Insurance Department which the committee deems pertinent

BILL ON SECOND READING

Mr. STAUDENMEIER. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 105 (House Bill No. 16), on second reading, entitled:

An Act to amend whereas clauses and sections one two and four of and to add sections eight and nine to the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred twenty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs"

for the purpose of offering amendments agreed upon by the Committee on Judiciary General.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Agreebly to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 105, (House Bill No. 16), entitled:

An Act to amend Whereas clauses and sections one two and four of and to add sections eight and nine to the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred and twenty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs"

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Whereas clauses and sections one two and four of the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred and thirty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days in writs of execution and authorizing sales thereon without issuance of further writs" are hereby amended to read as follows

Whereas The present economic emergency has brought increasing distress [to home owners and farmers] and

Whereas Foreclosures in this emergency work tremendous inequities to [such persons] debtors and yield a minimum of satisfaction to execution creditors and

Whereas It is essential to the preservation of the health welfare and morals of the public as well as to the safety of this Commonwealth that executions against realty should not deprive families of shelter and the means of subsistence

Section 1 Definitions That when used in this act the following words and phrases shall have the meanings respectively ascribed to them by this section unless the context clearly requires a different meaning

"Writ of execution" shall mean any writ of fieri facias venditioni exponas levari facias or any other writ or form of execution for the sale of any [dwelling and the land appurtenant thereto or any farm where such dwelling or farm shall be occupied by an owner thereof as his or her residence] real property or any proceeding for the sale of real property as herein defined for failure to pay taxes

["Real property" shall mean any dwelling together with the land appurtenant thereto and any farm occupied by an owner of such dwelling or farm as a residence]

"Owner" shal linclude natural persons copartnerships associations and corporations

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 1, page 1, line 4, by striking out the following "the [title] Whereas clauses and sections one two and" and insert: "section"; also page 2, line 6, by striking out the word "are" and insert: "is"; also lines 13 to 28, both inclusive, by striking out all of said lines; also page 3, line 1 to 29, both inclusive by striking out all of said lines; also page 4, lines 1 to 28, both inclusive, by striking out all of said lines; also page 5, lines 1 to 9, both inclusive, by striking out all of said lines.

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 Every court of common pleas of this Commonwealth shall have authority under the conditions hereinafter set forth to stay any writ of execution from time to time and for such periods as the court in its discretion may deem proper Where execution is sought to be made for any reason whatsoever against any dwelling together with the land appurtenant thereto or any farm occupied by the owner of such dwelling or farm as a residence or against any other real property a substantial portion of which is occupied by its owner in the pursuit of his livelihood the court may stay the writ under the conditions hereinafter set forth Where the execution is sought to be made against other real property the writ may be staged subject to conditions hereinafter set forth only if execution has been issued to enforce payment of the whole or any part of the principal obligation of a mortgage where no other default has occurred Such stays shall be allowed only upon application of an owner lienholder or any other person in interest and unless the plaintiff consent thereto only upon the applicant's showing to the court such facts including his economic and social status as the court may deem sufficient to warrant such relief [In granting any such stay or continuance the court may impose such condition as it deems proper as to payment of costs taxes accruing interest repairs advertising and notice of sale insurance and any other pertinent matters] If the petitioner is not the owner the owner shall be brought in by writ of scire facias

In granting any such stay or continuance the court shall require that either the debtor or the petitioner pay for and carry fire insurance upon such property to an amount fixed by the court The court shall also require that either the debtor or the petitioner undertake to pay and does pay all taxes water rents municipal assessments and other like charges which have already been assessed against such property within six months from the date of the presentation of the petition The court may also impose upon the debtor such conditions as it deems proper as to the payment of costs accruing interest expense of maintenance advertising notice of sale and any other pertinent matters taking into consideration the income derived from the property If the petitioner who is not the owner has advanced any sum or sums of money in the fulfillment of the imposed conditions he shall have a right to reimbursement by the debtor on the first Monday of June one thousand nine hundred and thirty-five

If after a stay is granted any of the conditions imposed by the court are not fulfilled the creditors may so state by petition and if the court so finds it shall order execution of the writ forthwith notwithstanding a continuance granted therefor

Section 4 The stay of any execution under this act shall from time to time continue the return day of the writ of

execution to [the first] a future regular return day for such writs [which shall occur after a sale held under such writ] to be fixed by the court not later than the first Monday of June 1935 In the meantime the writ shall remain in full force and effect and sale may be made thereunder without the issuance of an alias or any other writ

Section 2 Said act is hereby amended by adding thereto the following new sections

Section 8 This act as amended shall apply to all cases pending and not finally adjudicated at the date these amendments take effect including cases pending in the Supreme and Superior Court which shall be remitted to the court of common pleas for which the appeal was taken for further consideration as well as to cases arising from mortgage or judgment obligations created thereafter

Section 9 The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 2, page 5, lines 26 to 29, both inclusive, by striking out all of said lines; allso page 6, lines 1 to 12, both inclusive, by striking out all of said lines.

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows:

Section 3 This act shall become effective immediately upon its final enactment

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend bill, page 6, line 13, by striking out the figure "3" and insert: "2"

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act to amend Whereas clauses and sections one two and four of and to add sections eight and nine to the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred and twenty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs"

On the question,

Will the Senate agree to the title?

Mr. STAUDENMEIER. Mr. President, I move to amend title, page 1, lines 1 and 2, by striking out the words "Whereas clauses and sections one two and" and insert: "section"; also lines 2 and 3, by striking out the words "and to add sections eight and nine to"

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING AND FINAL PASSAGE

Mr. KRAUSE. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 142 (House Bill no 73), on third reading entitled:

An Act to regulate the sale and delivery of coal coke petroleum coke briquettes and other solid fuels providing for the appointment of public weighmasters prescribing their powers and duties imposing certain duties on the Department of Internals Affairs and providing penalties

Mr. QUIGLEY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 142 (House Bill No. 73), entitled:

An Act to regulate the sale and delivery of coal coke petroleum coke coke briquettes and other solid fuels providing for appointment of public weighmasters prescribing their powers and duties imposing certain duties on the Department of Internal Affairs and providing penalties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21

Aron,	Einstein,	Hunsicker,	Parkinson,
Bell,	Frazier,	Krause,	Reed,
Bennett,	Gelder,	Lanius,	Salus,
Boyd,	Graff,	Mansfield,	Williamson,
Brandt,	Harvey,	Owlett,	Ziesenheim,
Chapman,			

NAYS—21

Armstrong,	Fay,	Prince,	Snyder,
Batchelor,	Harris,	Rice,	Sones,
Baumer,	Homsher,	Roberts,	Sordoni,
Buckman,	Norton,	Scott,	Staudenmeier,
Clark,	Pethick,	Shapiro,	Thompson,
Ealy,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Mr. SHAPIRO. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 133, (House Bill No. 190), on third reading, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as

the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentages of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated town with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, by providing for payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 133 (House Bill No. 190), entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highway wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and precedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of townships or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Krause,	Roberts,	Ziesenheim,
Coyne,	Lanius,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

REPORT FROM COMMITTEE

Mr. SHAPIRO. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection, the Chair hears none.

Mr. SHAPIRO, from the Committee on Banks and Building and Loan Associations, re-reported as amended, Senate Bill No. 179 (House Bill No. 212), entitled:

An Act to amend section two hundred and four of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of

deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" regulating the establishment and maintenance of branch banks offices and agencies

MINUTE ON THE DEATH OF FORMER LIEUTENANT-GOVERNOR JOHN MERRIMAN REYNOLDS

Mr. EALY offered the following Minute which was twice read, considered and agreed to:

In the Senate, December 20, 1933.

It was with great sorrow that the members of the Senate of Pennsylvania have learned of the death of former Lieutenant-Governor John Merriman Reynolds at Bedford, Pennsylvania, after a long and distinguished career as lawyer, banker and public official.

Mr. Reynolds was born in Lancaster county, March 5, 1848, graduated from the first Pennsylvania State Normal School and further pursued his studies at Columbia University.

In 1867 and 1868 he was principal of the Bedford Public Schools and always took an active interest in education.

On February 5, 1870 Mr. Reynolds was admitted to the Bedford County bar. In 1875 he was elected prosecuting attorney of Bedford County. In 1881 he was the choice of his party in Bedford County for President Judge and in 1901 he again was the nominee for President Judge in the Bedford Somerset District.

In 1873 and 1874 Mr. Reynolds reprsented the Bedford-Fulton District in the Legislature and in 1892 he was appointed by Governor Pattison one of five commissioners to build an asylum for chronic insane at Wernersville. In 1888 and 1892 Mr. Reynolds was a delegate to the conventions which nominated Grover Cleveland for President. In 1893 he was appointed Assistant Secretary of the Interior and had much to do with the direction of public business relative to Pensions, Indian Affairs and Public Lands.

In 1896 Mr. Reynolds supported William McKinley for President and was elected to the Fifty-ninth, Sixtieth and Sixty-First Congresses and gave special attention to internal affairs.

The Senate desires to make record of the splendid public career of Governor Reynolds and his great service to the State and to emphasize that in his death the Commonwealth has sustained a severe loss. The sympathy of the Senate is extended to the bereaved family, to which a copy of this minute will be sent.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentlemen will state his question of personal privilege.

Mr. REED. Mr. President, I have read in this mornings' Harrisburg Patriot that my friend Representative Fitzgerald, of Erie County, sponsor of Governor Pinchot's pet measure, the minimum wage bill, termed "the Senate's action one of the most disgraceful acts in definance of the will of the people that was ever perpetrated in the State of Pennsylvania. I agreed to amendments to meet their every objection and they were submitted. In the face of that they deliberately killed the bill. I suggest the Republican party go on a vacation and let the State Chamber of Commerce handle its affairs; Fitzgerald added."

I had the pleasure of serving with Mr. Fitzgerald in the House of Representatives during the 1931 session, and for him personally I have only feelings of regard and respect. But I cannot permit his attack to go unanswered.

I have studied the four corners of the Fitzgerald Minimum Wage Bill and regard it as one of the most unfair and dangerous pieces of legislation which I have ever read. With the principle of the minimum wage, as legislative policy, I have no particular controversy. However, everyone will agree that any attempt to legislate the theory of the minimum wage into law, must be proceeded with cautiously, lest by legislation, we retard, rather than promote, the co-operative spirit of helpfullness and good feeling which has been promoted between capital and labor during many years.

In my opinion, the Fitzgerald Bill is not only unfair to capital, but it would be oppressive to labor. It is far more than a minimum wage bill. Its title might well have been "An Act to make the Chief Executive sole dictator of industry." It must not be overlooked that under that Bill, the Chief Executive, under the guise of fixing wages, had in effect the absolute right to enter the Director's rooms of every industrial corporation, and control corporate policies.

It has been said that the power to tax is the power to destroy. Equally the unlimited power to control wages, when vested in governmental executive authority, is the power to destroy industry.

If my friend from Erie can see either patriotism or wisdom in placing Pennsylvania industry uncontrolledly in the hands of Governor Pinchot for administration by Charlotte Carr and her subordinates, I will concede him honesty in asserting his convictions, but further comment by me is unnecessary.

But Mr. Fitzgerald and those who for other than political reasons, advocate the bill, have overlooked the vital fact that labor can secure no benefit from a minimum wage if industry is paralized. Certainly such benefit will be to the few at the expense of many. When great corporations are operating at a loss; when under federal codes, their overhead may be increased without resulting profit; when they are threatened with receivership and possible bankruptcy, it may be most seriously questioned whether this Bill is in the interest of labor.

In my opinion, never has the Senate more clearly followed the ideal of Abraham Lincoln of "charity to all and malice toward none." Never has the Senate more clearly attempted to follow the policy of Theodore Roosevelt that "the labor unions shall have a square deal, and the corporations shall have a square deal."

Mr. Fitzgerald says: "I agreed to amendments to meet their every objection, and they were submitted." That statement is denied. No amendments were submitted which went to the vital defects in the Bill. In fact, the only suggestions made were to take the Department of Labor out of the Bill and substitute some other control. Therefore the only concession of the gentleman from Erie that I know of was that Governor Pinchot through Steve Raushenbush, should not be the dictator of industry.

And I will answer the last suggestion of the gentleman from Erie by saying that the Republican party is planning no vacation. Here in Dauphin County, we will be ready to meet the Democratic party attack next November. And I promise my friend from Erie that no Pinchot policy will be more fully aired and attacked in Dauphin County, than this iniquitous and unjust bill which he has sponsored.

Mr .President, I am proud to be numbered among the opponents of the Fitzgerald Bill and to commend the Senate for its action in making sure that we do not press down upon the brow of labor a crown of thorns, by crucifying Pennsylvania industry upon a cross of Pinchotism.

JOINT COMMITTEE TO MAKE AN INVESTIGATION OF CONDITIONS EXISTING AT THE EASTERN PENITENTIARY.

Mr. SALUS. Mr. President, I move that the Senate do now proceed to the consideration of House Resolution No. 13, reported from the Committee on Judiciary General at yesterday's session.

Mr. ARON. Mr. President, I second the motion.

The resolution was twice read as follows:

In the House of Representatives, December 5, 1933.

Whereas, Several serious outbreaks have occurred recently at the Eastern Penitentiary in Philadelphia; and

Whereas, The public is entitled to know whether such outbreaks are the result of negligence in the management of said institution, and due to conditions which have existed for some time, or whether they were unavoidable and due to the character of prisoners detained in said institution; therefore be it

Resolved (if the Senate concur), That the Speaker of the House of Representatives shall appoint three members, and the President Pro Tempore shall appoint two Senators, who together shall constitute a joint legislative committee whose duty it shall be to make a searching and impartial investigation of conditions existing at the Eastern Penitentiary, and to determine the causes of the recent outbreaks among the prisoners in said institution and to make report of its findings and recommendations to the General Assembly not later than February 1st, 1935;

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representation accordingly.

BILLS RECOMMITTED

Mr. SALUS. Mr. President, I move that Senate Bill No. 173 (House Bill No. 66), on second reading, entitled:

An Act for the relief of financially distressed taxpayers; providing for the payment in installments of delinquent county, city, borough, incorporated town, township, school and poor taxes in certain cases, and abating additional penalties and interest thereon.

be recommitted to the Committee on Minnicipal Affairs.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 184 (House Bill No. 135), on second reading, entitled:

An Act relating to past executions providing for the entry of deficiency judgments and limiting the amount collectible thereafter.

be recommitted to the Committee on Judiciary General.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILLS DROPPED FROM THE CALENDAR.

Mr. BUCKMAN. Mr. President, I move that all Senate bills be dropped from the Calendar.

Mr. COYNE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

It was agreed to.

REPORT FROM COMMITTEE.

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection, The Chair hears none.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November, 13, 1933,

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

BRIGADIER GENERAL PENNSYLVANIA NATIONAL GUARD

Edward James Stackpole, Jr., Harrisburg, from May 23, 1933, until lawfully determined or annulled.

MEMBER STATE COUNCIL OF EDUCATION

Edwin P. Young, Towanda, as a member of the State Council of Education, for a term of six years, from August 28, 1933.

MEMBER OF STATE BOARD VETERINARY MEDICAL EXAMINERS

E. E. Tower, Hallstead, as a member of the State Board of Veterinary Medical Examiners, from May 6, 1933, until the third Tuesday of January, 1935.

MEMBER BOARD OF TRUSTEES PENNSYLVANIA STATE COLLEGE

Ralph T. Zook, Bradford, as a member of the Board of Trustees of Pennsylvania State College, from May 6, 1933, until July 1, 1935,

MEMBER BOARD OF TRUSTEES PENNSYLVANIA STATE ORAL SCHOOL FOR DEAF

Mrs. Jessie C. Kinner, Tunkhannock, as a member of the Board of Trustees of Pennsylvania State Oral School for the Deaf from May 6, 1933, for the term of four years, and until her successor is qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF BRADFORD COUNTY

(Mrs.) Mary R. Mather, Ulster, from July 31, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Lena L. Bolich, Sayre, from August 2, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF SUSQUEHANNA COUNTY

(Mrs.) Edith Corse Tingley, Harford, from September 1, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Celia Halkyer, Uniondale, from October 26, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBER OF STATE FOREST COMMISSION

George A. Retan, Mansfield, from May 6, 1933, until the third Tuesday of January, 1935, or until his successor shall have been appointed.

GIFFORD PINCHOT.

MAGISTRATE OF COURT NO. 20 OF THE CITY OF PHILADELPHIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of David E. Triester, of Philadelphia, Philadelphia County, as

Magistrate of Court No. 20, of the City of Philadelphia, in the County of Philadelphia, vice Robert J. Patton, deceased until the first Monday in January, 1934.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 6, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

MEMBER STATE BOARD OF EXAMINERS FOR REGISTRATION OF NURSES

Miss C. Ruth Bower, of Pittsburgh, Allegheny County, as a member of the State Board of Examiners for the Registration of Nurses, vice Miss Netta Ford, of York, whose term expired, for the term of six years, and until her successor is appointed and qualified.

JUSTICE OF THE PEACE.

Frank B. Wist, of Yardley, Bucks County, as Justice of the Peace in the Borough of Yardley, Bucks County, vice Warner P. Roberts, resigned, until the first Monday in January, 1936.

GIFFORD PINCHOT.

BRIGADIER GENERALS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 19, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

Robert Morris Brookfield, of Philadelphia, as Brigadier General, Pennsylvania National Guard, to compute from February 17, 1926, until lawfully determined or annulled.

William Swan McLean, Jr., of Wilkes-Barre, as Brigadier General, Pennsylvania National Guard, to compute from December 15, 1926, until lawfully determined or annulled.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg ,December 18, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointments as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

George K. Willock, 95 Amenda Avenue, Pittsburgh.

BLAIR COUNTY

Miss Ethel Plummer, Hollidaysburg.

CRAWFORD COUNTY

Miss Ann Virginia Caddahan, Meadville.

DAUPHIN COUNTY

Joseph B. Metzger, Harrisburg.

LAWRENCE COUNTY

Miss Margaret M. Orres, New Castle.

PHILADELPHIA COUNTY

Walter H. Stafford, 461 Ripka Avenue, Philadelphia.

Mrs. Constance M. Tunick, 2000 Girard Trust Co. Bldg., Philadelphia.

WASHINGTON COUNTY

Thomas E. Werton, Allenport.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 19, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointments as Notaries Public, for terms of four years to compute from the date of confirmation:

BEAVER COUNTY

Earl F. Blank, Aliquippa.

LUZERNE COUNTY

Miss Kathryn E. Raeder, Pittston.

PHILADELPHIA COUNTY

Winifred S. Hurst, 21 S. 12th St.

VENANGO COUNTY

H. Wade Lee, Oil City.

WESTMORELAND COUNTY

Gus A. Beard, Greensburg.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointments as Notaries Public, for terms of four years to compute from the date of confirmation:

DELAWARE COUNTY

Allyn H. DeBeust, Prospect Park.

WESTMORELAND COUNTY

James Hutson, New Alexandria.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and that the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Krause,	Roberts,	Ziesenheim,
Coyne,	Lanius,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. CHAPMAN. Mr. President, I move that the Executive Session do now rise.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until eight o'clock this evening.

Mr. FAY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 45, entitled:

An Act aking Home Loan Bonds issued by the United States G[illegible]nt, legal investments for trust funds

[illegible] No. 192, entitled:

An [illegible]making appropriations to the Department of Welfare for pensions for the blind and for the administration of the distribution of such pensions.

House Bill No. 39, entitled:

An Act authorizing the sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the Veterans' Compensation fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on the redemption of such bonds

House Bill No. 40, entitled:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War, the war between the United States and Spain, the China Relief Expedition, or in the Philippines of Guam; imposing certain duties on the Adjutant General; making an appropriation; and repealing inconsistent legislation.

House Bill No. 74, entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the repayment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," by making additional appropriations to the Executive and Judicial Departments of the Commonwealth.

House Bill No. 77, entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare the trustees who administer mothers' assistance in the several counties and others making counties liable for certain expenses providing penalties and making an appropriation

House Bill No. 78, entitled:

An Act amking an appropriation out of The State Stores Fund to the Department of Welfare for old age assistance.

House Bill No. 94, entitled:

An Act to repeal the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (P. L. 34), entitled "Prohibition Enforcement Law (Snyder-Armstrong Act)."

House Bill No. 102, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges; defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; providing for the payment of interest on, and the redemption of, such bonds; and making an appropriation.

House Bill No. 103, entitled:

An Act to amend sections one, two, nine and eleven of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 395), entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing for the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation"; extending the provisions thereof to all bridges wholly within the Commonwealth, and providing for the payment of the cost of acquiring such bridges out of the Toll Bridge Fund.

House Bill No. 129, entitled:

An Act to amend section three of article twenty-eight of the act, approved the ninth day of June, one thousand nine hundred and eleven (P. L. 756), entitled "Bituminous Coal Mining Law," by extending the provisions of said act to all bituminous coal mines employing five or more persons, and empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures.

House Bill No. 128, entitled:

An Act to amend section one of article one of the act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "Anthracite Coal Mining Law," as amended, empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures.

House Bill No. 177, entitled:

An Act providing that one-third of the cost of the board of revision of taxes and of the assessors other than personal property assessors in counties of the first class, shall be paid by the school district co-extensive therewith.

House Bill No. 209, entitled:

An Act appropriating certain accumulations in the Insurance Fund to cities, townships and boroughs for payment to firemen's relief, pension and retirement funds.

House Bill No. 169, entitled:

An Act authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium placing the sanatorium upon completion under the jurisdiction and control of the Department of Health and making an appropriation

Senate Bill No. 26, entitled:

An Act accepting the provisions of an Act of Congress for the establishment of a national employment system and authorizing the Department of Labor and Industry to cooperate with the Federal Employment Service under that act, and providing for the custody and disbursement of funds granted to the Commonwealth by the Federal government thereunder.

Senate Bill No. 27, entitled:

An Act providing for the construction of a tunnel or tunnels between the State of New Jersey and the Commonwealth of Pennsylvania under the Delaware River and the issuance of permits therefor.

Senate Bill No. 100, entitled:

Supplement to an Act approved the Seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An act for the government of cities of the second class" creating the position of Solicitor for the Department of City Controller.

Senate Bill No. 115, entitled:

An Act authorizing counties, cities, boroughs, townships, incorporated towns poor districts and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds, and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding, and limiting any compensation payable therefor.

Whereupon,
The PRESIDENT (Lieutenant Governor Edward C. Shannon) in the presence of the Senate signed the same.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 45

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 45, entitled:

An Act making home loan bonds, issued by the United States Government, legal investments for trust funds.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO 192

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 192, entitled:

An Act making appropriation sto the Department of Welfare for pensions for the blind and for the administration of the distribution of such pensions.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 190

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 190, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "Sproul State Highway Law" as amended, by providing for payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement.

HOUSE CONCURS IN SENATE BILL NO 26

He also returned to the Senate, Senate Bill No. 26, entitled:

An Act accepting the provisions of an Act of Congress for the establishment of a national employment system and authorizing the Department of Labor and Industry to cooperate with the Federal Employment Service under the act, and providing for the custody and disbursement of funds granted to the Commonwealth by the Federal government thereunder.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 100

He also returned to the Senate, Senate Bill No. 100, entitled:

Supplement to an Act approved the Seventh Day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An act for the government of cities of the second class' creating the position of Solicitor for the Department of City Controller.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 115

He also returned t the Senate, Senate Bill No. 115, entitled:

An Act authorizing counties, cities, boroughs, townships, incorporated towns poor districts and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds, and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding, and limiting any compensation payable therefor.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 27

He also returned to the Senate, Senate Bill No. 27, entitled:

An Act providing for the construction of a tunnel or tunnels between the State of New Jersey and the Commonwealth of Pennsylvania under the Delaware River and the issuance of permits therefor.

with the information that the House has passed the same without amendment.

SENATE BILL NO. 53 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 53, entitled:

An Act providing for the creation of public "Authorities" in counties of the second class; authorizing such "Authorities" to enter into agreements with the Government of the United States, particularly as they relate to the National Industrial Recovery Act and any amendments and supplements thereto, the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others; defining and providing for the organization and dissolution of such "Authorities;" conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions upon which such "Authorities" may exercise their powers; endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds; authorizing such "Authorities" to make and receive appropriations; repealing certain acts and parts of acts inconsistent herewith; and for other purposes.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EINSTEIN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution were twice read as follows:

Amend Article 4, page 11, line 7, by striking out after the word "corporation" the following: "The Authority shall" and inserting in lieu thereof the word "may"; also by striking out after the word "have" the word "enjoy"; also by line 8, by inserting at the beginning the word "may"; also by striking

out after the word "domain" the following: "as the second class" and inserting in lieu thereof "to acquire the same"; also line 15, by inserting after the word "act" the following: "and neither shall any property of a public service company be taken except such property as can now be taken by the county commissioners under existing laws"; also page 12, line 14, by striking out after the word "fair" the rest of line 14, and all of lines 15 to 20 inclusive, and inserting in lieu thereof the following: "and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned any real property which may be necessary or convenient to the effectuation of the authorized purpose of the "Authority" including real property already devoted to public use"; also page 15, line 25, by striking out all of lines 25 to 28 inclusive; also page 16 by striking out all of lines 1 to 21 inclusive; also line 22, by striking out after the word "Article IX" and inserting in lieu thereof "VIII"; also page 17, by striking out after the word "Article" "X" and inserting in lieu thereof "IX"; also line 9, by striking out after the word "Section" "1001" and inserting in lieu thereof "901"; also line 16, by striking out after the word "Section" "1002" and inserting in lieu thereof "902"; also line 18, by striking out after the word "Section" "1003" and inserting in lieu thereof "903"

On the question.

Will the Senate concur in the amendments;

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Krause,	Roberts,	Ziesenheim,
Coyne,	Lanius,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE

Mr. GELDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Public Roads and Highways reported as committed, the following section:

In the House of Representatives, December 18, 1933.

Whereas The rapid improvement of the highways of the Commonwealth and the greatly increased traffic thereon has resulted in a deplorable number of accidents and a consequent loss of life and property and

Whereas This loss to the Commonwealth could be made less by a more thorough and continuous supervision of traffic on the highways by the Motor Patrol which within its means has in the past prevented many accidents and afforded valuable aid to those injured in collisions and

Whereas Many members of the Motor Patrol have been assigned to tasks other than those for which they were originally intended thereby reducing the number available for patrol duty on the highways and

Whereas The necessary thorough and continuous patroling of the highways by these capable employes of the Commonwealth can only be secured by increasing the number of men to be assigned to this duty and

Whereas The unprecedented increase in mileage of improved highways during the past few years makes necessary such an increase therefore be it

Resolved (if the Senate concur) That it is the opinion of this General Assembly that consideration should be given by His Excellency the Governor during the next budget period to allowing a substantial increase in the appropriation to be made by the Commonwealth for this purpose to the end that a sufficient number of men can be assigned for patroling the highways in order to prevent accidents and the loss of life and property attendant thereon and be it further

Resolved That a copy of this resolution be handed to the Governor of the Commonwealth as the recommendation of the General Assembly

Mr. GELDER. Mr. President, I ask unanimous consent that Rule 39, which requires that resolutions reported from committees lie on the table one day, be suspended, and that the Senate do now proceed to the consideration of the resolution just reported.

The PRESIDENT. Is there any objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SUITABLE EMPLOYMENT FOR PHYSICALLY HANDICAPPED PERSONS TO BE CONSIDERED

Mr. SCOTT. Mr. President, I move that the Senate do now proceed to the consideration of House Resolution No. 10, reported from the Committee on Judiciary General at yesterday's session.

Mr. BRANDT. Mr. President, I second the motion.

The motion was agreed to.

The resolution was read as follows:

In the House of Representatives, December 4, 1933.

Urging that a suitable part of public employment be given to physically handicapped persons.

Whereas, The employment of crippled and other physically handicapped persons in tasks which they are competent to perform is in accord with a wise social economy and was so recognized by the State of Pennsylvania in 1919 when it led other States of the Union in establishing a Division for the Vocational rehabilitation and placement of Disabled Persons and

Whereas, In recent years the tendency to discriminate against the employment of physically handicapped persons has been increasing as a result of certain general industrial policies rather than diminishing as a social good requires and

Whereas, A greater recognition of the physically handicapped in public employment would be beneficial both as an equitable course in itself and as setting an example for private industry and business.

Now Therefore Be It Resolved, By the House of Representatives of the State of Pennsylvania the Senate concurring that the appointing authorities in every State Department and in every county, city and town be urged to give consideration to the suitable employment of crippled and other physically handicapped persons to the end that a fair proportion shall be represented in public employment and that all rules and policies in conflict therewith be revised.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECONSIDERATION OF SENATE BILL No. 142 (HOUSE BILL No. 73)

Mr. SHAPIRO. Mr. President, I move to reconsider the vote by which Senate Bill No. 142 (House Bill No. 73), entitled:

An Act to regulate the sale and delivery of coal coke petroleum coke briquettes and other solid fuels providing for

appointment of public weighmasters prescribing their powers and duties imposing certain duties on the Department of Internal Affairs and providing penalties

was defeated:

The PRESIDENT. How did the Senator vote?

Mr. SHAPIRO. Mr. President, I voted "no."

Mr. ARMSTRONG. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. ARMSTRONG. Mr. President, I voted "no."

On the question,

Will the Senate agree to the motion?

A division being called for, twenty-four Senators voted in the affirmative and eleven in the negative, whereupon the question was determined in the affirmative.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Armstrong,	Coyne,	Harvey,	Quigley,
Bell,	Einstein,	Homsher,	Reed,
Bennett,	Fay,	Hunsicker,	Salus,
Boyd,	Frazier,	Krause,	Scott,
Brandt,	Gelder,	Mansfield,	Shapiro,
Buckman,	Graff,	Owlett,	Williamson,
Chapman,	Harris,	Parkinson,	Ziesenheim,

NAYS—12

Batchelor,	Ealy,	Rice,	Sones,
Baumer,	Miller,	Roberts,	Thompson,
Clark,	Pethick,	Snyder,	Trainer,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

STATE EMERGENCY RELIEF BOARD TO INVESTIGATE THE ALLEGHENY COUNTY RELIEF BOARD

Mr. BELL. Mr. President, I move that the Senate do now proceed to the consideration of House Resolution on the investigation of the Allegheny Relief Board, reported from the Committee on Appropriations at yesterday's session.

Mr. QUIGLEY. Mr. President, I second the motion.

The motion was agreed to.

The resolution was read as follows:

In the House of Representatives, December 13, 1933.

Whereas, There have been various allegations of wanton waste in the diistribution of clothing, fuel and other necessaries of life by the Allegheny County Relief Board functioning under the direction of the State Emergency Relief Board; therefore be it

Resolved (if the Senate concur), That the General Assembly hereby requests the State Emergency Relief Board to investigate the affairs of the Allegheny County Relief Board, expending State and Federal relief moneys, to ascertain whether or not its affairs are administered economically, and whether or not relief orders, clothing or fuel are being distributed only to those in need as contemplated by law, and to make public the result of its investigations;

Resolved, That a copy of this resolution be transmitted to the State Emergency Relief Board by the acting Chief Clerk of the House.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGE

SENATE BILL No. 89 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives, returning to the Senate Senate Bill No. 89, entitled:

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects providing for the payment of damages by counties and political subdivisions as a result of relocating widening or constructing said highways or bridges and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. GELDER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, line 6, by striking out after the word "and" the word "townships" and inserting in lieu thereof the words "political sub-divisions"; also section 2, page 2, line 20 by striking out after the word "or" the word "township" and inserting in lieu thereof the words "political subdivisions"; also line 21 by striking out after the word "said" the word "township" and inserting in lieu thereof the words "political sub-divisions"; also line 23 by striking out after the word "and" the word "township" and inserting in lieu thereof the words "political sub-divisions."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Prince,	Staudenmeier,
Brandt,	Harvey,	Quigley,	Thompson,
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Krause,	Roberts,	Ziesenheim,
Coyne,	Lanius,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 35 RETURNED FOR AMENDMENTS

He also returned to the Senate Senate Bill No. 35, entitled:

An Act relating to milk and the products thereof declaring an emergency with respect to their production and marketing creating a Milk Control Board establishing its jurisdiction powers and duties regulating the production transportation manufacture processing storage distribution delivery and sale of milk and the products thereof providing for the licensing of milk dealers and the payment of fees therefor

requiring licensees to furnish bonds for the protection of producers authorizing the examination of the business papers and affairs of and requiring the filing of reports by licensees other milk dealers and producers and permitting with limitations the dissemination of information obtained therefrom authorizing the issuance of subpoenas by the Board or its agents and conferring jurisdiction upon courts to punish contempts or to prohibit violations of orders of the Board providing for appeals to the courts from decisions of the Milk Control Board imposing penalties and making an appropriation

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. BUCKMAN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, line by striking out after the word "Board" the following: "In the Department of Agriculture defining" and inserting in lieu thereof the word "establishing"; also line 12 by striking out after the word "licensees" the word "and"; also line 12 by inserting after the word "dealers" the words "and producers"; also line 16 by inserting at the end of the line the following: "or to prohibit violations of orders of the Board"; also section 3, page 4, line 3 by omitting the entire line; also line 10 by striking out after the word "includes" the word "liquid" and inserting in lieu thereof the word "fluid"; also line 12 by inserting after the word "whole" the words "or skimmed"; also line 14 by inserting after the word "person" the following: "including any store as hereinafter defined"; also line 16 by inserting after the word "manufacture" the following: "within or without the Commonwealth"; also by striking out after the word "manufacture" the following: "or sell milk within the Commonwealth except for consumption on the premises where sold"; also page 5, line 5 by striking out after the word "milk" the words "or the products thereof"; also by striking out all of line 12; also page 5, line 25 by inserting after the numeral "4" the words "Creation of"; also by inserting after the word "Board" the word "Membership"; also line 26 by striking out after the word "hereby" the following: "established and placed in the Department of Agriculture as a departmental" and inserting in lieu thereof "created an independent"; also line 28 by striking out after the word "board" the article "a" and inserting in lieu thereof "to be known as the"; also line 28 by striking out after the word "Board" the word "to" and inserting in lieu thereof "The Board shall"; also by striking out after the word "of" the following: "the Secretary of Agriculture who shall be the chairman thereof the Secretary of Health and the Director of the Milk Control Board who shall attend to the administrative work of the Board The Director" and inserting in lieu thereof "three members who"; also page 6, line 5 by striking out after the word "Governor" the word "He" and inserting in lieu thereof the words "Each member"; also by striking out after the word "of" the word "seven" and inserting in lieu thereof the word "six"; also line 6 by striking out after the word "thousand" the words "five hundred"; also by inserting the word "dollar" "($6,000)"; also line 7 by striking out after the letter "B" all of line 7 and inserting in lieu thereof the following: "Each member of the Board at the time of his appointment and qualification shall be a citizen of the United States and a resident of the Commonwealth of Pennsylvania and shall have been a qualified elector in the Commonwealth for a period of one year next preceding his appointment No member of the Board during his period of service as such shall hold any other office under the laws of this Commonwealth or of the United States The Governor shall designate one of the members of the Board as chairman The chairman shall when present preside at all meetings and in his absence a member designated by the chairman shall preside Two members of the Board shall constitute a quorum and any action or order of the Board shall require the approval of at least two members C The Board may appoint a secretary to hold office at its pleasure The secretary if appointed shall have such powers and shall perform such duties not contrary to law as the Board shall prescribe and shall receive such compensation as the Board with the approval of the Governor shall determine The secretary shall have power and authority to designate from time to time one of the clerks appointed by the Board to perform the duties of the secretary during his absence and the clerk so appointed shall exercise for the time so designated the powers of the secretary of the Board D Except as otherwise specifically provided in this act"; also by striking out line 15 to 20 inclusive; also page 7, line 4 by inserting after the word "health" the following: "or to the prevention of fraud or deception"; also line 9, by inserting after the word "Commonwealth" the following: "including the establishment of reasonable trade practices and systems of production control in connection therewith"; also by inserting after line 13 the following: "C The Board either itself or through its duly authorized agent may hold such hearings either at the capitol or elsewhere as it deems necessary to carry out the provisions of this act"; also page 8, line 20 by striking out after the word "Board" the following: "and shall be filed with the Department of Agriculture" and inserting in lieu thereof the following: "at least three days before it shall become effective and shall be given such further publicity by advertisement in a newspaper or otherwise as the Board shall deem advisable"; also page 9, line 13 by inserting after the word "served" the following: "and the giving of such further publicity thereto if any as the Board deems advisable"; also line 24 by inserting after the word "being" the word "produced"; also line 25 by striking out after the word "manufactured" the word "or"; also by inserting the word "sold" the words "or otherwise handled"; also page 10, line 29 by striking out after the letter "A" the letter "A" and inserting in lieu thereof the following: "Except as herein otherwise specifically provided"; also page 11, line 7 by striking out after the word "is" the word "unlicensed" and inserting in lieu thereof "not either licensed or exempted as herein provided"; also line 17 by inserting after the word "stores" "or any class thereof"; also line 18 by striking out after the word "act" the following: "where no milk is delivered therefrom to the consumers by vehicle"; also line 22 by inserting after the article "the" the word "other"; also page 12, line 11 by inserting after the word "conducted" the following: "(4) The financial condition of the applicant including a comprehensive financial statement of his affairs"; also line 12 by striking out at the beginning of the line "(4)" and inserting in lieu thereof "(5)"; also line 23 by inserting after the word "license" the words "to an applicant"; also line 24 by striking out after the syllable "pend" the word "or"; also by inserting after the word "revoke" the following: "or refuse to transfer"; also

line 16, by inserting after the word "granted" the following: "to a milk dealer or may prohibit a milk dealer exempted from the license requirements of this act from continuing to operate as a milk dealer"; also page 13, line 19 by striking out after the word "this" the word "section" and inserting in lieu thereof the word "act"; also by striking out lines 24 to 27 inclusive; also line 28 by strinking out at the beginning of the line "(6)" and inserting in lieu thereof "(5)"; also page 14 by striking out at the beginning of line four "(7)" and inserting in lieu thereof "(6)" also line 17 by striking out at the beginning of the line "(8)" and inserting in lieu thereof "(7)"; also line 19 by striking out at the beginning of the line "(9)" and inserting in lieu thereof "(8)"; also line 22 by striking out at the beginning of the line "(10)" and inserting in lieu thereof "(9)"; also line 24 by inserting after the word "any" the word "substantial"; also by inserting after the word "interest" the word "therein"; also line 28 by striking out at the beginning of the line "(11)" and inserting in lieu thereof "(10)"; also page 15, line 13 by inserting after the word "obtained" the following: "but in the case of a receiver or an executor or administrator who succeeds to the business of a licensee he may continue the business for a period of two weeks if otherwise authorized by law without securing the prior approval of the Board"; also line 19 by inserting after the word "made" the following: "or in the case of a receiver or an executor administrator within two weeks after he takes possession of the business of the licensee"; also page 18, line 13 by inserting after the word "concentrated" the words "whole or skimmed"; also page 19, line 13 by striking out after the word "of" the word "interestbearing" and inserting in lieu thereof the word "interest-bearing"; also line 25 by striking out at the beginning of the line the word "bonds" and inserting in lieu thereof also line 18 by inserting after the word "of" the following: "the county in which he resides or has his principal place of business or in the case of a nonresident who has no place of business within the Commonwealth in the Court of Common Pleas of"; also by striking out after the word "county" the article "a" and inserting in lieu thereof the following: "C The appeal provided by this section from action of the Board both in the cases of appeals to the Superior Court of Pennsylvania and appeals to the various Courts of Common Pleas shall be by"; also line 27 by striking out after the article "the" the word "opinion" and inserting in lieu thereof the word "petition"; also page 22 line 8 by striking out after the word "dealer" the word "only"; also line 9 by inserting after the word "municipality" the word "only"; also line 5 by inserting after the word "Commonwealth" the word "only"; also by inserting after line 15 the following: "Any person aggrieved by an order of the Board fixing the price at or the terms upon which milk may be bought or sold or by any other general rule regulation or order of the Board may file an appeal therefrom in the Superior Court within twenty days after the issuance of such order fixing the price of milk or such other general rule regulation or order but such appeal shall not be permitted to act as a supersedeas; also line 16 by striking out after the "by" the words "any decision" and inserting in lieu the words "an order"; also by inserting after the word "Board" the following: "in which the Board refuses to issue reissue or transfer or revokes or suspends a license to operate as a milk dealer or by any other order of the Board applying only to a particular person or persons named therein and not otherwise specifically provided for in this section"; also line 17 by striking out at the beginning of the line the word "file"; also by striking out after the word "days" the word "thereafter" and inserting in lieu thereof the following: "after the issuance of such order file an appeal therefrom"; the word "bond"; also page 20, line 7 by striking out after the word "such" the word "licenses" and inserting in lieu thereof the word "licensee"; also line 19 by striking out after the article "a" the word "local" and inserting in lieu thereof the word "bond"; also line 24 by striking out after the word "to" "thze" and inserting in lieu thereof the article "the"; also line 26 by striking out after the word "part" the word "in" and inserting in lieu thereof the word "act"; also page 21, line 22 by striking out after the letter "H" all of lines 22 to 25 inclusive and "of a surety or a collateral bond;" also line 27 by inserting after the word "association" the words "or corporation"; also line 29 by inserting after the word "of" the words "this or"; also page 22, line 2 by inserting after the word "association" the words "or corporation"; also by inserting after line 5 the following: "I If satisfied from an investigation of the financial condition of any applicant for a license under this act that such milk dealer is solvent and possessed of sufficient assets reasonably to assure payment to producers from whom he purchases milk the Board may by official order exempt such applicant from posting the surety bond or bond secured by collateral required by this section In such case the applicant shall post with the Board his personal bond in such form to such amount not greater than the maximum fixed by this section for surety bonds and upon such conditions as shall be prescribed by the Board The Board may at any time it deems such action advisable rescind any order exempting a milk dealer from posting a surety bond or a bond secured by collateral and may require him to post such bond or bond and collateral J If any milk dealer is financially unable to post such surety bond or bond secured by collateral as may be required by the Board pursuant to the provisions of this act he may file with the Board under oath or affirmation upon a form to be prescribed by the Board an application for exemption from posting such surety bond or bond secured by collateral on the ground of his financial inability to do so Attached to such application shall be the signed statement of producers from whom the dealer purchases his milk or of any cooperative agricultural association or similar association or corporation representing such producers to the effect that such producers or such association or corporation on their behalf consents to the exemption of such milk dealer from posting such surety bond or bond secured by collateral Such consent may be upon such special terms of payment and such other conditions as shall be agreed upon between such producers or such co-operative agricultural association or similar association or corporation on their behalf and the milk dealer and approved by the Board The Board may by official order exempt from posting a surety bond or a bond secured by collateral any dealer who has complied with the provisions of this subsection . The Board may at any time it deems such action advisable rescind any order exempting a milk dealer from posting a surety bond or a bond secured by collateral and may require him to post such bond or bond and collateral"; also page 23 line 8 by striking out at the beginning of the line "B" and inserting in lieu "D"; also line 22 by striking out after the article "the" the word "commission" and inserting in lieu thereof the word "Board"; also line 27 by striking out at the beginning of the line the letter "C" and inserting in

lieu thereof the letter "E"; also by striking out after the word "of" the article "the" and inserting lieu thereof the article "a"; also page 24 line 2 by striking out after the article "a" the word "permit" and inserting in lieu thereof the word "license"; also by striking out the following "or in which it fixed the price of milk within the Commonwealth or within a particular market or markets"; also line 6 by inserting after the word "cases" the following "in which this section authorizes an appeal to a Court of Common Pleas from an order of the Board"; also line 7 by striking out after the word "Pleas" the words "of Dauphin County"; also line 25 by striking out after the word "or" "handling" and inserting in lieu thereof the word "handling"; also page 25 line 2 by striking out after the article "the" the word "licenses" and inserting in lieu thereof the word "licensee"; also line 25 by striking out after the word "Fund" the word "All" and inserting in lieu thereof "As much of the"; also by striking out after the word "Fund" the word "are" and inserting in lieu thereof "as may be necessary is"; also line 28 by striking out after the article "the" the words "Director the other" and inserting in lieu thereof "Board of its"; also by striking out after the word "employees" the words "of the Board"; also line 29 by inserting after the word "and" the word "of"; also page 26 by inserting after line 22 the following: "all other expenses of every kind and description necessary for the performance by the Board of its work"; also page 27 line 16 by striking out the word "permits" and inserting in lieu thereof the words "may warrant"; page 28 between lines four and five inserting the following: "By milk dealers to other milk dealers"; also line 5 by striking out the figure "1" and inserting in lieu thereof the figure "2"; line 6 by striking out the figure "2" and inserting in lieu thereof the figure "3"; line 8 by striking out the figure "3" and inserting in lieu thereof the figure "4"; line 10 by striking out the figure "4" and inserting in lieu thereof the figure "5"; line 16 by inserting after the word "applicable" the following: "Such orders may likewise classify milk dealers in any manner which the Board deems advisable and may vary according to the classes to which they are applicable Provided however that this section shall not be construed to empower the Board to fix the price at which milk may be sold by any milk dealer or producer to consumers for consumption on the premises of such milk dealer or producer"; page 28 line 28 by striking out the word "may" and inserting in lieu thereof the word "shall"; page 29 line 1 by inserting after the word "milk" the following: "provided however that the fixing of prices to be paid by milk dealers to producers for milk to be used solely in manufacturing shall be discretionary with the Board"; also by inserting between lines 9 anl 10 the following: "the Board may likewise fix by official order the terms upon which milk dealers shall pay producers and others for milk"; page 30 line 16 by inserting after the word "attach" the following: "but this shall not apply to condensed or consentrated whole milk contained in hermetically sealed cans or in tanks to be used solely for manufacturing purposes by the original consignee thereof"; page 31 line 25 by striking out the word "all" after the word "of"; also by inserting after the word "sales" the following: "in all its markets or of its sales within any particular market"; page 32 line 1 by inserting after the word "association" the words "or corporation"; line 8 by inserting after the word "Association" the following: "or Corporation provided however that such blending or such price shall be subject to this approval by the Board;" line 10 by inserting after the word "association" the words "or Corporation"; line 13 by inserting after the word "association" the words "or corporation"; line 15 by inserting after the word "operations" the following: "which shall however be subject to disapproval by the Board"; line 16 by inserting after the word "association" the words "or corporation"; line 18 by inserting after the word "consumers" the following: "or from the jurisdiction of the Board to disapprove the price which it pays to producers"; line 23 by inserting after the words "between States" the following: "to conduct joint investigations hold joint hearings and issue joint or current orders"; also line 23 by striking out the word "may" and inserting in lieu thereof the word "to"; line 25 by inserting after the word "be" the words "authorized or"; line 27 by inserting after the word "association" the words "or corporations"; line 28 by inserting after the word "associations" the words "or corporations"; page 33 line 1 by striking out after the word "may" the word "require" and inserting in lieu thereof the word "acquire"; line 4 by inserting after the word "associations" the words "or corporations"; line 5 by striking out after the word "them" the word "and" and inserting in lieu thereof the word "any"; line 6 by inserting after the word "associations" the words "or corporations"; page 34 line 5 by striking out the word "fifty" and inserting in lieu thereof the words "one hundred"; line 6 by striking out the figures "($50,000)" and inserting in lieu thereof "($100,000)"; line 7 by inserting after the word "appropriated" the words "out of the general fund" also by striking out the word "department"; line 8 by striking out the words "of agriculture" for the use of the" and inserting in lieu thereof the words "milk control"; also by inserting after the word "Board" the words "for its use"; page 34 also by inserting between lines 9 and 10 the following: "for its use in administering the provisions of this act On the thirtieth day of April one thousand nine hundred thirty-five all unencumbered and unexpended moneys remaining in the Milk Control Fund shall be paid into the General Fund For such purpose such moneys are hereby appropriated";

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—0

NAYS—46

Armstrong,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Prince,	Staudenmeier,
Buckman,	Homsher,	Quigley,	Thompson,
Chapman,	Hunsicker,	Reed,	Trainer,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

QUESTION OF PERSONAL PRIVILEGE

Mr. CHAPMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Warren, Mr. Chapman, will state his question of personal privilege.

Mr. CHAPMAN. Mr. President, when it came up yesterday that there might be a demand to discharge the Committee on Executive Nominations, in an effort to bring out for confirmation five nominations to the Public Service Commission, I was warned from the office of Governor Pinchot that unless I voted for such discharge of committee I would be punished. I went to the Governor's office and found there, seated in the Governor's chair, one about whom I cannot, from a sense of delicacy, make any comment. I was told that unless I voted for the discharge of the Committee on Executive Nominations I could look for the consequences. I was told that this was my opportunity to show loyalty to the Pinchot administration.

I voted according to my convictions, believing that the traditions of the Senate for more than 50 years warranted my action.

Today I was informed by telephone message that, as my punishment for standing by my convictions and the wishes of my constituents, my brother, who happens to be Assistant Superintendent of Highways in Warren County, had been summarily dismissed by the Substitute Governor. Inasmuch as the elected Governor of Pennsylvania is a sick man in a New York hospital, it is almost criminal that Pennsylvania is being devastated by a Substitute.

RECONSIDERATION OF SENATE BILL NO. 173

Mr. EALY. Mr. President, I move to reconsider the vote by which Senate Bill No. 173 on second reading entitled:

An Act for the relief of financially distressed taxpayers providing for the payment in installments of delinquent county city borough incorporated town township school and poor taxes in certain cases and abating additional penalties and interest thereon

was recommitted to the Committee on Municipal Affairs.

The PRESIDENT. How did the Senator vote?

Mr. EALY. Mr. President, I voted "aye."

Mr. SALUS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SALUS. Mr. President, I voted "aye."

The motion was agreed to.

BILL OVER IN ORDER

Mr. EALY. Mr. President, I ask unanimous consent that Senate Bill No. 173 (House Bill No. 66), entitled:

An Act for the relief of financially distressed taxpayers providing for the payment in installments of delinquent county city borough incorporated town township school and poor taxes in certain cases and abating additional penalties and interest thereon

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until ten thirty P. M.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT PRO TEMPORE (Mr. Harry B. Scott) in the Chair.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

INVESTIGATION OF DEPARTMENT OF INSURANCE

Mr. PARKINSON offered the following resolution, which was twice read and referred to the Committee on Insurance:

In the Senate of Pennsylvania, December 20, 1933.

Whereas, Frequent charges have been made against the present administration of the affairs of the Insurance Department of the Commonwealth; and

Whereas, It is proper and necessary that the General Assembly and the public should know that the said department is being operated, and its business administered in an efficient and economical manner, therefore be it

Resolved (if the House of Representatives concur), That a joint legislative committee is hereby created to consist of three members of the House to be appointed by the Speaker of the House and three Senators to be appointed by the President pro tempore of the Senate, for the purpose of making a thorough investigation of the conduct and administration of the affairs of the Insurance Department of the Commonwealth.

The said committee shall organize immediately after the appointment of the members thereof, and shall make a report to the General Assembly not later than the first day of February, 1935, and shall accompany the same with such suggestions as they may find will remedy any condition now existing that may be prejudicial to the public welfare.

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Resolved, That the members of such committee shall be reimbursed for amounts actually expended for railroad fare and hotel accommodations, and shall have the power to appoint and fix the compensation of necessary stenographers, payments for which expenses and compensation shall be made out of an item to be inserted in an amendment to the General Appropriation Bill of 1933.

ADJOURNMENT

Mr. EALY. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 10 o'clock.

Mr. FAY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:54 P. M. until Thursday, December 21, 1933, at 10 o'clock A. M.

HOUSE OF REPRESENTATIVES

WEDNESDAY, December 20, 1933

The House met at 11.00 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Almighty God, Father of humanity, we reverently wait upon Thee in this act of devotion. Graciously bestow Thy blessing upon the General Assembly, and upon the administratory hands of our government, and upon the people of Pennsylvania.

We would not forget that Thou hast been our help in ages past, and Thou art our hope for years to come, Thou didst

lead our fathers into a wealthy place and set their feet in a large room. We seek Thy favor, to carry on.

In these stressful days, preserve our unity, save us from lawlessness and violence; from discord and confusion.

Endure with wisdom all those who have been entrusted with the authority of government.

May the all important problems confronting the legislature be solved speedily and satisfactorily to the best interests of all the people. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. John E. Brown, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 39.

An Act authorizing the sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund; defining the powers and duties of the Governor, The Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; and providing for the payment of interest on, and the redemption of, such bonds and making an appropriation

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 40.

An Act providing compensation to certain persons who served in the military or naval forces of the United States during the World War the war between the United States and Spain and the China Relief Expedition or in the Philippines or Guam Providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation and providing penalties.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 55.

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction and providing for the repayment of such moneys from the General Fund

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 209.

An Act appropriating certain accumulations in the Insurance Tax Fund to cities townships and boroughs for payment to firemen's relief pension and retirement funds

With the information that the Senate has passed the same without amendments.

SENATE MESSAGE

AMENDED RESOLUTION RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned resolution from the House of Representatives as follows:

In the House of Representatives, Decemeber 4, 1933.

Resolved, (if the Senate concur), That the Legislative Reference Bureau is hereby directed to have printed, as a legislative document, five thousand copies of the General Borough Act of May 4, 1927, P. L. 519, with all amendments thereto, to be distributed and sold by the Division of Documents of the Department of Property and Supplies in the manner provided by law

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend by adding after the word "distributed" the following "as follows: one thousand copies for the use of the Senate; two thousand copies for the use of the House and the remaining copies to be distributed."

On the question,

Will the House concur in the amendments made by the Senate?

They were concurred in.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, December 19, 1933.

Resolved (if the Senate concur), That House Bill No. 41, Printer's No. 25, entitled "An act making an appropriation for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, December 18, 1933.

Whereas, The Ford Motor Company is one of the important industries of the State as the following statistics show:

(a) It paid out in wages at its Chester plant alone, $2,394,000 during the year 1933 not including the month of December;

(b) It pays a capital stock tax to the State of approximately $8,500 a year;

(c) It pays a real estate tax to local government in excess of $75,000 a year;

(d) It pays taxes on liquid fuels of about $30,000 a year;

(e) It employs, directly at the present time, approximately 3,000 persons in this State;

(f) It has 500 authorized dealers in the State employing approximately 3,000 employes;

(g) It purchases parts and supplies from 240 different manufacturers in this State; and

Whereas, The Ford Motor Company has complied fully with the National Industrial Recovery Act, as is best evidenced by the recent purchases of its products by agencies of the Federal Government; and

Whereas, The agencies representing the Ford Motor Company have recently been unable to do any business with the Commonwealth, not by reason of inability to meet specifications contained in requests for bids, but for the reason that makes of cars have been specified, and the products of the Ford Motor Company have seemingly been discriminated against by being omitted from said specifications, although the Ford Motor Company products come in the same class as, and in direct competition with, those set forth in the specifications; and

Whereas, The Ford Motor Company is the only industry which maintains and operates plants in this State for the production of certain types of motor vehicles; and

Whereas, The establishment of industry in this State should at all times be encouraged and supported, therefore be it

Resolved (if the Senate concur), That it is the demand of the members of the General Assembly that agencies of the Ford Motor Company should be permitted to become bidders on motor equipment in this State when bids are requested for types of equipments similar to those manufactured by said company, to the end that Pennsylvania industry may be aided and encouraged.

Resolved, That a copy of this resolution be transmitted to the Governor, the purchasing agent of the Commonwealth i. e., the Department of Property and Supplies and to the Department of Highways by the Acting Chief Clerk of the House.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 20, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 43, Printer's No. 48, entitled

An Act making an appropriation to the Department of Military Affairs.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 78.

An Act making an appropriation out of The State Stores Fund to the Department of Welfare for old age assistance

With the information that the Senate has passed the same amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 5, by striking out the word "eight" and inserting in lieu thereof the word "six"; also in same line by striking out the numerals "($8,000,000)" and inserting in lieu thereof the figures "($6,000,000)"; also line 7 by striking out the following: "for the fiscal year beginning June" and inserting in lieu thereof the following: "to be available for expenditure beginning December"; also line 12 by inserting after the word "Welfare" the following: "Provided however That any moneys appropriated out of the State Stores Fund for unemployment relief shall be preferred over the appropriation made by this act and such appropriations for unemployment relief shall not be abated by reason of the appropriation made by this act."

Amend section 2, page 1, line 14, by striking out the word "June" and inserting in lieu thereof the word "December."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187

Andrews,	Griffith,	McGrail,	Shellenberger,
Baldi,	Habbyshaw,	McGregor,	Shettel,
Barnhardt,	Haines,	McKay,	Shortz,
Bechtel,	Hamilton,	McKinney,	Shreiner,
Beech,	Harmuth,	Melchiorre,	Shugarts,
Bennett,	Harris,	Meredith,	Simon
Bernhard,	Hart,	Merrell,	Sinwell,
Blumberg,	Heffernan,	Mohn,	Snyder,
Boyd,	Hefferon,	Moore,	Sowers,
Brancato,	Heffner,	Mumford,	Spann,
Brennan,	Hermansen,	Munley,	Stank,
Brown, J. E.,	Hester,	Murphy,	Steedle,
Brown, W. L.,	Hewitt,	Myers,	Sterling, P.,
Cannon,	Himes, H. E.,	Negley,	Sterling, R. B.,
Caputo,	Himes, L. R.,	Nothnagle,	Stevens,
Carson,	Hoffman,	O'Connor,	Stevenson,
Chervenak,	Holmes, J. B.,	O'Keefe,	Stiteler,
Cohen,	Holmes, J. L.,	O'Neill,	Stone,
Conner,	Hoopes,	O'Rourke,	Stott,
Cooke,	Horst,	Patterson,	Tahl,
Cordier,	Hough,	Peelor,	Terry,
Craig,	Howard,	Pennock,	Trout,
Cramer,	Hutton,	Perry, C. R.,	Turner,
Dane,	Jaffe,	Perry, J. J.,	Wade,
Davies,	Jones,	Peters,	Wagner,
DeFrehn,	Kane, J. J.,	Powell,	Walker, G. E.,
Denning,	King,	Powers,	Walker, W. A.,
Downey, G. E.,	Kinney,	Price,	Wall,
Downey, J. J.,	Labar,	Quinn,	Wasserman,
Duffy,	Lane,	Raub,	Way,
Dunmire,	Laubach,	Rectenwald,	Weidemann,
Ederer,	Lenahan,	Reed,	Welsh,
Emhardt,	Lewis,	Reilly,	Westrick,
Eroe,	Long,	Rhodes,	White,
Evans,	Lord,	Rice,	Wike,
Flanagan,	Lovett, J. E.,	Roan,	Williams, G. W.,
Fleisher,	Lovett, W. S.,	Root,	Williams, J. J.,
Flinchbaugh	Lynch, J. R.,	Roth,	Wilson, L. M.,
Flynn, J. M.,	Lynch, M.,	Royle,	Wilson, T. B.,
Flynn, J. W.,	Malina,	Ruby,	Witkin,
Forrest,	Maloney,	Ruth,	Wood,

bursing the Commonwealth for the cost of acquiring such bridges and making an appropriation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 9, by striking out the heavy faced bracket before the word "extending"; also, in same line by striking out the heavy faced bracket after the word "all" and the following: "by providing for the purchase of such"; also line 11 by striking out the heavy faced bracket before the word "and"; also line 12 by striking out the heavy faced bracket after the word "bridges."

Amend section 1, page 2, line 18, by striking out the following: "and being a part of the route of a State highway and street in any city borough or town"; also line 20, by striking out the heavy and light faced brackets after the word "town"; also in line 21, by striking out the heavy faced bracket after the word "river"; also in the same line by inserting after the word "river" the following: "or over a stream or river and the facilities of any public service company."

Amend section 1, page 5, line 13, by striking out the following: "but the Department of Highways may continue to charge public service companies using any [illegible] such bridges in accordance with law" and inserting in lieu thereof the following: "and the State shall take over and succeed to all agreements made with any public service company for the use by the public service company of such bridges."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Gorman,	Marcks,	Ruby,
Baldi,	Green,	Mason,	Ruth,
Bechtel,	Greenstein,	McBride,	Sautter,
Beech,	Griffith,	McCandless,	Schrock,
Bennett,	Habbyshaw,	McClure,	Schrope,
Bernhard,	Haines,	McCreary,	Schwab,
Blumberg,	Hamilton,	McGinnis,	Schwartz,
Boyd,	Harmuth,	McGrail,	Scorza,
Brancato,	Harris,	McGregor,	Scott,
Brennan,	Hart,	McHenry,	Sheffer,
Brown, J. E.,	Hartman,	McKay,	Shellenberger,
Brown, W. L.,	Heffernan,	McKinney,	Shettel,
Brownfield,	Hefferon,	Melchiorre,	Shortz,
Cannon,	Heffner,	Meredith,	Shreiner,
Caputo,	Hermansen,	Merrell,	Shugarts,
Carey,	Hester,	Mohn,	Simon,
Carson,	Hewitt,	Moore,	Sinwell,
Cohen,	Himes, H. E.,	Mumford,	Snyder,
Conner,	Himes, L. R.,	Munley,	Sowers,
Cooke,	Hoffman,	Murphy,	Spann,
Cordier,	Holmes, J. B.,	Myers,	Stank,
Craig,	Holmes, J. L.,	Negley,	Steedle,
Cramer,	Hoopes,	Nothnagle,	Sterling, P.,
Dane,	Horst,	O'Connor,	Sterling, R. B.,
Davies,	Hough,	O'Keefe,	Stiteler,
DeFrehn,	Howard,	O'Neill,	Stone,
Denning,	Hutton,	O'Rourke,	Stott,
Downey, G. E.,	Jaffe,	Patterson,	Trout,
Downey, J. J.,	Jones,	Peelor,	Turner,
Duffy,	Kane, J. J.,	Pennock,	Wagner,
Dunmire,	Kane, L. P.,	Perry, D. R.,	Walker, G. E.,
Ederer,	King,	Perry, J. J.,	Walker, W. A.,
Emhardt,	Kinney,	Peters,	Wall,
Eroe,	Labar,	Powell,	Wassermann,
Evans,	Lane,	Powers,	Way,
Fitzgerald,	Laubach,	Price,	White,
Fleisher,	Lenahan,	Quinn,	Wike,
Flinchbaugh,	Lewis,	Raub,	Williams, G. W.,
Flynn, J. M.,	Long,	Rectenwald,	Wilson, L. M.,
Flynn, J. W.,	Lovett, J. E.,	Reed,	Wood,
Forrest,	Lovett, W. S.,	Reilly,	Wright,
Furman,	Lynch, J. R.,	Rhodes,	Yeakel,
Gallagher, T. J.,	Lynch, M.,	Roan,	Yourishin,
Gallagher, W. J.,	Male,	Roth,	Talbot,
Gartner,	Malina,	Royle,	Speaker.
Gillette,	Maloney,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 102.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 10, page 7, line 19, by striking out the words: "of said."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Gallagher, T. J.,	Lynch, M.,	Shettel,
Baldi,	Gallagher, W. J.,	Maloney,	Shortz,
Barnhardt,	Gartner,	Mason,	Shreiner,
Bechtel,	Gorman,	McBride,	Shugarts,
Beech,	Green,	McCandless,	Simon,
Bernhard,	Greenstein,	McCreary,	Sinwell,
Blumberg,	Griffith,	McElwee,	Snyder,
Boyd,	Habbyshaw,	McGinnis,	Sowers,
Brancato,	Haines,	McGrail,	Spann,
Brennan,	Hamilton,	McGregor,	Steedle,
Brown, J. E.,	Harmuth,	McKay,	Sterling, P.,
Brown, W. L.,	Harris,	McKinney,	Stevens
Brownfield,	Hart,	Meredith,	Stevenson,
Cannon,	Hartman,	Merrell,	Stiteler,
Caputo,	Heffernan,	Mohn,	Stott,
Carey,	Hefferon,	Moore,	Tahl,
Carson,	Heffner,	Mumford,	Terry,
Chervenak,	Hermansen,	Munley,	Trout,
Cohen,	Hester,	Murphy,	Turner,
Conner,	Hewitt,	Negley,	Wade,
Cooke,	Himes, H. E.,	Nothnagle,	Wagner,
Cordier,	Himes, L. R.,	O'Connor,	Walker, G. E.,
Craig,	Hoffman,	O'Keefe,	Wall,
Cramer,	Holmes, J. B.,	O'Neill,	Wasserman,
Dane,	Holmes, J. L.,	Pennock,	Way,
Davies,	Hoopes,	Perry, J. J.,	Weidemann,
DeFrehn,	Horst,	Peters,	Welsh,
Denning,	Hough,	Powell,	Westrick,
Downey, G. E.,	Howard,	Price,	White,
Downey, J. J.,	Hutton,	Rectenwald,	Wike,
Duffy,	Jaffe,	Rhodes,	Williams, G. W.,
Dunmire,	Kane, J. J.,	Roan,	Williams, J. J.,
Ederer,	Kane, L. P.,	Root,	Wilson, L. M.,
Emhardt,	King,	Roth,	Wilson, T. B.,
Eroe,	Kinney,	Royle,	Witkin,
Evans,	Labar,	Ruby,	Wood,
Fitzgerald,	Laubach,	Sautter,	Woodside,
Flanagan,	Lenahan,	Schrock,	Wright,

Fleisher,	Lewis,	Schrope,	Yeakel,
Flinchbaugh,	Long,	Schwab,	Yourishin,
Flynn, J. M.,	Lord,	Schwartz,	Zimmerman,
Flynn, J. W.,	Lovett, J. E.,	Scott,	Talbot,
Forrest,	Lovett, W. S.,	Sheffer,	Speaker.
Furman,	Lynch, J. R.	Shellenberger,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 19.

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 2, page 2, line 13, by striking out the word "or"; also line 14 by inserting before the word "election" the words "or primary"; also line 20 by inserting after the word "years" the following: "g 'Primary election' shall mean any election for the nomination of candidates"; also line 21 by striking out the letter "g" and inserting in lieu thereof the letter "h"; also line 23 by striking out the letter "h" and inserting in lieu thereof the letter "i"; also page 3, line 1, by striking out the letter "i" and inserting in lieu thereof the letter "j"; also line 8, by striking out the letter "j" and insertin lieu thereof the letter "k"; also line 14, by striking out the letter "k" and inserting in lieu thereof the letter "l"; also line 17, by striking out the word "commissions" and inserting in lieu thereof the word "commission"; also line 18 by striking out the letter "l" and inserting in lieu thereof the letter "m"; also line 21 by striking out the letter "m" and inserting in lieu thereof the letter "n"; also line 23 by striking out the letter "n" and inserting in lieu thereof the letter "o"; also page 4, line 1, by striking out the word "to" and inserting in lieu thereof the word "of"; also in line 2, by striking out the words "within such cities" and inserting in lieu thereof the words" "with which it is co-extensive"; also line 3, by striking out the letter "o" and inserting in lieu thereof the letter "p"; also line 9 ,by striking out the letter "p" and inserting in lieu the letter "g" also line 10 by inserting after the word "women" the following: " 'district' shall mean any election district of the city."

Amend section 3, page 4, line 14, by striking out the word "three," and inserting in lieu thereof the word "There"; also page 5, line 17, by striking out the words "or election."

Amend section 5, page 7, line 5, by striking out the words "Appointment of Clerks or Secretaries as Registrars"; also line 23 by striking out the following: "An election officer may be appointed as a registrar or inspector of registration but no other" and inserting in lieu thereof the word "No"; also page 8, line 14, by striking out the following: "on his own motion or on complaint of any person known to him may."

Amend section 7, page 9, line 27, by inserting after the word "commissioners" the words "counsel a sufficient number of"; also line 28, by striking out the word "counsel" also page 10, line 17, by striking out the word "passage" and inserting in lieu thereof the words "effective date."

Amend section 12, page 11, line 25, by inserting after the first word "lists" and before the second word "lists" the words "voting check"; also in the same line by striking out the words "of voters"; also page 12, line 1, by striking out the word "county" and inserting in lieu thereof the word "city."

Amend section 16, page 15, line 28, by striking out the words "one placard" and inserting in lieu thereof the words "five placards"; also line 29 by striking out the word "notice" and inserting in lieu thereof the word "notices"; also in the same line by striking out the word "a"; also in the same line by striking out the word "place" and inserting in lieu thereof the word "places"; also page 16, line 1, by inserting after the word "registration" the following: "and by publication at least once in a newspaper of general circulation published in the city."

Amend section 17, page 16, line 6, by striking out the words "each county" and inserting in lieu thereof the words "such city"; also page 17, line 8, by inserting after the word "cards" the following; "which binders can be locked The keys of all such binders shall at all times be retained by the commission."

Amend section 21, page 23, line 21, by inserting after the word "marriage" the following: "and that she is unable to produce his original naturalization papers or a certified copy thereof."

Amend section 22, page 24, line 7, by inserting after the word "thereto" the following: "The registrar or commissioner shall forthwith personally notify the applicant if his application for registration is rejected."

Amend section 23, page 24, line 10, by striking out the word "Application" and inserting in lieu thereof the word "Applicant"; also line 27, by striking out the word "county" and inserting in lieu thereof the word "city."

Amend section 24, page 25, line 1, by inserting after the word "affidavits" the following: "for the entire city"; also line 2, by striking out the words "for the entire city."

Amend section 25, page 25, line 14, by inserting after the word "open" the words "to public inspection"; also line 16, by striking out the words "to public inspection."

Amend section 26, page 25, line 22, by striking out the word "electors" and inserting in lieu thereof the word "elector."

Amend section 27, page 26, line 28, by striking out the following: "b When a request for transfer believed authentic by the commission is received at the office of the commission within the period of sixty days next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary"; also page 27, line 10, by striking out the letter "c" and inserting in lieu thereof the letter "d"; also line 15, by striking out the letter "d" and inserting in lieu thereof the letter "c."

Amend section 28, page 27, line 27, by striking out the word "tenth" and inserting in lieu thereof the word "fifteenth"; also page 28, line 10, by inserting after the word "made" the following: "If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar or commissioner and shall produce such other evidence as may be necessary to establish his identity"; also line 11, by striking out the word "fifth" and inserting in lieu thereof the word "tenth"; also line 24, by striking out the word "is" and inserting in lieu thereof the word "the"; also line 25, by striking out the word "whom" and inserting in lieu thereof the word "which"; also page 29, line 11, by striking out the word "written"; also line 20, by inserting after the word "assistance" the follow-

ing: "and shall forthwith notify such elector by mail of its action."

Amend section 29, page 30, line 4, by inserting after the word "deceased" the following: "by any registrar of vital statistics."

Amend section 30, page 31, line 29, by striking out the word "a" and inserting in lieu thereof the word "as."

Amend section 31, page 32, line 4, by striking out the words "the county" and inserting in lieu thereof the words "such city"; also line 13, by striking out the following: "in such county"; also line 16, by striking out the word "fifth" and inserting in lieu thereof the word "tenth"; also line 29 by striking out the following: "Police officers may be so appointed with the consent of the head of the police department of the city."

Amend section 32, page 34, line 11, by striking out the word "thirty" and inserting in lieu thereof the words "Commencing thirty"; also page 34, line 2, by striking out the word "county" and inserting in lieu thereof the word "city."

Amend section 33, page 34, line 16, by striking out the words "Distribution Not," and inserting in lieu thereof the words "Commencing not"; also line 25, by inserting after the word "lists" the following: "A copy of the corrected street list of such election district shall forthwith be publicly posted at the polling place of such district."

Amend section 34, page 35, line 2, by striking out the word "fifth" and inserting in lieu thereof the word "tenth."

Amend section 35, page 36, line 10, by striking out the words "sixty days" and inserting in lieu thereof the words "two months"; also line 17, by inserting after the syllable "structed" the words "and locked"; also line 19, by striking out the words "may not" and inserting in lieu the words "can not."

Amend section 36, page 36, line 29, by striking out the words "List of Voters" and inserting in lieu thereof the words "Voting Check List"; also page 37, line 2, by striking out the words "Lists of Voters" and inserting in lieu thereof the words "Voting Check Lists"; also line 4, by inserting after the word "district" the words "in such city."

Amend section 36, page 39, line 12, by inserting after the word "district" the following: "and if challenged as to betting he shall produce proof that he has not made any bet or wager on the result of the election or is not interested therein and if challenged as to bribery he shall be required to swear or affirm that the matter of the challenge is untrue before his vote shall be received"; also page 40, line 19, by striking out the words "List of Voters" and inserting in lieu thereof the words "Voting Check List"; also line 21, by striking out the following: "numbered list of voters heretofore required by law to be kept in duplicate by the clerk or inspectors of election all," and inserting in lieu thereof "voting check list of the district All"; also line 26, by inserting after the word "the" and before the word "list" the words "voting check"; also in same line by striking out the words "of voters"; also line 28, by striking out the following: "hereby provided for shall be used at such election and primary by the election officers in the place of the two registers known as," and inserting in lieu thereof the words "shall constitute"; also page 41, line 2, by striking out the following: "and voting check list heretofore required by law" and inserting in lieu thereof the words "of the district"; also line 12, by inserting before the word "list" the words "voting check"; also in the same line by inserting after the word "list" the words "and numbered lists"; also line 14, by striking out the following: "list of voters shall be immediately sealed in envelopes and shall be returned to the custody of the prothonotary or county commissioners as required by law and the"; also line 17, by inserting after the word "register" the words "and the voting check list."

Amend section 37, page 42, line 12, by inserting after the word "prescribed" the following: "d Whenever the registration affidavits of any registered elector shall have been entirely filled up so that the entries required to be made thereon by this Act can no longer be made the Commission shall have prepared and attached to such registration affidavits in each register a supplemental card Each supplemental card shall be printed in a color different from the registration affidavits It shall have the same serial number as the registration affidavit following by the letter 'A' 'B' etc according to the number of supplemental cards attached to each registration affidavit Each supplemental card shall have space thereon for the entry of the surname of the registered elector his Christian name or names the street and number of his residence the ward and election district in which he resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal the date of each election and primary at which the elector votes and the signature or initials of the election officer who enters the record of voting on the card Each supplemental card shall be attached to the registration affidavit to which it relates by permanent fasteners in such a manner that the contents of the registration affidavit may be examined and the entries required by this Act may be made on the supplemental card Whenever supplemental cards are attached to the registration affidavit of any elector the registration affidavit shall be stamped with the words "Supplemental cards attached together with the date thereof"

Amend section 38, page 42, line 15, by striking out the word "general" and inserting in lieu thereof the word "municipal"; also line 16, by striking out the word "thirty-eight" and inserting in lieu thereof the word "thirty-seven."

Amend section 40, page 43, line 24, by striking out the words "Time of Fee"; also page 44, line 2, by striking out the words "any county" and inserting in lieu thereof the words "such city"; also line 11, by striking out the following: "Such appellant shall pay the prothonotary a fee of three dollars for filing such appeal."

Amend section 41, page 45, line 23, by striking out the following: "not be obliged to answer any appeal and shall."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Furman,	Lovett, W. S.,	Schrock,
Baldi,	Gallagher, T. J.,	Lynch, J. R.,	Schrope,
Barnhardt,	Gallagher, W. J.,	Lynch, M.,	Schwartz,
Bechtel,	Gartner,	Male,	Scott,
Beech,	Gorman,	Maloney,	Sheffer,
Bennett,	Green,	Marcks,	Shettel,
Bernhard,	Greenstein,	Mason,	Shortz,
Blumberg,	Griffith,	McBride,	Shugarts,
Boyd,	Habbyshaw,	McCandless,	Simon,
Brancato,	Haines,	McClure,	Sinwell,
Brennan,	Hamilton,	McCreary,	Snyder,
Brown, J. E.,	Harmuth,	McElwee,	Spann,
Brown, W. L.,	Harris,	McGrail,	Stank,
Cannon,	Hart,	McGregor,	Steedle,
Caputo,	Hartman,	McHenry,	Sterling, P.,
Carey,	Heffernan,	McKay,	Stevens,
Carson,	Hefferon,	McKinney,	Stevenson,
Chervenak,	Heffner,	Meredith,	Stiteler,
Cohen,	Hermansen,	Merrell,	Stott,
Conner,	Hester,	Mohn,	Tahl,
Cooke,	Hewitt,	Moore,	Terry,
Cordier,	Himes, H. E.,	Mumford,	Turner,
Craig,	Himes, L. R.,	Munley,	Wade,
Cramer,	Hoffman,	Murphy,	Wagner,
Dane,	Holmes, J. B.,	Negley,	Walker, G. E.,
Davies,	Holmes, J. L.,	Nothnagle,	Wall,
DeFrehn,	Hoopes,	O'Connor,	Wasserman,
Denning,	Horst,	O'Keefe,	Way,
Downey, J. J.,	Howard,	O'Neill,	Weidemann,
Downey, G. E.,	Hutton,	Patterson,	White,
Duffy,	Jaffe,	Pennock,	Wike,
Dunmire,	Jones,	Perry, D. R.,	Williams, G. W.,
Ederer,	Kane, J. J.,	Perry, J. J.,	Williams, J. J.,
Emhardt,	Kane, L. P.,	Peters,	Wilson, L. M.,
Eroe,	King,	Rectenwald,	Wilson, T. B.,
Evans,	Kinney,	Rhodes,	Witkin,
Fitzgerald,	Labar,	Roan,	Wood,
Flanagan,	Lane,	Root,	Woodside,
Fleisher,	Laubach,	Roth,	Wright,
Flinchbaugh,	Lenahan,	Royle,	Yeakel,
Flynn, J. M.,	Lewis,	Ruby,	Yourishin,
Flynn, J. W.,	Long,	Ruth,	Talbot,
Forrest,	Lovett, J. E.,	Sautter,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

RECALLING HOUSE BILL NO. 55 FROM GOVERNOR

Mr. TURNER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 20, 1933.

Resolved (if the Senate concur), That House Bill No. 55, Printer's No. 49, entitled "An act making an appropriation out of the State Stores Fund to the State Emergency Relief Board for direct relief work and expenses defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments," now in the hands of the Governor, be recalled for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 94.

An Act to repeal the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws"

HOUSE BILL No. 177.

An Act providing that one-third of the cost of the board of revision of taxes and of the assessors other than personal property assessors in counties of the first class shall be paid by the school district coextensive therewith

With the information that the Senate has passed the same without amendment.

LEAVES OF ABSENCE

Mr. HOUGH asked and obtained leave of absence for Mr. Shenkel.

Mr. HERMANSEN asked and obtained leave of absence for Mr. Baker on account of illness.

Mr. WOODSIDE asked and obtained leave of absence for Mr. Surface on account of illness.

Mr. WOODSIDE asked and obtained leave of absence for Mr. Rice on account of illness.

RESOLUTIONS

IN MEMORIAM ON DEATH OF HONORABLE JOHN SCHEUER, JR.

Mr. CORDIER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and unanimously adopted by a rising vote, as follows:

In the House of Representatives, December 20, 1933.

The Honorable John Scheuer, Jr., a former Member of this House from the County of Lackawanna, died on the thirtieth day of August, one thousand nine hundred and thirty-three.

Born in the City of Scranton on the twelfth day of December, one thousand eight hundred and fifty-eight, he was elected a member of select councils of his native city at the age of twenty-nine years, and from that time continued active in the political affairs of his city and county until advanced age made such activity impossible.

He served as a Member of this House during the Sessions of 1899 and 1901, and during the latter session was Chairman of the Committee on Banking.

As a merchant in Scranton he was successful, and his affiliation with and activity in many civic and fraternal organizations greatly enlarged his acquaintanceship and brought to him a vast number of staunch and loyal friends; therefore be it

Resolved, By this House, That in the death of the Honorable John Scheuer, Jr., the County of Lackawanna has lost a loyal son whose years of service were for the benefit of those he represented, and whose presence in this House was an aid to the cause of good government for the people of the Commonwealth; and be it further

Resolved, That this resolution be spread upon the Journal of the House and a copy thereof be forwarded by the Chief Clerk to the surviving family of the Honorable John Scheuer, Jr.

COMMITTEE ON PERMANENT REGISTRATION

Mr. SCHWARTZ offered a resolution and asked unanimous consent for its immediate consideration.

The resolution was twice read as follows:

In the House of Representatives, December 20, 1933.

Whereas, Several bills have been introduced during this Extraordinary Session of 1933 concerning permanent registration in cities of the First Class, and

Whereas, There is a great confusion as to the best methods for effecting details that will preserve the purity of the ballot and secure to the citizens the right of suffrage.

Therefore be it resolved (if the Senate concur), That a Commission shall be appointed composed of three Members of the House of Representatives who shall be appointed by the Speaker, and two Members of the Senate, to be appointed by the President Pro Tempore, to constitute a research body to study the best methods for permanent registration and to prepare a bill to be submitted to the 1935 Session of the Legislature for enactment into Law. Said Commission shall have power to examine into the books and records of the Registration Commission of Philadelphia and shall receive full cooperation from the members of said Registration Commission in order to effectuate the purposes of this Resolution.

Be it further resolved, That all Members of this commission are to serve without compensation.

The SPEAKER. Will the House give its unanimous consent for the immediate consideration of the resolution? Are there objections?

Mr. FITZGERALD. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

The resolution lies over under the rules.

RESOLUTION No. 24

Mr. WAY. Mr. Speaker, I desire to call up at this time Resolution No. 24, Printer's No. 165.

The resolution was read by the Clerk as follows:

In the House of Representatives, December 18, 1933.

Whereas The rapid improvement of the highways of the Commonwealth and the greatly increased traffic thereon has resulted in a deplorable number of accidents and a consequent loss of life and property and

Whereas This loss to the Commonwealth could be made less by a more thorough and continuous supervision of traffic on the highways by the Motor Patrol which within its means has in the past prevented many accidents and afforded valuable aid to those injured in collisions and

Whereas Many members of the Motor Patrol have been assigned to tasks other than those for which they were originally intended thereby reducing the number available for patrol duty on the highways and

Whereas The necessary thorough and continuous patroling of the highways by these capable employes of the Commonwealth can only be secured by increasing the number of men to be assigned to this duty and

Whereas The unprecedented increase in mileage of improved highways during the past few years makes necessary such an increase therefor be it

Resolved (if the Senate concur) That it is the opinion of this General Assembly that consideration should be given by His Excellency the Governor during the next budget period to allowing a substantial increase in the appropriation to be made by the Commonwealth for this purpose to the end that a sufficient number of men can be assigned for patroling the highways in order to prevent accidents and the loss of life and property attendant thereon and be it further

Resolved That a copy of this resolution be handed to the Governor of the Commonwealth as the recommendation of the General Assembly

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

THANKING DEPARTMENT OF HIGHWAYS

Mr. PETERS offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 20, 1933.

Resolved, That the House of Representatives hereby tenders to the Secretary of Highways and his most loyal corps of workers and to Captain Price and his State Highway Patrol a vote of thanks for their splendid work in making the highways of the Commonwealth safe for travel during the dangers of the ice storm during the past week.

Resolved, That copies of this resolution be forwarded by the Acting Chief Clerk of the House of Representatives to the Secretary of Highways and to Captain Price.

RESOLUTION No. 26

Mr. HARRIS. Mr. Speaker, I desire to call up at this time Resolution No. 26, Printer's No. 182.

The resolution was twice read by the Clerk as follows:

In the House of Representatives, December 19, 1933.

Whereas A disregard for the proper and orderly procedure of justice appears to be rampant in various parts of our country resulting in unparalleled examples of mob violence

And whereas such subversion of justice is destructive to the very fabric of our civilization and may be regarded as a sign of ominous portent

And whereas the Congress of these United States will convene in a few weeks

And whereas certain members of Congress have declared and stated it to be their intention to sponsor and introduce a Federal Anti Lynching Law therefore be it

Resolved (if the Senate concur) That the Representatives in Congress from Pennsylvania be respectfully urged and requested to actively support such legislation when the same may be introduced

Resolved that a copy of this resolution be furnished each Senator and Representative in Congress from Pennsylvania

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION No. 25

Mr. COHEN. Mr. Speaker, I desire to call up at this time Resolution No. 25, Printer's No. 166.

The resolution was read by the Clerk as follows:

In the House of Representatives, December 18, 1933.

Resolved (if the Senate concur) That the second paragraph of Resolution Number eighty-three Serial Number one hundred thirty-nine House History Session of one thousand nine hundred thirty-three page two hundred eighty-six which was adopted by the House of Representatives May fourth one thousand nine hundred thirty-three and by the Senate May fifth one thousand nine hundred thirty-three be hereby amended to read as follows

Resolved (if the Senate concur) That the President Pro Tempore of the Senate shall appoint [three] four Senators and the Speaker of the House of Representatives shall appoint [three] four Members of the House of Representatives who together shall constitute a joint legislative committee whose duty it shall be to investigate the affairs and records of the Insurance Department relating to casualty and fire insurance companies to ascertain whether certain companies are permitted to do business in this Commonwealth when inadequately financed "or otherwise operating in violation of the insurance laws of this Commonwealth" and to ascertain whether mergers or consolidations of casualty companies approved by the Department have been made in accordance with law and whether securities withdrawn from the Treasury Department if any after any such merger or consolidation have been legally withdrawn and all matters relating to the liquidation of insurance companies and all other matters and affairs of the Insurnce Department which the committee deems pertinent.

On the question,

Will the House dopt the resolution?

Mr. HUTTON. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Strike out line 10 underscored word "four"; remove brackets from word "three" in line 10; strike out word "four" in line 12; remove brackets around word "three" in line 12.

On the question,

Will the House agree to the amendments?

Mr. COHEN. Mr. Speaker and members of the House, Mr. Hutton has very kindly agreed to the extension of the powers of the investigating committee which are included in my amendments and to which he has no objection, and to which no amendments have been filed by Mr. Hutton. He has agreed with me, and he is quite correct, that there are any number of activities of the Insurance Department which require investigation, for which power is not given in the original resolution.

The SPEAKER. The gentleman from York will confine his remarks to the amendment before the body.

Mr. COHEN. Mr. Speaker, I am coming to that.

The SPEAKER. The Chair desires the gentleman to arrive at that point quickly.

Mr. COHEN. Mr. Speaker and members of the House, the assumption of additional powers by the Committee in my estimation requires additional members on the Committee. Mr. Hutton has intimated, and I quite agree with him, that a Committee of six are hampered in functioning in the duties of the Committee due to the fact that there is no provision included in the original resolution by which counsel could be provided for the Committee. It has been intimated to me that the activities of the Committee have been hampered by the lack of an appropriation. I feel that if we extend the number of the members of the Committee from six to eight, as provided in this resolution, the additional men should take care of the additional matters which would come before the Committee by reason of the passage of this resolution. I, therefore, urge the members of the House to allow the original resolution of the regular session of 1933 to be amended by having two additional men appointed to that Committee, and if that is done, to my thought there will not be a

necessity of employing counsel, because in the discretion of the Speaker of the House, he may see fit to appoint to that Committee a member of the House who is an attorney, and who would willingly act as counsel to that Committee. I, therefore, recommend that you vote this amendment down.

Mr. HUTTON. Mr. Speaker and members of the House, as has been stated by the sponsor of this resolution, there are no objections relative to the matter of the insertion on page 2 of the resolution, but I cannot concur, as chairman of the Investigating Committee, with the increase in the membership of the Committee. A Committeee of six, three from the House and three from the Senate, in my judgment, is quite ample to cover the situation, and to engage in the investigating of matters that come before that committee, and I, therefore, would ask you to vote in favor of the amendments as I have offered them.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House adopt the resolution as amended?

Mr. COHEN. Mr. Speaker and members of the House, the resolution as originally passed by the last session did not provide for a thorough investigation of the Insurance Department. That resolution was only confined to the activities of the Insurance Department in allowing illegal mergers and in allowing the taking down of a million dolars worth of bonds to the detriment of policy holders in insurance companies.

The resolution now before you is to extend the powers of that Committee. It has been called to my attention that in the merging of these insurance companies, there has been practiced gross negligence and incompetency. I am informed that the Special Deputy Insurance Commissioner, Mr. Marion, has been conducting these various liquidations in a manner that does not benefit the policy holders or the insurance companies, and in a manner by which the net proceeds that are received by the Insurance Commissioner in liquidating these defunct insurance companies is being expended in overhead for the maintenance of the liquidation activities in that particular department, and I am informed that today there is quite a resentment in the department itself located in Philadelphia by the employes of Mr. Marion. A great amount of dissatisfaction by the employes in that department, and a great amount of resentment.

There has also been given to me information that there are many acts, specific acts of misconduct by the Special Deputy Insurance Commissioner, Mr. Marion, as follows: In the case of the Provident Mutual Insurance Company, after the collection of many thousands of dollars, there now remains but $2,000 to be distributed among the stockholders. In the case of the Safety Mutual Insurance Company of Lebanon, the assessment was increased four times without a cent of credit to the stockholders. Only yesterday I was informed that a check for $7,500—

The SPEAKER. Is the gentleman talking on the resolution?

Mr. COHEN. Mr. Speaker, I am.

The SPEAKER. The Chair does not so understand the gentleman and requests him to confine himself to the resolution.

Mr. COHEN. Mr. Speaker, I don't understand how I could confine myself to the resolution any more than I am.

The SPEAKER. The Chair understood the gentleman to be talking about checks. The Chair does not understand where the question of checks comes in on the adoption of the resolution.

The Chair only requests that the gentleman confine his remarks to the question of the adoption of the resolution before the House.

Mr. COHEN. I will be glad so to do, Mr. Speaker. Only yesterday in the office of the Deputy Commissioner of the Insurance Department in the liquidating of defunct insurance companies, I am informed that the Department issued a check payable to "Cash" for $7,500, in the liquidation of one of the insurance companies, and that no record is available at the present time that would indicate to what specific purpose that $7,500 is applied.

In the Rural Valley Mutual Insurance Company liquidation, I am informed that illegal assessments have been assessed on any number of policy holders, about 8,000 of them, who held non-assessible insurance policies, were assessed, and in the case of the liquidation of defunct insurance companies, it has been called to my attention that at the present time the moneys so collected from such insurance companies have been expended in carrying overhead expenses of the Commissioner of that Department. I therefore urge on the membership of this House the adoption of this resolution.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WILSON. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. WILSON. Mr. Speaker, we have adopted the amendments offered by the gentleman from Franklin, Mr. Hutton, reducing the membership to the original number; are we now on the question of adopting the original resolution?

The SPEAKER. The gentleman is correct.

Mr. WILSON. Mr. Speaker, may I interrogate the gentleman from Franklin, Mr. Hutton?

The SPEAKER. Will the gentleman from Franklin, Mr. Hutton, permit himself to be interrogated?

Mr. HUTTON. I will, Mr. Speaker

The SPEAKER. The gentleman will proceed.

Mr. WILSON. Mr. Speaker, will the gentleman from Franklin, Mr. Hutton, be kind enough to tell the House whether or not as a member of the Legislative Committee he believes this resolution should be adopted now?

Mr. HUTTON. Mr. Speaker, I would say in answer to the gentleman from McKean, Mr. Wilson. that the mandatory language as found on page 2 meets with my approval.

Mr. WILSON. Mr. Speaker, I am going to ask the gentleman from Franklin, Mr. Hutton, is the resolution in such shape that you would advise the House to adopt it?

Mr. HUTTON. Mr. Speaker and members of the House, the resolution is in good shape now.

Mr. WILSON. Mr. Speaker, does the gentleman think that we should adopt it?

Mr. HUTTON. Mr. Speaker, I would say so.

On the question recurring.

Will the House adopt the resolution as amended?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

STATEMENT BY MR. WITKIN

Mr. WITKIN asked and obtained consent to make the following statement:

Mr. Speaker and members of the House, under resolution No. 8, the Speaker of the House appointed a committee to investigate the charges that were made by one A. Leo Weil,

Sr., of Allegheny County, at a public hearing before the Ways and Means Committee. The Committee has examined a number of witnesses and we are now about to file our report.

I don't intend to make any extended statement concerning that report, but for those of you who did not have the opportunity to read it, may I say that the statement made by A. Leo Weil before the committee was not substantiated either in fact or theory. I think I can sum up the entire situation by saying it was "much ado about nothing."

Mr. Speaker and members of the House, I merely want to read to you for your information the conclusions in the report of the Committee which was appointed to investigate the charges that were made before the Ways and Means Committee, which reads that these charges were apparently made without foundation, without proper cause and reason, and were not based upon any substantive proof of any kind or character. The Committee is further of the opinion that the statements should not have been made by the gentleman from Allegheny County, A. Leo Weil, Sr., unless there was basis or foundation for the making of the same, and for the information of those of you who were not cognizant of the statements that had been made, they were to the effect that certain persons had made a proposition to certain members of a distilling company that if certain payments of a certain amount of money were made to certain persons, that they would get five-sixths of the State's liquor business. The Committee says to you that there was nothing that could possibly be construed from any consideration, in any manner, shape or form, that would lead the Committee to believe that this proposition had been made.

Now, Mr. Speaker, I desire to file the report.

The SPEAKER. The remarks of the gentleman will be noted in the Journal and printed in full in the Legislative Journal, and further, the report of the Committee will be noted in the Journal and printed in full in the Legislative Journal.

Does the gentleman from Philadelphia object to having the testimony printed in the Appendix to the Journal?

Mr. WITKIN. No, Mr. Speaker, I do not, except that I would like to have the report printed in the Journal.

REPORT OF COMMITTEE TO INVESTIGATE CHARGES MADE BEFORE COMMITTEE ON WAYS AND MEANS

To the Honorable, the Speaker and the Members of the House of Representatives:

In accordance with resolution Serial No. 8 (House History Dec. 18, page 52) your committee, appointed by the Speaker to investigate the charges made by one, A. Leo Weil, with respect to the control of liquor business, in case State stores were established, respectfully reports:—

Pursuant to the above resolutions the committee held several meetings. The first witness called was A. Leo Weil, Sr., the author of the statement set forth in the resolution. In substance, the only testimony that Mr. Weil was able to offer to the committee was that the information upon which the statement was based was received from one, Mr. Louis Rosensteel, the President of the Schenley Products Company, and that Mr. Rosensteel had obtained his information from one, Mr. Harold Jacobi, the President of the Joseph S. Finch Company, a subsidiary of the Schenley Products Company.

A. Leo Weil, Sr., testified that Harold Jacobi had told him that two men had called upon him, Harold Jacobi, and made the proposition set forth in Mr. Weil's statement and that Harold Jacobi had told Mr. Weil that he, Mr. Jacobi, had become indignant at this proposition and that he, Mr. Jacobi, had told the two gentlemen that no such proposition would be given consideration.

Mr. Weil stated that he had no konwledge, no facts of any kind to substantiate the statement he made before the Ways and Means Committee other than the statement of these two officers, Mr. Rosensteel and Mr. Jacobi, and further state that he, A. Leo Weil, Sr., did not know of any applications of the kind set forth in the statement that were made to these companies, and we quote from page thirty of the testimony wherein A. Leo Weil, Sr., testified as follows:

"I have the facts of that proposition being made from the statement of the officers of the corporation. I have no facts, and there are none to my knowledge, as to what amounts they demand, or how they proposed to go about it, or the names of the parties, or who they were."

When asked specifically whether A. Leo Weil, Sr., had any charges to make against anyone with his statement, Mr. Weil testified that he certainly had no charges to make against anyone. Mr. Weil further stated that he wished that the statement that appeared in the record to be looked upon as a statement emanating from the company he represented, to wit., the Schenley Products Company, and not from himself. Mr. Weil even stated on Page forty of the testimony that he was unable to give a lead to the committee by which it could endeavor to arrive at any further information with respect to this statement, and we quote from pages forty and forty-one:

Q. "What can you give as a lead for this Committee by which we can find the information, and you appreciate it is our duty to do it. What information can you give us on which we can make an investigation to find this out, Mr. Weil?"

A. "I am afraid none."

The facts of the occurrence of the two men who made the proposition to Harold Jacobi was stated by Mr. Weil to have been in New York City, approximately a few weeks before the Legislature convened, and Mr. Weil led us to believe that Mr. Jacobi had advised him that the interview with these two gentlemen was exceedingly short and abrupt and that Mr. Jacobi practically kicked them out of the office. Quoting A. Leo Weil, Sr's, testimony on page sixty-nine, he testified as follows:

"When these two men called on Mr. Jacobi, Mr. Jacobi practically kicked them out of the office. That's what it amounts to."

The committee during the course of this hearing were of a unanimous opinion that effort should be made forthwith to bring before the committee, Harold Jacobi, and a Sergeant-at-Arms was dispatched at once to bring before the Committee, Mr. Jacobi.

Mr. Jacobi was located at the Penn-Harris and came before the committee forthwith. It is here most peculiar to note that Harold Jacobi flatly contradicts the statements made by A. Leo Weil, Sr., so much so that it is impossible to even endeavor to reconcile the testimony of A. Leo Weil, Sr., with that of Harold Jacobi, the President of the Joseph S. Finch Company. Mr. Jacobi denied that there was any conversation between him and two men who had visited him about the payments of money, nor was there anything in the conversation that was indicative of the fact that any proposition of money or other valuable thing was made to him. Mr. Jacobi testified that two men did come to see him at his office in New York, and merely asked for the right to be the Pennsylvania distributors, in Pennsylvania, for his company. It is to be noted that the Schenley Products Company and the Joseph S. Finch Company are in the wholesale business and have offices in the city of New York. He testified that these two men whom he did not know, told him Pennsylvania was going to have State controlled liquor stores and that they were interested in representing Mr. Jacobi's company in order that they could sell to the State of Pennsylvania a large quantity of the liquor that the stores would of necessity have to purchase. Mr. Jacobi flatly and definitely denied that he had ever given any information to A. Leo Weil, Sr., or to Mr. Rosensteel, or to anyone else, that anyone had at any time called upon him and state that upon the payment of a certain sum of money that they would be able to deliver a certain portion of the State's business. Mr. Jacobi flatly denied that there was any argument between him and the two men who came to see him and flatly denied that he became highly indignant or insulted at anything that was said by either or both of these two men. He flatly denied that he ordered them out.

Mr. Jacobi was unable to supply the names of either of these two men, nor to give any clue or lead that would enable this Committee to locate and identify them. He endeavored after the meeting to procure some information that might assist the

committee in establishing the identity of the two men, but subsequently advised the committee that he was unable so to do. So that it becomes quite apparent, we take it, that the testimony of A. Leo Weil, Sr., and Harold Jacobi is impossible of reconciliation and the committee considers this a rather amazing situation.

We have a member of the Bar of Allegheny County appearing before the Ways and Means Committee and publicly making the declaration set forth and then being unable to establish any facts that would substantiate the statement. Then, not only that, the only basis for the statement is refuted and denied by the person is alleged to have formed the basis for the foundation of the statement.

In the course of the proceedings there was a reference made to one, Sol Rappaport, as being the Philadelphia respresentative of the Schenley Products Company and the Joseph S. Finch Company, to whom it was vaguely referred that there were improper representations made. At least it was stated that it was believed that Sol Rappaport was the person referred to. The Committee thereupon caused to be brought before it Mr. Sol Rappaport of Philadelphia, who testified that he is the Philadelphia representative of the two companies, but had no konwledge of whatsoever kind or character of ever having been approached by anyone directly or indirectly with reference to the payments of any moneys for the procurement of a portion of the business of the State of Pennsylvania. There is nothing that can be found in the testimony of Mr. Rappaport that would shed any light whatsoever, or that would tend in any manner to substantiate the facts set forth in the statement made by A. Leo Weil, Sr.

There was also brought before the Committee, A. Leo Weil, Jr., the son of A. Leo Weil, Sr., who could also shed no light and could not give any information that would in any way tend to substantiate in any manner the allegations made by his father.

Louis Rosensteel was a resident of the State of New York and not subject to the subpoena of the State of Pennsylvania for the Committee. However, in reply to a letter sent to him by the Committee requesting that he appear before the Committee, he advised us that he would not be able to give the Committee any further information than that which had already been given by Harold Jacobi.

This consists in substance of the testimony adduced before the Committee. The Committee has come to the conclusion that the statement made by A. Leo Weil, Sr., before the Ways and Means Committee wherein he stated—

> "We have already had application for payments of certain amounts, so that when you pass your control bill and put it in the hands of the State Control Stores, parties who say they can control things, and if we would pay them a certain amount, they will see we get five-sixths of the business."

was apparently made without foundation, without proper cause and reason, and was not based upon any substantive proof of any kind or character. The Committee is further of the opinion that the statement should not have been made by the gentleman from Allegheny County, A. Leo Weil, Sr., unless there was basis or foundation for the making of the same.

Respectfully submitted,

T. B. WILSON.
JAMES K. RUBY,
A. J. WHITE HUTTON,
WILLIAM McELWEE, JR.,
MORTON WITKIN,

Chairman.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 74.

A Supplement to act number three hundred-A approved the third day of June one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to the Executive and Judicial Departments of the Commonwealth

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 13, by inserting after the word "Executive" the word "Legislative."

Amend section 1, page 2, line 9, by striking out the words "EXECUTIVE DEPARTMENT" and inserting in lieu thereof the following:

"EXECUTIVE DEPARTMENT

To the Department of Forests and Waters

For further flood prevention work along the Darby Creek in Delaware County in cooperation with the Federal Government the sum of ten thousand dollars ($10,000)."

Amend section 1, page 7, line 18, by striking out the word "one" and inserting in lieu thereof the word "two"; also in same line by striking out the word "seventy-five" and inserting in lieu thereof the word "fifteen"; also in same line by striking out the numerals "($175,000)" and inserting in lieu thereof the numerals "($215,000)".

Amend section 1, page 8, line 8, by inserting after the numerals"$92,000)' the following:

"LEGISLATIVE DEPARTMENT

To the Secretary of the Senate for the purpose of paying unpaid bills of joint legislative or Senate or House investigations held prior to the ninth of November one thousand nine hundred thirty-three and for expenses incurred in public hearings and investigations by the House Ways and Means Committee during this Extraordinary Session in amounts not exceeding those hereinafter specified

Banking Code Hearings	$ 353.60
Investigation of closed banks	978.08
Investigation of Securities Commission	45.00
Investigation of the finances of the State Government	500.00
Investigation of the production and distribution of milk	1,000.00
Investigation of Philadelphia Poor Boards	13,739.20
Investigation by the House of Representatives of the Public Service Commission session of 1931	21,640.40
Investigation by the Senate of the Public Service Commission 1931	16,842.00
Investigation by the Senate of the Public Service Commission 1932-1933	47,026.13
Investigation of sweatshops	2,700.00
Investigation of the purchase and use of voting machines in Allegheny County	1,000.00
Hearings and investigations by the House Ways and Means Committee during this Extraordinary Session	2,182.50
Total	$103,006.91

Provided that the amounts hereby appropriated to the Secretary of the Senate shall be disbursed by him only after the receipt by him of detailed itemized vouchers satisfactory to the Department of the Auditor General and the Treasury Department covering the several amounts disbursed."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190

Andrews,	Green,	McCandless,	Schwab,
Baldi,	Greenstein,	McClure,	Schwartz,
Barnhardt,	Griffith,	McCreary,	Scorza,

Bechtel,	Habbyshaw,	McElwee,	Scott,
Beech,	Haines,	McGinnis,	Sheffer,
Bennett,	Hamilton,	McGrail,	Shettel,
Bernhard,	Harmuth,	McGregor,	Shortz,
Blumberg,	Harris,	McHenry,	Shugarts,
Boyd,	Hart,	McKay,	Simon,
Brancato,	Hartman,	McKinney,	Snyder,
Brennan,	Heffernan,	Melchiorre,	Sowers,
Brown, J. E.,	Hefferon,	Meredith,	Spann,
Brown, W. L.,	Heffner,	Merrell,	Steedle,
Brownfield,	Hermansen,	Mohn,	Sterling, P.,
Cannon,	Hester,	Moore,	Stevens,
Caputo,	Hewitt,	Mumford,	Stevenson,
Carey,	Himes, H. E.,	Munley,	Stiteler,
Carson,	Hoffman,	Murphy,	Stone,
Chervenak,	Holmes, J. B.,	Myers,	Stott,
Cohen,	Holmes, J. L.,	Negley,	Tahl,
Conner,	Hoopes,	Nothnagle,	Terry,
Cooke,	Horst,	O'Connor,	Trout,
Cordier	Hough,	O'Keefe,	Wade,
Craig,	Howard,	O'Neill,	Wagner,
Cramer,	Hutton,	O'Rourke,	Walker, G. E.,
Dane,	Jaffe,	Patterson,	Walker, W. A.,
Davies,	Jones,	Peelor,	Wall,
DeFrehn,	Kane, J. J.,	Pennock,	Wasserman,
Denning,	Kane, L. P.,	Perry, D. R.,	Way,
Downey, G. E.,	King,	Peters,	Weidemann,
Downey, J. J.,	Kinney,	Powell,	Welsh,
Dunmire,	Labar,	Powers,	Westrick,
Ederer,	Lane,	Price,	White,
Emhardt,	Laubach,	Quinn,	Wike,
Eroe,	Lenahan,	Raub,	Williams, G. W.,
Evans,	Lewis,	Rectenwald,	Williams, J. J.,
Fitzgerald,	Long,	Reed,	Wilson, L. M.,
Flanagan,	Lord,	Reilly,	Wilson, T. B.,
Fleisher,	Lovett, J. E.,	Rhodes,	Witkin,
Flinchbaugh,	Lovett, W. S.,	Roan,	Wood,
Flynn, J. M.,	Lynch, J. R.,	Root,	Woodside,
Flynn, J. W.,	Lynch, M.,	Roth,	Wright,
Furman,	Male,	Royle,	Yeakel,
Gallagher, T. J.,	Malina,	Ruby,	Yourishin,
Gallagher, W. J.	Maloney,	Ruth,	Zimmerman,
Gartner,	Marcks,	Sautter,	Talbot,
Gillette,	Mason,	Schrock,	Speaker.
Gorman,	McBride,	Schrope,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILLS DROPPED FROM CALENDAR

Mr. HUTTON. Mr. Speaker, referring to the calendar of today, House bills on second and third reading, in view of the fact that nothing can be accomplished in the matter of final passage, I would move that all House bills on the second and third reading calendars be dropped from the calendar.

The motion was agreed to.

The SPEAKER. The Chair requests the gentleman from Franklin, Mr. Hutton, to preside over the deliberations of the body.

MR. HUTTON IN THE CHAIR

BILLS ON SECOND READING

Mr. SHREINER. Mr. Speaker, I would ask that House Bill No. 236, Senate Bill No. 93, be passed over in its order.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 240 (Senate Bill No. 90), entitled:

An Act relating to advertising by holders of licenses to sell liquors or malt liquors for consumption on the premises.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any licensee authorized to sell liquors or malt liquors for consumption on the premises to maintain or display any sign poster or other device permanent sign exceeding in cost the sum of fifty dollars in any manner advertising any liquor or malt liquor outside of the building in which the licensee is permitted to sell liquor for consumption

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. YOURISHIN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Mr. STEEDLE. Mr. Speaker, I would ask that House Bill No. 237, Senate Bill No. 49, be passed over for the present with permission to call it up later in the day when there will be several amendments to be offered to it.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 260 (Senate Bill No. 143), entitled:

An Act requiring the Department of Property and Supplies to provide and install appliances to air condition the Halls of the Senate and House of Representatives and to regulate temperatures therein and making an appropriation

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Property and Supplies shall before the next session of the General Assembly provide and have installed in the Halls of the Senate and House of Representatives proper appliances to provide for the efficient air conditioning of said Halls during sessions of the General Assembly and the regulation of temperatures therein

The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the purpose of providing and installing the appliances provided for by this act

On the question,

Will the House agree to the section?

Mr. SHREINER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 1, lines 6 and 7, by striking out the words "Halls of the Senate and House of Representatives" and insert in lieu thereof "State Capitol building"

Amend sec. 1, page 1, line 8, by inserting after the word "said" the following: "Capitol building and particularly of the"

Amend sec. 1, page 1, line 8, by inserting after the word "hals" the following: "of the Senate and House of Representatives"

Amend sec. 1, page 1, line 10, by striking out the following: "twenty-five thousand dollars ($25,000)" and inserting in lieu thereof "forty thousand dollars ($40,000)"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 This act shall become effective immediately upon final enactment

The title was read as follows:

An Act requiring the Department of Property and Supplies to provide and install appliances to air condition the Halls of the Senate and House of Representatives and to regulate temperatures therein and making an appropriation.

On the question,

Will the House agree to the title?

Mr. SHREINER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 3 of title, by inserting before the word "Halls" the following: "State Capitol building and the"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 257 (Senate Bill No. 1), entitled:

An Act authorizing the Governor to accept funds from agencies of the Federal Government appropriating such funds for construction of public works for the Commonwealth and providing for repayment to the Federal Government of part of such funds with interest under certain conditions and making an appropriation for such repayment

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor is hereby authorized to accept on behalf of the Commonwealth grants of money from the President of the United States or any Federal agency authorized to make such grants under the National Industrial Recovery Act approved the sixteenth day of June one thousand nine hundred and thirty-three or any amendments thereof or supplements thereto or any other Federal act for the construction of public works by or on behalf of the Commonwealth

The second section was read as follows:

Section 2 All moneys so received shall be paid into the State Treasury and they are hereby appropriated to the Department of Property and Supplies for payment of the cost of the construction with the consent of the Governor of public works projects for the Commonwealth The term "cost of construction" as used in this section shall include the cost of the necessary plans specifications supervision architectural and engineering fees whether paid to persons within or without the Department and all other incidental expenses necessary for construction and completion of the project unless payment of any such costs from said funds shall be expressly forbidden by the Federal agency making the grant Among such projects shall be the following Such buildings for State welfare institutions as shall be determined by the Department of Welfare with the approval of the Governor such buildings for State sanitoria as shall be determnied by the Department of Health with the approval of the Governor and such armory buildings as shall be determined by the State Armory Board with the approval of the Governor Provided however That not more than two million dollars ($2,000,000.00) of the total amount received from any agency or agencies of the Federal government hereunder may be used for construction of armories

On the question,

Will the House agree to the section?

Mr. WOODSIDE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 2, page 2, line 18, by striking out the heavy-faced bracket before the word "The"

Amend sec. 2, page 2, line 19, by inserting before the word "such" a heavy-faced bracket, thus—"["

On the question,

Will the House agree to the amendments?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. PHILIP STERLING. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. PHILIP STERLING. Mr. Speaker, is now the proper time to discuss the amendments just read by the reading clerk, or would the discussion come properly after all of the amendments are read?

The SPEAKER. The Chair informs the gentleman from Philadelphia that amendments have been offered to Section 2, and the proper time to consider those amendments is now.

Mr. PHILIP STERLING. Mr. Speaker, I desire to further interrogate the gentleman from Dauphin, Mr. Woodside.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. WOODSIDE. I will, Mr. Speaker.

Mr. PHILIP STERLING. Mr. Speaker, will the gentleman from Dauphin, Mr. Woodside, state to the House the precise effect of the amendments just offered by him to Section 2 of this bill?

Mr. WOODSIDE. Mr. Speaker, the amendments will put this bill, for all practical purposes in the form in which it was originally introduced. It would provide for the building of the Finance Building by money partly received from the Liquor Fund and by money partly received from the Federal Government as a donation.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, yesterday we considered Senate Bill No. 10, which considered the extension of Capitol Park in Harrisburg. At that time I called to your attention the fact that the type of improvements that were contemplated under that measure were in my opinion not now presently necessary improvements.

Those of us who have been considering this comprehensive building plan, in order to have the advantage of Federal funds, have been directing our attention to those improvements which we believe indispensibly necessary; to those improvements which relate most closely to the health and welfare institutions of the Commonwealth. It has been properly estimated that the cost of completing the Finance Building in the Capitol group will involve approximately four millions of dollars out of a total available of twenty million dollars. I need not say further to this House anything on the subject except to point out that this Commonwealth is committed, it seems to me, to a building program policy that will bring the greatest good to the greatest number of citizens of the Commonwealth. It is my opinion that the inclusion of the Finance Building in that program will not bring that result, and I, therefore, sincerely ask that this amendment be rejected.

Mr. ANDREWS. Mr. Speaker and members of the House, the amendment suggested by the gentleman from Dauphin, imperils this whole measure. Public sentiment opposes the inclusion of the Finance Building because money spent upon the Finance Building is money that cannot be spent upon State welfare institutions. Therefore, the measure as it stands, being a commendable measure, is imperiled by these amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Philip Sterling and Mr. Eroe and were as follows:

YEAS—27

Blumberg,	Habbyshaw,	Sheffer,	Wade,
Cooke,	Haines,	Shellenberger,	Weidemann,
Duffy,	Hutton,	Shreiner,	Wilson, T. B.,
Evans,	Jaffe,	Snyder,	Wood,
Fleisher,	Long,	Sowers,	Woodside,
Flynn, J. M.,	Mason,	Trout,	Zimmerman,
Gillette,	McBride,	Turner.	

NAYS—126

Andrews,	Gallagher, T. J.	McElwee,	Ruth,
Beech,	Gallagher, W. J.,	McGinnis,	Sautter,
Bernhard,	Gartner,	McGrail,	Schrock,
Boyd,	Greenstein,	McHenry,	Schrope,
Brancato,	Griffith,	McKay,	Schwab,
Brennan,	Hamilton,	McKinney,	Schwartz,
Brown, J. E.,	Harmuth,	Melchiorre,	Shettel,
Brown, W. L.,	Heffernan,	Moore,	Shortz,
Cannon,	Heffner,	Munley,	Shugarts,
Caputo,	Hermansen,	Murphy,	Simon,
Carson,	Hewitt,	Negley,	Sinwell,
Chervenak,	Himes, H. E.,	Nothnagle,	Stank,
Cohen,	Hoffman,	O'Connor,	Sterling, P.
Conner,	Holmes, J. B.,	O'Keefe,	Sterling, R. B.,
Cordier,	Holmes, J. L.,	O'Neill,	Stevens,
Craig,	Hoopes,	O'Rourke,	Stevenson,
Cramer,	Hough,	Peelor,	Stiteler,
Dane,	Howard,	Pennock,	Stone,
Davies,	Jones,	Perry, D. R.,	Stott,
DeFrehn,	Kane, J. J.,	Powell,	Tahl,
Denning,	Kinney,	Powers,	Terry,
Downey, G. E.,	Lane,	Quinn,	Wagner,
Downey, J. J.,	Laubach,	Raub,	Walker, G. E.,
Dunmire,	Lenahan,	Rectenwald,	Wall,
Embardt,	Lewis,	Reed,	Way,
Eroe,	Lovett, J. E.,	Reilly,	Welsh,
Fitzgerald,	Lovett, W. S.,	Rhodes,	Westrick,
Flanagan,	Lynch, J. R.,	Roan,	White,
Flinchbaugh,	Lynch, M.,	Root,	Wilson, L. M.,
Flynn, J. W.,	Male,	Roth,	Wright,
Forrest,	Marcks,	Ruby,	Yourishin,
Furman,	McCreary,		

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The third to the sixth sections inclusive and title were separately read and agreed to as follows:

Section 3 For the purpose of the succeeding sections of this act the term "advancement" shall mean such portion of the total amount received from the President or a Federal agency under the foregoing provisions of this act as the President or such Federal agency shall require the Commonwealth to repay

Section 4 The sum of ten million dollars ($10,000,000) or so much thereof as shall be necessary is hereby appropriated to the Treasury Department out of the moneys in The State Stores Fund which represent net profits from the operation of Pennsylvaia Liquor Stores to be repaid to the Federal agency which shall have made any grant hereinabove mentioned as follows

(a) On June first one thousand nine hundred thirty-four one-thirtieth (1/30) of the advancement together with interest on the entire advancement to that date

(b) On June first one thousand nine hundred thirty-five one thirtieth (1/30) of the advancement together with interest on the balance of the advancement remaining unpaid on June first one thousand nine hundred thirty-four

(c) On June first one thousand nine hundred thirty-five the entire unpaid balance of the advancement Provided however That this payment of the entire remaining unpaid balance need not be paid if prior to June first one thousand nine hundred thirty-five the General Assembly shall have made and the Governor shall have approved an appropriation providing for the payment of one-thirtieth (1/30) of the advancement on June first one thousand nine hundred and thirty-six together with interest on all unpaid balances one-thirtieth (1/30) of the advancement on June first one thousand nine hundred thirty-seven together with interest on all unpaid balances and also payment on June first one thousand nine hundred thirty-seven of the entire balance of the advancement then remaining unpaid subject to the condition however that the last mentioned payment of the entire balance need not be paid on June first one thousand nine hundred thirty-seven if prior to that date the General Assembly shall have passed and the Governor shall have so approved a similar act providing for payments of one-thirtieth (1/30) of the advancement on June first one thousand nine hundred thirty-eight and on June first one thousand nine hundred thirty-nine respectively with interest as above and also for full payment of the entire unpaid balance on June first one thousand nine hundred thirty-nine unless the General Assembly of one thousand nine hundred thirty-nine shall have prior thereto made provision for similar payments on account in one thousand nine hundred forty and one thousand nine hundred forty-one and for similarly conditioned payment of the entire unpaid balance on June first one thousand nine hundred forty-one and so onward until the full amount of the advancement and interest shall have been repaid

It is the intention of this act that during each biennium repayment of one-thirtieth (1/30) of the advancement with interest on unpaid balances each year during the succeeding biennium shall be provided for absolutely and that appropriation shall be made for the full payment of the entire unpaid balance with interest at the end of the next biennium unless prior thereto similar provision for absolute payment of installments and conditional provision for payment of the unpaid balance shall be made for the succeeding biennium

Section 5 If at the time when payment of all or any part of the advancement of any interest thereon shall become due to the Federal agency which made the grant there shall not be in The State Stores Fund moneys available to make such payment in full any deficiency shall be paid out of the General Fund and such amount as shall be necessary for that purpose is specifically appropriated to the Treasury Department

Section 6 This act shall become effective immediately upon its final enactment

An Act authorizing the Governor to accept funds from agencies of the Federal Government appropriating such funds for construction of public works for the Commonwealth and providing for repayment to the Federal Government of part of such funds with interest under certain conditions and making an appropriation for such repayment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 20, 1933.

Resolved (if the House of Representatives concur), That the Joint Legislative Committee created by the General Assembly of 1933 to investigate conditions concerning disabled veterans in Pennsylvania be and the same is hereby continued,

and shall make a report of their findings and recommendations to the General Assembly of 1935.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, December 20, 1933.

Resolved (if the Senate concur), That House Bill No. 55, Printer's No. 49, entitled "An act making an appropriation out of the State Stores Fund to the State Emergency Relief Board for direct relief work and expenses defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments," now in the hands of the Governor be recalled for the purpose of amendment.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 243 (Senate Bill No. 123), entitled:

An Act to amend the title and section one of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1019), entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes; authorizing the county commissioners to sell the same at private sale under the circumstances," by extending the provisions thereof to unseated lands.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 244 (Senate Bill No. 124), entitled:

An Act to further amend sections one two three ten eighteen and nineteen of the act approved the thirteenth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended pursuant to Amendment Number Five to the Constitution of the Commonwealth adopted November seventh one thousand nine hundred thirty-three eliminating the tax-paying qualification for voters

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended by section one of the act approved the twenty-ninth day of May one thousand eight hundred and ninety-one (Pamphlet Laws one hundred thirty-four) entitled "An act to amend sections one two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four changing the time and manner of making the registry of voters and the duties of registry assessors" is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that for the purpose of making the original annual [assessment and] registration of voters in each of the election districts in which personal registration of voters is not required under the laws of this Commonwealth it shall be the duty of each of the assessors who are required to perform any of the duties incident to the holding of elections and the registration of voters in [the different] such election districts of this Commonwealth to visit in person each and every dwelling house in his district on the first Monday in May [and on the first Monday in December] of each year or as soon thereafter as may be possible and practicable when all of said dwelling houses cannot be personally visited by him on the said first Monday of May [and on the first Monday in December] and to make a list in a book prepared for that purpose by the county commissioners of all the qualified electors that he shall find upon careful and diligent inquiry to be bona fide residents of his district together with the date when such dwelling house was visited by the assessor entering them in such book in the order in which such dwelling houses are visited and the qualified electors in each dwelling house being grouped together and if in a city or town the names of the qualified electors shall be grouped together by streets alleys or courts and the persons so found to be legally qualified electors shall forthwith be registered [assessed] the assessor shall in all cases personally ascertain by careful and diligent inquiry of the voter or some known resident of the election district in which the voter claims the right to vote upon what ground each person so registered [assessed] claims to be a legally qualified voter The list thus prepared shall be designated and known as the "Original registry list" It shall be the duty of said assessor to enter in said "Original registery list" the names of the [male] citizens twenty-one years of age and upwards claiming to be qualified voters in the election district of which he is the assessor and opposite each of said names state whether said citizen is or is not a housekeeper and if he is the number of his residence in cities or towns where the same are numbered with the street alley or court in which situated and if in a city or town where there are no numbers the name of the street alley or court on which said house fronts also the occupation of the person at the date of such registration [assessment] and where he is not a housekeeper the occupation place of boarding and with whom at the date of his registration [assessment] and if working for another the name of the employer and write opposite each of said names the word "voter" Where any person claims to vote by reason of naturalization he shall exhibit his certificate thereof to the assessor unless he has been for two consecutive years next preceding a voter in said district and in all cases where the person has been naturalized the name shall be marked with the letter "N" where the person has merely declared his intentions to become a citizen and designs to be naturalized before the next election he shall exhibit the certificate of his declaration of intention and the name shall be marked "D I" and where the person shall be entitled by existing laws to be naturalized without making a declaration of his intentions to be naturalized and intends to be naturalized at least one month before the next general election the name of such person shall be marked "I N" [where the claim is to vote by reason of being of the age of twenty-one years and under twenty-two as provided by law the word 'age' shall be entered and] if the person has moved into the election district to reside since the last general election the letter "R" shall be placed opposite the name

On the question,

Will the House agree to the section?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 3, line 11, by inserting after the word "or" and before the word "some" the word "of"

Amend section 1, page 3, line 17, by striking out the word "[registery]" and inserting in lieu thereof the word "registry"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section two of the said act as amended by the act approved the twenty-second day of May one thousand nine hundred and thirty-three (Pamphlet Laws nine hundred eight) entitled "An act to amend section two of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled 'A further supplement to the act regulating elections in this Commonwealth' as amended eliminating one of the days required of registry assessors sitting at the polling places" is hereby further amended to read as follows

Section 2 It shall be the duty of the said assessor to forthwith make a copy of the said original list with the observations and explanations required to be noted as aforesaid to be made out as soon as practicable It shall be his duty on or prior to the fourth Monday of May [and on or prior to the second Monday of December] in each year to place a copy on the door of or on the house where the election of the respective district is required to be held and retain the original list in his possession for the inspection free of charge of any person resident in the said election district who shall desire to see the same and it shall be the duty of the said assessor to register [assess] from time to time on the personal application of any one claiming the right to vote the name of such claimant and mark opposite the name "C V" and immediately register [assess] him noting as in all other cases his occupation residence the date of his registration [assessment] whether a boarder or housekeeper if a boarder with whom he boards and whether naturalized or designing to be marking in all cases opposite the name the letter "N" "D" or "I N" as the case may be if the person claiming to be registered [assessed] be naturalized he shall exhibit to the assessor his certificate of naturalization and if he claims that he designs to be naturalized before the next ensuing election he shall exhibit the certificate of his declaration of intention if such previous declaration is required by the laws of the United States It shall be the duty of the said assessor to be present at the election house of the said election district during the secular day next preceding the day fixed by the third section of this act for returning the lists to the county commissioners from ten ante meridian to three post meridian and from six post meridian to nine post meridian for the purpose of hearing and acting upon application to be made under the provisions of this section or relating to names upon said list or that are sought to be placed thereon or struck therefrom and it shall be his duty to correct said original list by adding thereto upon personal application the names of persons entitled to vote not already thereon and by striking therefrom fictitious names or names of persons who may have died or removed from said district and in all cases it shall be the duty of the said assessor to enter in his book opposite the name of each voter the name or names of the person or persons together with the residence of the same who shall furnish information as to the residence and qualifications of each voter who has been registered [assessed] or as to the persons whose names shall be stricken from said original list and the said original list shall be open for inspection by any qualified elector of the county or ward in which the election district is situated as well as by the person claiming to be registered [and the] The court of common pleas of the proper county or any law judge thereof at chambers on the application of any qualified elector of the ward or county under oath which oath may be made at any time before the day of election shall call the assessor and the complainant before it or him by citation or rule to show cause and shall hear the parties and dispose of the subject in a summary manner as to law and justice shall belong and shall if need be order the assessor to correct the registry accordingly and the said court or judge may enforce such order by attachment as in proceedings for contempt [Provided That nothing contained in this amendment shall be construed as applying to cities of the first and second class but in such cities the said assessor shall be present at the election house of said election district during the two secular days next preceding the day fixed by the third section of this act and perform the duties herein specified]

On the question,

Will the House agree to the section?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 6, line 7, by striking out the word "[secular]"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 That section three of the said act as amended by the act approved this sixteenth day of May one thousand eight hundred and ninety-five (Pamphlet Laws seventy-five) entitled "An act to amend sections two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the twenty-ninth day of May one thousand eight hundred and ninety-one changing the time and manner of making the registry of voters and the duties of registry assessors" is hereby further amended to read as follows

Section 3 After the [assessments have] registration has been completed [on the sixty-second day before the third Tuesday of February and] on the sixty-second day before the Tuesday next following the first Monday of November in each year and on the sixty-second day before the spring primary in even-numbered years the assessor shall on the following day make a return to the county commissioners of the "Original Registry List" thus revised and completed and the county commissioners shall thereupon proceed to make out [a complete list] duplicate lists in alphabetical order of all persons so returned as registered [taxables] in said election district to be known as the "Ballot Check List" and "Voting Check List" respectively and furnish the same together with the necessary election blank to the officers of the election in such election district on or before seven o'clock in the morning of the election and no [man] one shall be permitted to vote at the election on that day in districts in which personal registration of voters is not required whose name is not on said [list] lists unless he shall make proof of his right to vote as [hereinbefore] required by law "The Original Registry List" as returned to the county commissioners preceding the November election shall be returned by the county commissioners to the assessor before the [first Monday of December which shall be used by said assessor to make his original registry list for December as heretofore provided] sixty-second day before the spring primary in even-numbered years to be revised by him on the sixty-second day before the spring primary and returned as above provided

On the question,

Will the House agree to the section?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendments will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 3, page 8, line 15, by striking out the word "[blank]" and inserting in lieu thereof the word "blanks"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 That section ten of the said act as amended by the act approved the sixth day of May one thousand eight hundred and ninety-nine (Pamphlet Laws two hundred fifty-four) entitled "An act to amend the tenth section of an act entitled 'A further supplement to the act regulating elecions in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four" is hereby further amended to read as follows

Section 10 On the day of election any person whose name shall not appear on the registry of voters and who claims the right to vote at said election shall produce at least one qualified voter of the district as a witness to the residence of the claimant in the district in which he claims to be a voter for the the period of at least two months immediately preceding said election which witness shall be sworn or affirmed and subscribe a written or partly written and partly printed affidavit to the facts stated by him which affidavit shall define clearly where the residence is of the person so claiming to be a voter and the person so claiming the right to vote shall also take and subscribe a written or partly written and partly printed affidavit stating to the best of his knowledge and belief when and where he was born that he has been a citizen of the United States for one month and of the Commonwealth of Pennsylvania that he has resided in the Commonwealth one year or if formerly a qualified elector or a native born citizen thereof and has removed therefrom and returned that he hase resided therein six months next preceding said election that he has resided in the district in which he claims to be a voter for the period of at least two months immediately preceding said election that he has not moved into the district for the purpose of voting therein [that he has if twenty-two years of age or upwards paid a state or county tax within two years which was assessed at least two months and paid at least one month before the election] The [said affidavit shall also state when and where the tax claimed to be paid by the affiant was assessed and when and where and to whom paid and the tax receipt therefor shall be produced for examination unless the] affiant shall state in his affidavit [that is has been lost or destroyed or that he never received any and] if a naturalized citizens [shall also state] when where and by what court he was naturalized and shall also produce his certificate of naturalization for examination [But if the person so claiming the right to vote shall take and subscribe an affidavit that he is a native born citizen of the United States or if born elsewhere shall state the fact in his affidavit and shall produce evidence that he has been naturalized or that he is entitled to citizenship by reason of his father's naturalization and shall further state in his affidavit that he is at the time of making the affidavit of the age of twenty-one and under twenty-two years that he has been a citizen of the United States one month and has resided in the state one year or if a native born citizen of the state and removed therefrom and returned that he has resided there in six months next preceding said election and in the election district two months immediately preceding such election and he shall be entitled to vote although he shall not have paid taxes] The said affidavits of all persons making such claims and the affidavits of the witnesses to their residence shall be preserved by the election board and at the close of the election they shall be enclosed with the list of voters tally lists and other papers required by law to be filed by the return judge with the prothonotary and shall remain on file therewith in the prothonotary's office subject to examination as other election papers are If the election officers shall find that the applicant possesses all the legal qualifications of a voter he shall be permitted to vote and his name shall be added to the ballot check list [of taxables] and voting check list by the election officers the [word "tax"] words "nonregistered voter" being added [where the claimant claims to vote on tax and the word "age" where he claims to vote on age] the same words being added by the clerks in each case respectively on the lists of persons voting at such election Provided That in case any person is allowed to vote at an election who is not registered but makes an affidavit which by reason of the failure to fully observe the requirements of his section is insufficient in any contest growing out of said election it shall be lawful to correct any mistakes or supply any deficiencies in such affidavit so as to show that the said person was in fact a qualified voter but this shall not apply to non-registered voters who make no affidavit or one which makes no attempt to comply with the law

On the question,

Will the House agree to the section?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 9, line 12, by inserting after the word "election" and before the word "any" the words "in any election district in which personal registration is not required"

Amend section 4, page 10, line 17, by striking out after the word "that" and before the word "has" the word "[is]" and inserting in lieu thereof the word "it"

Amend section 4, page 10, line 18, by striking out after the word "naturalized" and before the word "shall" the word "[citizens]" and inserting in lieu thereof the word "citizen"

Amend section 4, page 11, line 27, by striking out after the word "of" and before the word "section" the word "[his]" and inserting in lieu thereof the word "this"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read as follows:

Section 5 That section fifteen of the said act is hereby amended to read as follows

Section 15 At the municipal election to be held [on the third Tuesday of February next] in the year one thousand nine hundred and thirty-five and at the municipal election [annually] biennially thereafter there shall be elected in each election district in the state [as well as in those wherein the registration of voters has heretofore been made by officers appointed and not chosen by the people to perform the duty as in all others] one person as judge and two inspectors in conformity with the general laws of the Commonwealth to conduct the elections for [one year] two years and also [an] at the municipal election to be held in the year one thousand nine hundred and thirty-seven and at the municipal election every four years thereafter there shall be elected in each election district in which personal registration of electors is not required except in townships boroughs and wards of boroughs composing but one election district and in which an assessor for valuation of taxable property is required by law to be elected a registry assessor who shall perform the duties incident to elections as required by the provisions of this act

On the question,

Will the House agree to the section?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 5, page 12, line 7, by striking out after the figure "15" and before the word "the" the word "[at]" and inserting in lieu thereof the words "That at"

Amend section 5, page 12, line 11, by striking out after the word "well" and before the word "in" the word "[as]"

Amend section 5, page 12, line 12, by striking out after the word "has" and before the word "been" the word "[hereofore]" and inserting in lieu thereof the word "heretofore"

Amend section 5, page 12, line 13, by striking out after the word "officers" and before the word "and" the word "[appointed]" and inserting in lieu thereof the word "appointed"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth, seventh and eighth sections were separately read and agreed to as follows:

Section 6 That section eighteen of the said act is hereby amended to read as follows

Section 18 The assessors shall each receive the same compensation for the time necessarily spent in performing the duties hereby enjoined as is provided by law to assessors making valuations to be paid by the county commissioners as in other cases [and it shall not be lawful for any assessor to assess a tax against any person whatever within sixty-one days next preceding the annual election in November any violation of this provision shall be a misdemeanor and subject the officer so offending to a fine on conviction not exceeding one hundred dollars or to imprisonment not exceeding three months or both at the discretion of the court]

Section 7 That section nineteen of the said act is hereby amended to read as follows

Section 19 Any assessor election officer or person appointed as an overseer who shall neglect or refuse to perform any duty enjoined by this act without reasonable or legal cause shall be subject to a penalty of one hundred dollars and if any assessor shall knowingly [assess] register any person as a voter who is not qualified or shall wilfully refuse to [assess] register any one who is qualified he shall be guilty of a misdemeanor in office and on conviction be punished by a fine not exceeding one thousand dollars or imprisonment not exceeding two years or both at the discretion of the court and also be subject to an action for damages by the party aggrieved and if any person shall fraudulently alter add to deface or destroy any list of voters made out as directed by this act or tear down or remove the same from the place where it has been fixed with fraudulent or mischievous intent or for any improper purpose the person so offending shall be guilty of a misdemeanor and on conviction shall be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding two two years or both at the discretion of the court and if any person shall by violence or intimidation drive or attempt to drive from the polls any person or persons appointed by the court to act as overseers of an election or in any way wilfully prevent said overseers from performing the duties enjoined upon them by this act such person shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding two years or both at the discretion of the court Any person who shall on the day of any election visit a polling place in any election district at which he is not entitled to vote and shall use any intimidation or violence for the purpose of preventing any officer of election from performing the duties required of him by law or for the purpose of preventing any qualified voter of such district exercising his right to vote or from exercising his right to challenge any person offering to vote such person shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding two years or both at the discretion of the court [Any clerk overseer or election officer who shall disclose how any elector shall have voted unless required to] [do so as a witness in a judicial proceeding shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding two years or both in the discretion of the court]

Section 8 This act shall become effective immediately upon final enactment

The title was read as follows:

An Act to further amend sections one two three ten eighteen and nineteen of the Act approved the thirteenth day of January one thousand eight hundred and seventy-four (Pamphlet Laws [thirty-two] entitled "A further supplement to the act regulating elections in the Commonwealth" as amended pursuant to Amendment Number Five to the Constitution of the Commonwealth adopted November seventh one thousand nine hundred thirty-three eliminating the taxpaying qualification for voters

On the question,

Will the House agree to the title?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend the title of the act by inserting in the first line after the word "ten" and before the word "eighteen" the word "fifteen"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF VOTE

Mr. McELWEE. Mr. Speaker, I move that the vote by which House Bill No. 243, Senate Bill No. 123, Printer No. 58, entitled

An Act to amend the title and section one of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws one thousand nineteen) entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances" by extending the provisions thereof to unseated lands

was ordered transcribed for third reading be reconsidered.

The motion was agreed to.

Mr. McELWEE. Mr. Speaker, I move that the vote by which the House agreed to this bill on second reading be reconsidered.

The motion was agreed to.

The votes by which the title and the several sections were agreed to were separately reconsidered.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title and section one of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws one thousand nineteen) entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances" are hereby amended to read as follows

AN ACT

Relating to seated and unseated lands purchased by county commissioners at county treasurer's [sale of seated] sales of such lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act county commissioners be and they are hereby authorized to sell at private sale any and all seated and unseated lands purchased

by them pursuant to existing law at any county treasurer's sale of seated or unseated lands for the collection of taxes and not redeemed within two years from the date of such sale to the county commissioners upon first procuring the approval of such sale by the court of common pleas of the county in which such lands are situated

On the question,

Will the House agree to the section?

Mr. McELWEE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 4, by striking out the words "section one" and insert in lieu thereof: "sections one and two."

Amend section 1, page 2, line 21, by inserting after the word "situated" the following:" Section 2. Upon petition of the county commissioners to the proper court of common pleas, setting forth the date of sale of such lands to the county commissioners, the date when the right of redemption expired and that the right of redemption was not exercised prior to its expiration, a description of the lands sought to be sold, the name of the proposed purchaser, and the terms of the proposed sale and the amount of taxes and costs accrued against the said lands, the court shall fix a time for hearing upon said petition, and require ten days' notice thereof to be given by publication in one newspaper of general circulation published in the county wherein such lands are located. In the case of seated lands, the court may also require such additional notice as to it appears proper."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 The provisions of this act shall become effective immediately upon its final enactment

The title was read as follows:

An Act to amend the title and section one of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws one thousand nineteen) entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances" by extending the provisions thereof to unseated lands

On the question,

Will the House agree to the title?

Mr. McELWEE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 1 of title, by striking out the words "section one" and insert in lieu thereof: "sections one and two."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Mr. SHREINER. Mr. Speaker, I desire to call up House Bill No. 236, Senate Bill No. 93, Printer's No. 82 on page 1 of today's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 236 (Senate Bill No. 93), entitled:

An Act to amend section ten of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eighty-four) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" regulating the refund of taxes paid on malt liquors

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eighty-four) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" is hereby amended to read as follows

Section 10 In case any [beverages] malt liquors upon which stamps or crowns have been placed by [manufacturers or distributors] a manufacturer or distributor or other person have been sold [and] or shipped by him to a licensed or regular dealer in such [beverages] malt liquors in another state or are malt liquors on which a tax had already been paid [the seller] such manufacturer or distributor or person in this Commonwealth shall be entitled to a refund of the actual amount of tax paid by him upon condition that the seller in this Commonwealth shall make affidavit that the [beverages] malt liquors were so sold and shipped [and] or that he shall furnish from the purchaser [a written acknowledgment] an affidavit that he purchased such malt liquors in this Commonwealth and transported the same outside the Commonwealth for sale or consumption or that he has received by shipment such [beverages] malt liquors for sale or consumption outside the Commonwealth and the amount of stamps or crowns thereon or upon condition that the seller in this Commonwealth shall make affidavit that the tax had been previously paid on such malt liquors at the time he paid the tax thereon and that he shall furnish an affidavit from the person who first paid such tax and the amount of stamps or crowns thereon together with the name and address of the first taxpayer [whereupon the department shall with the approval of the Board of Finance and Revenue issue to the seller in this Commonwealth stamps or crowns of sufficient value to cover the refund]

Upon application to the Board of Finance and Revenue the board shall refund to the seller in this Commonwealth the amount of the tax so paid Such refund shall be either in cash or in the form of stamps or crowns of sufficient value to cover the refund as the seller in this Commonwealth shall elect When such refund is made in stamps or caps such stamps or caps shall be issued by the department All applications for refunds shall be acted upon by the Board of Finance and Revenue within thirty days after application has been made and refunds in cash stamps or crowns shall

be made within fifteen days after a refund has been allowed by the board

As much of the revenue accruing from this act as is necessary for the payment of refunds in cash is hereby appropriated to the Board of Finance and Revenue for the payment of the refunds authorized by this section

Refunds shall also be made in accordance with this act for taxes paid prior to the effective date of this act in any case where the procedure for refund has not been made in accordance with this act

On the question,

Will the House agree to the section?

Mr. SHREINER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 2, line 11, by inserting before the word "is" the following: "as amended by Act No. seven, approved the fifth day of December, one thousand nine hundred and thirty-three"

Amend sec. 1, page 2, line 11, by inserting after the word "hereby" the word: "further"

Amend sec. 1, page 2, lines 13 to 29, both inclusive, by striking out all of said lines.

Amend sec. 1, page 3, lines 1 to 29, both inclusive, by striking out all of said lines.

Amend sec. 1, page 4, lines 1 and 2, by striking out both of said lines, and inserting in lieu thereof the following:

Section 10 In case any malt liquors upon which stamps or crowns have been placed by a manufacturer or distributor have been sold and shipped by him to a licensed or regular dealer in malt liquors in another state, such manufacturer or distributor in this Commonwealth shall be entitled to a refund of the actual amount of tax paid by him upon condition that the seller in this Commonwealth shall make affidavit that the malt liquors were so sold and shipped and that he shall furnish from the purchaser an affidavit that he has received such malt liquors for sale or consumption outside the Commonwealth and the amount of stamps or crowns thereon together with the name and address of the purchaser whereupon the department shall, with the approval of the Board of Finance and Revenue, issue to the seller in this Commonwealth stamps or crowns of sufficient value to cover the refund

The procedure for refund in any case shall be completed by the Department of Revenue and the Board of Finance and Revenue within sixty days after the proper affidavits have been filed with the department.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 This act shall become effective immediately upon final enactment

The title was read as follows:

An Act to amend section ten of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 284), entitled "An act imposing a State tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties;" regulating the refund of taxes paid on malt liquors.

On the question,

Will the House agree to the title?

Mr. SHREINER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, next to last line of title, by inserting before the word "regulating" the words: "as amended"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 254 (Senate Bill No. 47), entitled:

A Joint Resolution approving the proposing amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 263 (Senate Bill No. 126), entitled:

An Act to amend sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations, associations and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan associations, providing for the payment of the expenses of the Department of Banking by supervised corporations, associations or persons and appropriating the Banking Department Fund, authorizing the Department of Banking under certain circumstances to examine corporations, associations or persons affiliated or having business transactions with supervised corporations, associations or persons, authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions and officers, authorizing certain local public officers and State departments to collect fees for services rendered under this act, providing penalties, and repealing certain acts and parts of acts" by further limiting the exemption of certain private banks and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 251 (Senate Bill No. 75), entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six)

entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of the liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 249 (Senate Bill No. 73), entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred twenty-three as last amended by an act approved the twenty-sixth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred forty-two) of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended is hereby amended to read as follows

Section 423 Any party in interest may within [ten] twenty days after notice of a referee's award or disallowance of compensation shall have been served upon him take an appeal to the board on the ground (1) That the award or disallowance of compensation is not in conformity with the terms of this act or that the referee committed any other error of law (2) That the findings of fact and award or disallowance of compensation was unwarranted by the evidence or was procured by fraud coercion or other improper conduct of any party in interest The board may upon cause shown extend the time provided in this article for taking such appeal or for the filing of an answer or other pleading

In any such appeal the board may disregard the findings of fact of the referee and may examine the testimony taken before such referee and if it deem proper may hear other evidence and may substitute for the findings of the referee such findings of fact as the evidence taken before the referee and the board as hereinbefore provided may in the judgment of the board require and may make such disallowance for award of compensation or other order as the facts so found by it may require

On the question,

Will the House agree to the section?

Mr. WIKE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Strike out the first word in line 10, page 2, and insert in its stead the word "Fifteen"

On the question,

Will the House agree to the amendments?

Mr. HOOPES. Mr. Speaker, I desire to interrogate the sponsor of these amendments, Mr. Wike.

The SPEAKER. Will the gentleman from Blair, Mr. Wike, permit himself to be interrogated?

Mr. WIKE. I will, Mr. Speaker.

Mr. HOOPES. Mr. Speaker, will the gentleman from Blair tell us the purpose of these amendments. Will he kindly state to the House the purpose of the amendments?

Mr. WIKE. Mr. Speaker and members of the House, the original bill stated ten days time, and the amendment says twenty days. This is merely a compromise amendment extending the time five days and making it fifteen days instead of twenty days.

Mr. HOOPES. Mr. Speaker, I arise to oppose this amendment. The amendment which was originally in the bill which passed the Senate changed the time for certain action to be taken on appeal from ten days to twenty days. I think it has been generally agreed that the time set heretofore has been too short. The proposed amendment as offered by the gentleman from Blair is to cut the extension to fifteen days instead of twenty days. If I remember correctly, this House passed a bill exactly like this a week or so ago, including the twenty days, and I ask you to vote for the bill in the form that it was previously, or as it was when it was sent over here from the Senate, and that you vote against the amendments proposed by the gentleman from Blair. Mr. Speaker, I ask for a roll call.

Mr. FITZGERALD. Mr. Speaker, I second the request for a roll call.

Mr. Speaker, I am rising on the floor to ask the members of this House to vote down this amendment for this reason: A series of eleven bills based on the reports of the Commission were submitted to this House. Four of them were similar to the Harris bills which we have before us, and the others are over in the Senate. In this particular instance it was thought that insufficient time was given under the law to taking an appeal, and that it should be extended from what is included in the present law, from ten days to twenty days, and I don't think there is any harm in letting that length of time elapse before a final appeal is shut out. For that reason, I ask you members of the House to give all of these people who are concerned in this matter twenty days instead of fifteen days for taking an appeal which the proposed amendments call for. I, therefore, ask you to vote down this amendment.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. Hoopes and Mr. Fitzgerald and were as follows:

YEAS—20

Baldi,	Forrest,	Peelor,	Wagner,
Bennett,	Habbyshaw,	Peters,	Wall,
Cooke,	Heffner,	Shreiner,	Wike,
Denning,	King,	Sterling, P.	Witkin,
Ederer,	McGregor,	Wade,	Woodside,

NAYS—127

Andrews,	Furman,	Mason,	Root,
Barnhardt,	Gallagher, T. J.,	McCandless,	Roth,
Bechtel,	Gallagher, W. J.,	McClure,	Royle,
Beech,	Gartner,	McCreary,	Ruby,
Bernhard,	Greenstein,	McElwee,	Ruth,
Blumberg,	Griffith,	McGrail,	Sautter,
Boyd,	Hamilton,	McKay,	Schrock,
Brancato,	Harris,	McKinney,	Schwab,
Brown, J. E.,	Hermansen,	Melchiorre,	Scott,
Brown, W. E.,	Hester,	Merrell,	Sheffer,
Brownfield,	Hewitt,	Mohn,	Shellenberger,
Carey,	Himes, H. E.,	Moore,	Shettel,

Carson,	Himes, L. R.,	Munley,	Shortz,
Chervenak,	Holmes, J. B.,	Murphy,	Shugarts,
Cohen,	Hoopes,	Myers,	Simon,
Conner,	Hough,	Negley,	Sinwell,
Craig,	Howard,	Nothnagle,	Snyder,
Cramer,	Hutton,	O'Connor,	Spann,
Dane,	Jaffe,	O'Keefe,	Stank,
Davies,	Jones,	O'Neill,	Steedle,
DeFrehn,	Kinney,	O'Rourke,	Sterling, R. B.,
Downey, G. E.,	Lane,	Pennock,	Stevens,
Downey, J. J.,	Laubach,	Perry, D. R.,	Stevenson,
Duffy,	Lewis,	Perry, J. J.,	Terry,
Dunmire,	Long,	Powell,	Trout,
Emhardt,	Lovett, J. E.,	Quinn,	Wasserman,
Eroe,	Lovett, W. S.,	Raub,	Way,
Evans,	Lynch, J. R.,	Rectenwald,	Westrick,
Fitzgerald,	Lynch, M.,	Reed,	Williams, G. W.,
Flanagan,	Male,	Reilly,	Williams, J. J.,
Flinchbaugh,	Malina,	Rhodes,	Wilson, L. M.,
Flynn, J. W.,	Marcks,	Roan,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The title was read and agreed to as follows:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Franklin, Mr. Hutton, for presiding over the deliberations of the body.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 42.

A Joint Resolution Creating a Liquor Control Investigation Commission defining the powers and duties of said Commission and making an appropriation

SENATE BILL No. 52.

An Act to amend the title and sections one two and three of the act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" as amended by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health

SENATE BILL No. 56.

An Act authorizing counties poor districts boroughs towns townships and school districts having moneys borrowed for one purpose to use the same for other purposes which will aid recovery from existing economic depression and requiring in certain such cases the assent of the electors

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 252 (Senate Bill No. 77), entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 256 (Senate Bill No. 118), entitled:

An Act to protect the owners of mortgaged property during the present emergency by limiting the amount of deficiency judgments during a certain period

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any real property is sold on any execution on the foreclosure of any mortgage or on a judgment entered on any obligations secured by mortgage and the sum for which such property was sold is not sufficient to satisfy the debt interest and costs the plaintiff or use plaintiff shall within six months after such sale petition the court out of which such writ of execution issued to fix the fair value of the property sold At least ten days' notice of the presentation of such petition shall be given to the defendant or defendants and to all parties whose interest appears on the record Such petition shall be heard by a judge of such court sitting without a jury or may by rule adopted by such court be referred to a master for hearing and determination subject to confirmation by the court. Provided That the fee of any such matter shall in no case exceed one hundred dollars nor the costs of any proceedings before a master the sum of fifty dollars

At all such hearings any party in interest may introduce in evidence testimony of the fair value of the premises sold at the time of the sale In the event that the fair value so determined is greater than the price for which the property was sold the amount of such fair value shall be deducted from the amount of the judgment interest and costs and a deficiency judgment entered for the balance

If the plaintiff or use plaintiff shall fail to present such petition within six months after such sale the prothonotary shall upon application of the defendant or other party in interest enter satisfaction of such judgment Such satisfaction shall have the effect of terminating as well the liability of all persons bound by any obligation securing the payment of such mortgage debt

The defendant in the foreclosure proceedings or judgment or the real owner of the property sold or any other person or persons bound by any obligation securing the payment of the said mortgage debt or other person in interest may at any

time after the sale petition the court in like manner to fix the fair value of the property sold and shall give to the plaintiff and use plaintiff at least ten days' notice of the presentation of such petition whereupon the court shall determine the fair value in the same manner as hereinbefore provided in the case of a petition by the plaintiff or use plaintiff

On the question,

Will the House agree to the section?

Mr. McELWEE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk

The amendment was read by the Clerk as follows:

Amend sec. 1, page 4, by inserting between lines 5 and 6 the following paragraph:

"In either case, whether the petition is presented by the plaintiff or use plaintiff or by the defendant or other party in interest, any party may, during the period of notice required by this act, demand a jury trial, whereupon the fair value of the property shall be determined and fixed by a jury trial as in other cases."

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections and title were separately read and agreed to as follows:

Section 2 All acts and parts of acts inconsistent herewith are hereby suspended during the period this act shall remain in effect

Section 3 The provisions of this act shall become effective immediately upon its final enactment and shall remain in force only until the first day of July one thousand nine hundred and thirty-five

An Act to protect the owners of mortgaged property during the present emergency by limiting the amount of deficiency judgments during a certain period.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 262 (Senate Bill No. 125), entitled:

An Act to amend the act approved the fifteenth day of May, One Thousand Nine Hundred and Thirty-three (Pamphlet Laws six hundred twenty-four), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons, restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts" by providing for establishment, maintenance, and operation of branch banks, branch offices and agencies and by further providing for the powers and limitations upon the facts of corporations and persons authorized to engage in a banking or a fiduciary business, or both, and of affiliates of such corporations or persons, and of officers, directods, trustees, and employees of such corporations and persons.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

STATEMENT BY MR. SHREINER

Mr. SHREINER asked and obtained permission to make the following statement:

Mr. Speaker and members of the House, I want to call your attention to the Christmas Party tonight. Your committee has been working day and night for the success of this party. We will have a number of floor shows from hotels and cabarets in Harrisburg. We will have a Santa Claus who will distribute gifts and presents for everyone. The party starts promptly at 9 o'clock, and we would like to have you all in your seats at a quarter to 9, and would like to have your ladies occupy the seats of the members. The show tonight will be run by the ladies, and we are going to try and have a good time. The admission is by ticket only. Tickets have been distributed to all of the members. Those not receiving their tickets can secure the same from any member of the House from Dauphin County.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 3.30 o'clock P. M. Are there objections? The Chair hears none, and (at 1.40 o'clock P. M.) declares a recess until 3.30 o'clock P. M.

AFTER RECESS

The House reconvened at 3.30 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

QUESTION OF PERSONAL PRIVILEGE

Mr. FITZGERALD. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. FITZGERALD. Mr. Speaker and members of the House about fifteen minutes ago in the State Senate of Pennsylvania, Senator Reed took exceptions to a statement that I had previously made, wherein I stated that the Senate's action in killing the minimum wage bill was one of the most disgraceful acts in defiance of the will of the people that was ever perpetrated in the State of Pennsylvania. He further stated that I had agreed to amendments to meet every objection voiced by the Senate of Pennsylvania.

(Remarks expunged from record.)

POINT OF ORDER

Mr. ANDREWS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Cambria will state his point of order.

Mr. ANDREWS. Mr. Speaker, any comment upon the part of any member of the House concerning the deliberations of the Senate are distinctly out of order.

The SPEAKER. The point of order is well taken, and the Chair further reads from Jefferson's Manual, section 365:

"While the Senate may be referred to properly in debate, it is not in order to discuss its functions or criticize its acts or refer to a Senator in terms of personal criticism or read a paper making such criticism"

The gentleman from Erie will govern himself accordingly. The remarks of the gentleman to this point in regard to the Senate will be expunged from the record.

Mr. FITZGERALD. Mr. Speaker, I think that inasmuch as the statement of a member of the Senate was permitted, which I can prove is absolutely contrary to the truth by the very——

The SPEAKER. The Chair desires to inform the gentleman that this body has no power over Senate actions, but must in this body conform to parliamentary procedure. The gentleman will proceed.

Mr. FITZGERALD. Mr. Speaker, does the Chair then rule as a matter of parliamentary procedure, that I cannot defend an attack against my activities as a member of the General Assembly?

The SPEAKER. The Chair rules that the gentleman cannot criticize the Senate nor a senator for their actions.

Mr. FITZGERALD. Mr. Speaker, it is not my intentions to further criticize, but I wish to correct a misstatement on the part of a member of the Senate.

The SPEAKER. The gentleman will proceed.

Mr. FITZGERALD. Mr. Speaker, when a member of the Senate states that the proper amendments that I mentioned were not presented, I would like to give as evidence the amendments that were submitted by Mr. Frazier, and I submit them to this body to prove my point.

I regret exceedingly, Mr. Speaker and members of the House, that the whole story and the true story cannot be told in defense of the women and children of Pennsylvania. It is a regretable spectacle when the desires and the wants and the will of the people are crushed out in limiting free speech by the rules and regulations of any House, and I recommend that they be changed.

In conclusion I merely want to say in fairness to a member of the Senate, that Senator Frazier, if I may refer to him, had these amendments and attempted to present them, and it is only fair in his behalf that I make this reference to him, because the Senator prior to that time who spoke intimated that no member of the Senate had championed this cause, and I think it is only fair to Senator Frazier that that fact be known, because these amendments bear his name.

The SPEAKER. The Chair must insist that the gentleman from Erie refrain from discussing Senate actions or Senators. We have in this body nothing to do with the actions of the Senate or the individual Senators.

Mr. FITZGERALD. Mr. Speaker and members of the House, there is no one who realizes any better than I do that the rules laid down by this body must be adhered to, but the rules of the Almighty Being and the rules of citizenship demand at least fair play.

The SPEAKER. The gentleman is not now speaking as a citizen, but rather as a member of the General Assembly of Pennsylvania, and will govern himself accordingly.

Mr. FRITZGERALD. I do not think that it is fair to expunge from the record the remarks that I have made, and if it be in order, I move you that they be included in the record. In other words, I appeal from the decision of the Chair expunging from the record these remarks, which are very essential.

The SPEAKER. The Chair did not state that the remarks of the gentleman in their entirety would be expunged from the record, but ruled that insofar as the remarks pertained to the action of the Senate or of Senators they would be expunged from the record. Does the gentleman insist upon appealing from the ruling of the Chair?

Mr. FITZGERALD. No, Mr. Speaker, I do not under those circumstances. It was my understanding that my remarks in their entirety were to be stricken from the record.

The SPEAKER. That is incorrect.

Mr. FITZGERALD. And I sincerely apologize to the Chair for that thought. However, I rather think that I have made my statement clear, and I feel that it is essential for this body to know the truth. I regret that the Constitution of Pennsylvania and the rules of the House prohibit me from free speech as it were in an issue that is essential, and therefore, Mr. Speaker, I thank you yourself and the members of this House with that thought in mind.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the journal.

COMMUNICATION FROM STATE TREASURER

The SPEAKER laid before the House a communication from the State Treasurer which was read by the Clerk as follows:

Response of State Treasurer Charles A. Waters to Resolution of the Legislature Asking For Fiscal Information

December 19, 1933.

To the Honorable the House of Representatives of the General Assembly of Pennsylvania.

Ladies and Gentlemen:

I am in receipt of your resolution dated December 13, 1933, in which you ask (1) to submit figures showing the present financial standing of the Commonwealth, and (2) an estimate of the revenue to be derived from liquor sales.

In compliance herewith I have the honor to submit the following using for convenience round figures in discussing the fiscal affairs:

1. Present Financial Standing of the Commonwealth.

(a) 1933-35 Budget

The current budget was balanced at $192,000,000, exclusive of deficiencies, on the basis of budget estimate of receipts, balance of Dorrance estate money, the beer tax, economies, the four mills tax, a state bond issue, and the unencumbered surplus as of June 1, 1933.

(b) Experience First Six Months of Biennium

At the middle of our first fiscal year, November 30, 1933, we had receipts of $42,760,000 and made payments of $55,224,000. Included in item of receipts was $8,200,000 from Delaware River Bridge bonds, so that from ordinary sources receipts were approximately $34,560,000, or an average of $5,760,000 monthly.

Our total appropriation liabilities Dec. 1, 1933, were		$152,928,000
We had cash in Treasury of		9,284,000
Leaving net appropriation liabilities of		$143,644,000

To meet this liability we have the following extraordinary sources of revenue:

Proceeds of State Bond Issue	$25,000,000	
Balance Delaware River Bridge bonds	1,100,000	
Estimated revenue from four mills tax (proposed to be replaced by floor tax)	8,000,000	34,100,000
Leaving balance of ordinary revenue to be collected in eighteen months		$109,544,000

or an average of $6,000,000 plus per month.

This would indicate a balanced budget exclusive of the Special session, provided ordinary receipts may be expected to increase at the rate of $3,600,000 a year for the rest of the biennium, and it should be stated that our receipts for the second six months of the fiscal year have ordinarily been larger than for the first six months.

The going will be very close, however, and one very disturbing factor to my mind is the proposal to appropriate all estimated liquor receipts for the rest of the biennium, with no provision for unemployment relief for the last six months of the biennium. This is economically unsound since it disregards the principle of our budget accounting that receipts and expenditures should run coterminously . In plain language it short changes the budget, unless we believe there will be no

need for such an expenditure after next December, or if we think the State should no longer recognize it as a Commonwealth obligation.

(c) Continued Effect of Present Situation

This is a proposition to which every member might give his or her most serious consideration. As a fiscal officer I believe it my duty to emphasize the fact that the business of the Commonwealth does not cease with the expiration of your term, with the expiration of the present administration, or even with the expiration of my term. In another ten months we will be engaged in constructing another budget and this picture should develop in the minds of all a sobering sense of responsibility, for the reason that we cannot count upon a recurrence of the following extra-ordinary receipts, actually received during 1933:

Sales Tax (no longer in force)	$10,000,000
Dorrance Estate Tax	14,500,000
Delaware River Bridge	9,200,000
State Bond Issue	25,000,000
A total of	$58,700,000

This total, which is exclusive of what the Federal Government has given us for relief, represents about forty per cent. of our aggregatae budget, exclusive of emergency relief.

To make matters worse our new budget will have added to it about $35,000,000 in fixed charges and new activities imposed by this Special Session, so that to our present budget of $192,000,000 we must add the above $35,000,000 making a total of $227,000,000. Then consider that the present estimate of ordinary receipts in the current budget, which will recur, is only $130,000,000, and the picture which confronts us is staggering to say the least, and softened only by the expected revenue from State liquor stores.

2. Probable Revenue From Liquor

As to your request for an estimate from me as to probable receipts from liquor sales, my answer is that there is no information in the Treasury upon which an intelligent estimate could be based.

Respectfully submitted,

CHARLES A. WATERS,
State Treasurer.

The SPEAKER. This communication from the State Treasurer is in response to a resolution adopted by this House. It will be noted in the Journal and printed in full in the Legislative Journal.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 39.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds and making an appropriation

HOUSE BILL No. 40.

An Act providing compensation to certain persons who served in the military or naval forces of the United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam Providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation and providing penalties

HOUSE BILL No. 74.

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years begining June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," by making additional appropriations to the Executive Legislative and Judicial Departments of the Commonwealth.

HOUSE BILL No. 77.

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare the trustees who administer mothers' assistance in the several counties and others making counties liable for certain expenses providing penalties and making an appropriation

HOUSE BILL No. 78.

An Act making an appropriation out of The State Stores Fund to the Department of Welfare for old age assistance

HOUSE BILL No. 94.

An Act to repeal the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws"

HOUSE BILL No. 102.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition to toll bridges defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation there to providing for the payment of interest on and the redemption of such bonds and making an appropriation

HOUSE BILL No. 103.

An Act to amend sections one two nine and eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred ninety-five) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" toll bridges wholly within the Commonwealth and providing for the payment of the cost of acquiring such bridges out of the Toll Bridge Fund the construction maintenance and repair of such bridges by the Department of Highways and further regulating the collection of tolls and reimbursing the Commonwealth for the cost of acquiring such bridges and making an appropriation

HOUSE BILL No. 129.

An Act to amend section three of article twenty-eight of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending the provisions of said act to all bituminous coal mines where five or more persons are employed or engaged in work and empowering mine inspectors to inspect mines where from two to five persons are employed or engaged in work and to require proper safety measures

HOUSE BILL No. 128.

An Act to amend section one of article one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended empowering mine inspectors to inspect mines where from two to five persons are employed or engaged in work and to require proper safety measures

HOUSE BILL No. 177.

An Act providing that one-third of the cost of the board of revision of taxes and of the assessors other than personal property assessors in counties of the first class, shall be paid by the school district co-extensive therewith.

HOUSE BILL No. 209.

An Act appropriating certain accumulations in the Insurance Tax Fund to cities townships and boroughs for payment to firemen's relief pension and retirement funds

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 19.

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, December 5, 1933.

Whereas Several serious outbreaks have occurred recently at the Eastern Penitentiary in Philadelphia and

Whereas The public is entitled to know whether such outbreaks are the result of negligence in the management of said institution and due to conditions which have existed for some time or whether they were unavoidable and due to the character of prisoners detained in said institution therefore be it

Resolved (if the Senate concur) That the Speaker of the House of Representatives shall appoint three Members and the President Pro Tempore shall appoint two Senators who together shall constitute a joint legislative committee whose duty it shall be to make a searching and impartial investigation of conditions existing at the Eastern Penitentiary and to determine the causes of the recent outbreaks among the prisoners in said institution and to make report of its findings and recommendations to the General Assembly not later than February first one thousand nine hundred and thirty-five

Resloved That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books papers records and documents as the committee may deem necessary Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, December 18, 1933.

Whereas, In the planning of future unemployment relief activities, public works programs, and other projects relating to the welfare of the citizens of Pennsylvania, it is of vital importance to obtain information and statistics regarding the extent of unemployment; and

Whereas, The Federal Civil Works Administration of Pennsylvania has indicated its approval of a State-wide unemployment census for the dual purpose of abtaining information and providing work for the unemployed; and

Whereas, The Federal Civil Works Administration has indicated its willingness to finance such surveys from Federal Civil Works Administration funds; therefore be it

Resolved, (if the Senate concur), That it is the sense of the General Assembly that if the making of such survey is financed by the Federal Civil Works Administration, the people of the State should cooperate to the fullest extent to make such surveys or studies complete and accurate; and be it further

Resolved, That the Governor of the Commonwealth be requested to issue a proclamation calling upon all citizens to afford to the persons making such surveys or studies all information which may be requested.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 55.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 20, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a Resolution of the House of Representaties and Senate recalling from the Governor House Bill No. 55, Printer's No. 49, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. WEIDEMANN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. WEIDEMANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WEIDEMANN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The admendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 1 of the title by striking out after the word "Making" and before the word "appropriation" the article: "[an]."

Amend page 1, line 1 of the title by striking out after the article "an" and before the word "out" the word "[appropriation]" and inserting in lieu thereof the word: "appropriations."

Amend page 1, line 3 of the title by inserting after the word "expenses" and before the word "defining" the following: "including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects."

Amend section 1, page 2, line 11 by striking out after the word "Pennsylvania" and before the word "Board" the words: "[Alcohol Permit]" and inserting in lieu thereof the words: "Liquor Control."

Amend page 4 by inserting between lines 11 and 12 the following new section: "Section 8 Out of moneys in The State Stores Fund which represent net profits from the operation of Pennsylvania Liquor Stores an additional sum of two hundred fifty thousand dollars ($250,000) is hereby specifically appropriated to the State Emergency Relief Board for the purpose of reimbursing counties cities boroughs incorporated towns townships school districts and poor districts for such sums as they have paid or which they have become obligated to pay and shall hereafter pay as premiums on workmen's compensation insurance covering persons engaged between January first one thousand nine hundred and thirty-three and June third one thousand nine hundred and thirty-three on work relief projects carried on with the approval of the State Emergency Relief Board or a County Emergency Relief Board and on which the employes were paid by cash or food orders distributed by the State Emergency Relief Board. No payment shall be made from this appropriation to any municipal subdivision except upon sworn statement of an executive officer of the subdivision and also sworn receipt from the insurance carrier stating the amount of insurance premium paid by the subdivision and the period covered and that only work relief employes were included in the insurance for which such premiums were paid

Amend section 8, page 4, line 12 by striking out after the word "Section" and before the word "This" the figure: "[8]" and inserting in lieu thereof the figure: "9."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 41

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 20, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a Resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 41, Printer's No. 23, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. MYERS. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. MYERS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. MYERS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 1 of title, by inserting after the word "appropriation" the words: "from the General Fund."

Amend title, page 1, line 5 of title by inserting after the word "thirty-three" the following: "and making an appropriation out of the Veterans' Compensation Fund to reimburse the General Fund"

Amend Sec. 1, page 1, line 1, by inserting after "Section 1" the following enacting clause: "Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That"

Amend Sec. 1, page 1, line 1, by inserting after the word "dollars" the following: ("$25,000)."

Amend Sec. 2, page 2, line 6, by inserting after the word "repaid" the following: "from the Veterans' Compensation Fund."

Amend Sec. 2, page 2, line 7, by inserting after the word "bonds" the following sentence: "As much of the money in the Veterans' Compensation Fund as may be necessary is hereby appropriated for this purpose."

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 45.

An Act making home loan bonds issued by the Federal Home Owners' Loan Corporation legal investments for trust funds and other purposes in certain cases.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 11, by striking out the following: "and such bonds are hereby declared to be legal investments of"; also page 2, line 1, by striking out the

words "moneys by executors administrators guardians"; also line 2 by striking out the following: "trustees building and loan associations banks banks and trust companies trust companies insurance companies associations and exchanges for such purposes.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—198

Andrews,	Green,	McElwee,	Sheffer,
Baldi,	Greenstein,	McGinnis,	Shellenberger,
Barnhardt,	Griffith,	McGrail,	Shettel,
Bechtel,	Habbyshaw,	McGregor,	Shortz,
Beech,	Haines,	McHenry,	Shreiner,
Bennett,	Hamilton,	McKay,	Shugarts,
Bernhard,	Harmuth,	McKinney,	Simon,
Blumberg,	Hart,	Melchiorre,	Sinwell,
Boyd,	Hartman,	Meredith,	Snyder,
Brancato,	Heffernan,	Merrell,	Sowers,
Brennan,	Hefferon,	Mohn,	Spann,
Brown, J. E.,	Heffner,	Moore,	Stank,
Brown, W. L.,	Hermansen,	Mumford,	Steedle,
Brownfield,	Hester,	Munley,	Sterling, P.,
Cannon,	Hewitt,	Murphy,	Sterling, R. B.,
Caputo,	Himes, H. E.,	Myers,	Stevens,
Carey,	Himes, L. R.,	Negley,	Stevenson,
Carson,	Hoffman,	Nothnagle,	Stiteler,
Chervenak,	Holmes, J. B.,	O'Connor,	Stone,
Cohen,	Holmes, J. L.,	O'Keefe,	Stott,
Conner,	Hoopes,	O'Neill,	Tahl,
Cooke,	Horst,	O'Rourke,	Terry,
Cordier,	Hough,	Patterson,	Trout,
Craig,	Howard,	Peelor,	Turner,
Cramer,	Hutton,	Pennock,	Wade,
Dane,	Jaffe,	Perry, D. R.,	Wagner,
Davies,	Kane, J. J.,	Perry, J. J.,	Walker, G. E.,
DeFrehn,	Kane, L. P.,	Peters,	Walker, W. A.,
Denning,	King,	Powell,	Wall,
Downey, G. E.,	Kinney,	Powers,	Wasserman,
Downey, J. J.,	Labar,	Price,	Way,
Duffy,	Lane,	Quinn,	Weidemann,
Dunmire,	Laubach,	Raub,	Welsh,
Ederer,	Lenahan,	Rectenwald,	Westrick,
Emhardt,	Lewis,	Reed,	White,
Eroe,	Long,	Reilly,	Wike,
Evans,	Lord,	Rhodes,	Williams, G. W.,
Fitzgerald,	Lovett, J. E.,	Roan,	Williams, J. J.,
Flanagan,	Lovett, W. S.,	Root,	Wilson, L. M.,
Fleisher,	Lynch, J. R.,	Roth,	Wilson, T. B.,
Flinchbaugh,	Lynch, M.,	Royle,	Witkin,
Flynn, J. M.,	Male,	Ruby,	Wood,
Flynn, J. W.,	Malina,	Ruth,	Woodside,
Forrest,	Maloney,	Sautter,	Wright,
Furman,	Marcks,	Schrock,	Yeakel,
Gallagher, T. J.,	Mason,	Schrope,	Yourishin,
Gallagher, W. J.,	McBride,	Schwab,	Zimmerman,
Gartner,	McCandless,	Schwartz,	Talbot,
Gillette,	McClure,	Scorza,	Speaker.
Gorman,	McCreary,	Scott,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 192.

An Act making appropriations to the Department of Welfare for pensions for the blind and for the administration of the distribution of such pensions

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by inserting after the word "appropriation" the words "out of The State Stores Fund."

Amend Section 1, page 1, line 6, by inserting after the word "appropriated" the words "out of the moneys in The State Stores Fund which represent net profits from the operation of Pennsylvania Liquor Stores."

Amend Section 2, page 1, line 13, by inserting after the word "available" the following: "on and after the first day of June one thousand nine hundred and thirty-four"; also in the same line by inserting after the word "blind" the following: "and expenses that county boards have trustees for Pension Funds for the Blind"; also line 15 by inserting after the word "available" the following: "upon the effective date of this act"; also page 2 line 1, by striking out the following: "costs to the Department of Welfare of investigating applications for pensions examination of applicants by physicians and other costs of the administration of pensions for the blind including payment of salaries wages or other compensation of officers and employes of the Department of Welfare engaged in such administration and necessary for" and inserting in lieu thereof the following: "salaries wages and other compensation of deputies and other employes of the Department of Welfare for telephone service and toll charges telegrams freight express cartage the expenses of operating and maintaining automobiles for payment of the cost of eye examinations for applicants for pensions (provided that no more than five dollars ($5.00) may be paid for a complete eye examination of any applicant) and for" also line 10, by inserting after the word "pensions" the words "by the Department of Welfare."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—198

Andrews,	Green,	McCreary,	Sheffer,
Baldi,	Greenstein,	McElwee,	Shellenberger,
Barnhardt,	Griffith,	McGinnis,	Shettel,
Bechtel,	Habbyshaw,	McGrail,	Shortz,
Beech,	Haines,	McGregor,	Shreiner,
Bennett,	Hamilton,	McHenry,	Shugarts,
Bernhard,	Harmuth,	McKay,	Simon,
Blumberg,	Harris,	McKinney,	Sinwell,
Boyd,	Hart,	Melchiorre,	Snyder,
Brancato,	Hartman,	Meredith,	Sowers,
Brennan,	Heffernan,	Merrell,	Spann,
Brown, J. E.,	Hefferon,	Mohn,	Stank,
Brown, W. L.,	Heffner,	Moore,	Steedle,
Brownfield,	Hermansen,	Mumford,	Sterling, P.,
Cannon,	Hester,	Munley,	Sterling, R. B.,
Caputo,	Hewitt,	Murphy,	Stevens,
Carey,	Himes, H. E.,	Myers,	Stevenson,
Carson,	Himes, L. R.,	Negley,	Stiteler,
Chervenak	Holmes, J. B.,	Nothnagle,	Stone,
Cohen,	Holmes, J. L.,	O'Connor,	Stott,
Conner,	Hoopes,	O'Keefe,	Tahl,
Cooke,	Horst,	O'Neill,	Terry,
Cordier,	Hough,	O'Rourke,	Trout,
Craig,	Howard,	Patterson,	Turner,
Cramer,	Hutton,	Peelor,	Wade,
Dane,	Jaffe,	Pennock,	Wagner,
Davies,	Jones,	Perry, D. R.,	Walker, G. E.,
DeFrehn,	Kane, J. J.,	Perry, J. J.,	Walker, W. A.,
Denning,	Kane, L. P.,	Peters,	Wall,
Downey, G. E.,	King,	Powell,	Wasserman,
Downey, J. J.,	Kinney,	Powers,	Way,
Duffy,	Labar,	Price,	Weidemann,
Dunmire,	Lane,	Quinn,	Welsh,
Ederer,	Laubach,	Raub,	Westrick,
Emhardt,	Lenahan,	Rectenwald,	White,
Eroe,	Lewis,	Reed,	Wike,
Evans,	Long,	Reilly,	Williams, G. W.,
Fitzgerald,	Lord,	Rhodes,	Williams, J. J.,
Flanagan,	Lovett, J. E.,	Roan,	Wilson, L. M.,
Fleisher,	Lovett, W. S.,	Root,	Wilson, T. B.,
Flinchbaugh,	Lynch, J. R.,	Roth,	Witkin,

Flynn, J. M.,	Lynch, M.,	Royle,	Wood,
Flynn, J. W.,	Male,	Ruby,	Woodside,
Forrest,	Malina,	Ruth,	Wright,
Furman,	Maloney,	Sautter,	Yeakel,
Gallagher, T. J.,	Marcks,	Schrock,	Yourishin,
Gallagher, W. J.,	Mason,	Schrope,	Zimmerman,
Gartner,	McBride,	Schwab,	Talbot,
Gillette,	McCandless,	Schwartz,	Speaker,
Gorman,	McClure,	Scott,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON SECOND READING

Mr. STEEDLE. Mr. Speaker, I desire at this time to call up House Bill No. 237, Senate Bill No. 49, Printers No. 94 on page 1 of today's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 237, (Senate Bill No. 49), entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers court judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics and boards of school directors and imposing penalties

The first and second sections were separately read and agreed to as follows:

Section 1 Short Title Citation Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Permanent Registration Act in Cities of the Second Class"

Section 2 DEFINITONS (a) The word "commission" shall mean any registration commission having jurisdiction in any city of the second class

(b) "Commissioner" shall mean a member of a registration commission

(c) "Oath" shall include affirmation and "swear" shall include affirm

(d) "Election" shall mean any general special primary or municipal election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any political party or body of electors one of whose candidates either at the last general or at the last municipal election shall have polled at least five per centum of the largest entire vote cast for any elected candidate in any city of the second class although such percentage of said vote may not have been attained in any particular election district thereof

(j) "Body of electors" shall mean any political body not recognized as a political party but entitled to make nominations of candidates for any public office by nomination papers on whose behalf proper affidavits shall have been filed with the prothonotary or elsewhere as required by law to obtain the exclusive right to use a party name or appellation for any election or primary

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commission as hereinafter provided

(m) "County" shall mean any county of this Commonwealth within which is located a city of the second class

(n) "City" shall mean only a city of the second class

(o) All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the second class or to those of any county within which such city is located or to any school district with which it is coextensive

(p) "Public office" shall mean and include any national state judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(q) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

(r) "District" shall mean any election district of the city

The third section was read as follows:

Section 3 REGISTRATION COMMISSIONS MEMBERSHIP BIPARTISAN TERM OF OFFICE VACANCIES REMOVAL COMPENSATION OATH OF OFFICE ORGANIZATION CHAIRMAN SECRETARY ACTIONS BY VOTE OF MAJORITY OF MEMBERS RECORD OF PROCEEDINGS ANNUAL REPORT (a) There shall be a registration commission in and for each city of the second class which commission shall have jurisdiction over the registration of electors of such city under the provisions of this act

(b) The registration commission shall consist of two commissioners who shall be qualified electors of the city not more than one of whom shall be an enrolled member of the same political party who shall be appointed by the Governor with the advice and consent of the Senate and shall hold office for terms of four years or until their successors qualify unless sooner removed or otherwise disqualified Provided however That the term of office of the commissioners first appointed by the Governor under this act shall commence on the first day of December one thousand nine hundred thirty-four and shall expire on the first Monday of January one thousand nine hundred thirty-eight Upon the appointment by the Governor of the registration commission for any such city the terms of office of the existing registration commission or commissioners of any such city shall terminate

(c) The Governor shall fill any vacancy in any such commission within ten days after the vacancy shall occur by appointing a qualified elector of the city to hold office during the remainder of the term of the commissioner whose place shall have become vacant

(d) The Governor may at any time remove any commissioner for cause and may appoint a duly qualified elector of the city as his successor for the remainder of his term

(e) Each commissioner shall receive compensation at the rate of three thousand dollars per annum

(f) As soon after their appointment as may be the members of each commission shall take the oath of office required by the Constitution of this Commonwealth and shall organize by selecting from their number a chairman and a secretary who shall not be members of the same party

(g) All actions of a commission shall be decided by a majority of vote of all members except as may be otherwise provided herein

(h) Each commission shall keep a record in permanent form of all its proceedings and shall make an annual written report to the Governor

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Also on page 5, Section 3, line 8, by removing the brackets before and after the word "January."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read and agreed to as follows:

Section 4 POWERS OF COMMISSIONS REGULATIONS ENFORCEMENT CORRECTION OF ERRORS OR IRREGULARITIES CANCELLATION OF REGISTRATION POWERS OF COMMISSIONERS (a) The commisison may make regulations not inconsistent with this act or the laws of this Commonwealth (1) To govern the public sessions of such commission and (2) for the performance of the duties imposed by this act and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the court of common pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

(b) The commission shall have power to correct any error or any irregularity in registration and to cancel the registration of any person whom it may find to be improperly registered subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration is cancelled

(c) The commission and any commissioner shall have power on its or his own motion (1) To summon and interrogate any person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses (4) to require the production of any relevant books and papers

(d) Each commissioner shall have power to administer oaths and affirmations Each person testifying before a commission shall be first duly sworn or affirmed

The fifth section was read as follows:

Section 5 EMPLOYES REGISTRARS INSPECTORS OF REGISTRATION DUTIES APPOINTMENT INCOMPATIBLE OFFICES (a) The commission shall have power to appoint such assistants and employes as from time to time it may deem necessary to carry out the provisions of this act and may at any time remove the same The commission may with the consent of the county commissioners appoint employes of the county commissioners to act as such for the registration commission without any additional compensation as such

(b) The employes to be appointed by the commission shall include (1) Registrars who shall be empowered to register the qualified electors of such cities and in so doing to administer oaths and affirmations and (2) inspectors of registration who shall have and may exercise the powers conferred upon them by this act

(c) Registrars and inspectors of registration shall be qualified electors of the election district No person who holds or is a candidate for public or party office shall be appointed to or hold any office or employment under any commission except as otherwise provided by this act Registrars and inspectors of registration shall receive such compensation either on a per diem basis for time actually employed or on the basis of work actually done by them as shall be fixed by the commission

(d) No registrar or inspector of registration shall exercise any power of his office until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and address the date of his appointment and the length of time for which he shall have been appointed

(e) Each commission may appoint a chief clerk at a compensation not exceeding three thousand dollars per annum who shall have authority to administer oaths and to sign vouchers

(f) Any inspector of registration when directed by the commission shall

(1) Investigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling building inn lodging-house or hotel within such city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment

(2) Inspect in like manner and copy any register of lodgers in any lodginghouse inn or hotel relating to or affecting the right of any person to vote or to be registered in such city

(3) Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

(4) Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 5, page 8, line 1, by striking out the words "and inspectors of registration."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth to the fifteenth sections inclusive were separately read and agreed to as follows:

Section 6 COUNSEL COMPENSATION DUTIES The commision may employ special counsel at a compensation not exceeding two thousand dollars per annum Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent the commission on all appeals taken from its decisions or orders to a court of common pleas as herein provided

Section 7 APPROPRIATIONS BY COUNTY COMMISSIONERS UNEXPENDED BALANCES OF APPROPRIATIONS HERETOFORE MADE ADDITIONAL APPROPRIATIONS (a) The county commissioners shall appropriate annually and from time to time the funds that shall be necessary for the maintenance and operation of the commission and the carrying out of the provisions of this act therein including the payment of the compensation of the commissioners counsel a sufficient number of registrars inspectors of registration and other assistanst and employes and the fees of witnesses as herein defined and likewise for preparing in accordance with the direction of the commission securing and

distributing or receiving and preserving all street lists registration cards affidavits vouchers notices account books stationery and other supplies which the commission shall consider necessary for the purpose of this act and for all other necessary expenses

(b) The county commisisoners shall provide the commissions with suitable and adequate offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties

(c) Any unexpended balances of any appropriations heretofore made by the county commissioners for the purpose of carrying out any provision of any existing registration act or the amendments thereto shall be transferred to and made available for the commission hereby created or constituted for the expenses of carrying out the provisions of this act immediately after the effective date of this act All moneys required in addition to any original appropriation in the current year or any other year shall be appropriated from time to time as soon as it shall appear what extra sums are needed

Section 8 ACTS OF EMPLOYES Any insertion or removal of names or other information in registers or the amending of any records done by any employe of the commission by order of the commission shall be construed to have been done by the commission itself which shall likewise be responsible for the correction of any errors in the doing thereof

Section 9 COMMISSIONERS MAY ACT AS REGISTRARS AND INSPECTORS A commissioner or the chief clerk may act at any time as registrar or inspector of registration and when so acting shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with law upon registrars and inspectors of registration respectively

Section 10 IMMUNITY FROM ARREST Commissioners registrars and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrant of a court of record or judge thereof for felony for wanton breach of the peace or for a criminal violation of this act

Section 11 ACTS TO BE DONE ON LEGAL HOLIDAYS AND SUNDAYS No part of any day fixed for the performance of any duties by any person or official under this act shall be deemed a Sunday or a legal holiday so as to affect the legality of any work done for the purpose of carrying out the provisions hereof or the right of any person to any compensation herein provided for rendering any service required hereby or so as to relieve any person from doing on such day whatever is necesasry for such purposes and such services are hereby declared to be necessary public services

Section 12 RECORDS AND DOCUMENTS TO BE OPEN TO PUBLIC INSPECTION The records of each commission and all district registers street lists voting check lists voter's certificates affidavits petitions appeals witness lists accounts contracts reports and other documents in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the city during ordinary business hours at any time when they are not necessarily being used by the commission of its employes having duties to perform in reference thereto Such public inspection thereof shall only be in the presence of a commissioner or authorized employe of a commission and shall be subject to proper regulation for safekeeping of the records and documents and subject to the further provisions of this act

Section 13 WATCHERS AT PLACES OF REGISTRATION PRIVILEGES (a) Any party or body of electors which now is or hereafter may be entitled to have watchers at any election as well as any organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds may recommend not more than three electors to act as watchers without expense to the county at any place of registration during the time when it shall remain open for the registration of electors The commission shall appoint all such persons as watchers and shall provide them with proper certificates stating their names and the party or policy or citizens' organization which they represent respectively unless any be shown to have previously been convicted of any crime

(b) Any watcher shall be entitled to remain at any place of registration during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registration and to interrogate or challenge any person regarding his right to be registered and to inspect any papers produced by such persons The registrars commissions and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided That a registrar commission or commissioner may at any time require any watcher to show his certificate of appointment And provided That not more than one watcher for any party or body of electors or citizens' organization represented shall be allowed in a place of registration at any one time

Section 14 WATCHERS OR ATTORNEYS AT SESSIONS OF COMMISSION Any party or body of electors or body of citizens which now is or hereafter may be entitled to have watchers at any place of registration or at any election shall also be entitled to appoint any watchers who are qualified electors of the city or attorneys to represent such party or body of electors or body of citizens at any public session or sessions of the commission Such watchers or attorneys may exercise the same rights as watchers at places of registration but the number who may be present at any one time may be limited by the commission to not less than three for any party or body of electors

Section 15 CANDIDATES MAY BE PRESENT AT PROCEEDINGS Every candidate for nomination or election to any office shall be entitled to be present in person or by attorney in fact duly authorized and to participate in any proceeding before any commission whenever any matters may affect his candidacy are being heard

The sixteenth section was read as follows:

Section 16 DAYS AND HOURS OF REGISTRATION PLACES OF REGISTRATION USE OF POLLING PLACES PAYMENTS OF RENTALS USE OF SCHOOL BUILDINGS PUBLIC NOTICE (a) From and after the first day of December one thousand nine hundred and thirty-four each commission or any commissioner or a registrar shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sundays holidays the day of each election and each primary the thirty days next preceding each election and each primary and the five days next following each election and each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration Provided howeved that in the year one thousand nine hundred and thirty-five applications for personal registration may be received up to and including the fifth day of May anything in this section to the contrary notwithstanding And provided further That in the year one thousand nine hundred and thirty four each commission shall arrange to have a registrar present to receive applications for the personal registration of electors at the poling place or some other suitable place in each election district of the city on at least three separate days prior to May fifth (one of them being in March and another in May) and one day in the period beginning September twenty-fourth and ending October sixth

(b) The County commissioners shall cause any polling place to be open in proper order for use as a place of registration on each day when such polling place may be desired by the registration commission for use as a place of registration and the said county commissioners shall provide for the payment of all rentals for such polling places upon proper vouchers by the treasurer of the county

(c) The board of public education or school directors of each school district shall furnish a room or rooms in any public school building under its jurisdiction or control and shall cause the room or rooms to be open and in proper order for use as a place of registration on each day when such room or rooms may be desired by the registration commission for use as a place of registration Provided That such use shall not interfere with instruction for the conduct of which such board of school directors shall be responsible

(d) The proper city authorities shall furnish a room or rooms in the city hall or other municipal building under their jurisdiction or control and shall cause the room or

rooms to be opened and in proper order for use as a place of registration on each day when such room or rooms may be desired by the commission for use as a place of registration Provided That such use shall not interfere with the use for which such room or rooms is primarily designed

(e) The commission shall publicly announce the address of each place of registration other than the office of the commission and the days and hours when the place shall be open for the registration of electors by posting a notice thereof at its office and at least five placards or notices thereof in conspicuous places in the neighborhood of such place of registration at least three days prior to the date when the place shall be so open and by such newspapers publication as it deems desirable

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk as follows:

The amendments were read by the Clerk as follows:

Also on page 14, section 16, line 17, by striking out the word "December."

Also on page 14, at the end of line 18, by inserting after the word "registrar," the words "or clerk appointed by the commission."

Also on page 15, line 1, by striking out the brackets before and after the words "thirty-four."

Also on page 15, line 1, by striking out the word "thirty."

Also on page 15, line 2, by striking out the word "five."

Also on page 15, line 6, by striking out "a" and insert in lieu thereof the word "two."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventeenth to the twenty-sixth sections inclusive were separately read and agreed to as follows:

Section 17 REGISTRATION CARDS PREPARATION AND DISTRIBUTION (a) For the purpose of registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section eighteen of this act and the following affidavit

REGISTRATION AFFIDAVIT

State of Pennsylvania }
County of } ss

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before
me this day of 19

.....
Signature of Voter

.....
Signature of Registrar

(b) Subject to the foregoing provisions of this section the secretary of the Commonwealth shall prescribe the form of such registration cards

(c) Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate for each applicant for registration The commission shall provide suitable binders for filing and indexing the registration cards which binders can be locked The keys of all such binders shall at all times be retained by the commission

(d) The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar

(e) Before ten o'clock ante meridian on the day following the last day for registration before an election or primary and at such other times as the commission may prescribe each registrar shall return to the commission at its office all registration cards used or unused in his possession and shall account fully in writing for each missing card

(f) Unused registration cards may be reissued by the commission but the commission shall preserve all other papers records and memoranda as a part of its record

Section 18 MANNER OF REGISTRATION (a) Every person claiming the right to be registered as an elector must appear in person before the commission or a commissioner or a registrar at the office of the commission or at such other place as the commission shall have designated and answer the questions required to be asked in accordance with this act

(b) He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with the other information herein required shall be recorded in his presence by the registrar or commissioner in permanent writing or typewiting in duplicate in the proper spaces on the registration cards as follows

(c) (1) The surname of the applicant (2) his Christian name or names (3) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the rooms apartment flat or floor which he occupies (6) the date his residence in the district began (7) his residence address when he last registered and the year of such registration (8) the sex of the applicant (9) the color of the applicant (10) the state or territory of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of naturalization certificate (12) if not naturalized personally the name of father or husband through whom naturalized (13) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance at the ensuing election and if so his declaration of that fact and his statement of the exact nature of such disability (14) the designation of the political party of the elector for the purpose of voting at primaries (15) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar and dated by him If the elector is unable to sign his name there shall also be recorded on the registration card (16) his height in feet and inches (17) the color of his hair (18) the color of his eyes and (19) the date of his birth Each registration card shall also have a sufficient number of spaces thereon for the insertion of (20) the ward and election district in which the elector resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal (21) the date of each election and primary at which the elector votes and (22) the signature or initials of the election officer who enters the record of voting on the card

(d) The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed for the whole city the registration affidavits will be known as the General Registers when filed by election districts as the District Registers

(e) If the applicant shall allege inability to sign his name the registrar shall require him to present the affidavits subscribed in person before a registrar or commissioner or two electors who are personally acquainted with the applicant and who know his qualifications as an elector Each of said two electors shall state in his affidavit the applicant's residence his own residence his knowledge of the statements made by the applicant under oath or affirmation in applying for registration and his belief that they are true Upon the filing thereof the applicant shall be permitted to subscribe to his oath or affirmation by making his mark except that if the applicant's inability to sign his name is not due

to some apparent physical infirmity he shall first also be required to make and file with the registrar an affidavit of his inability to sign his name Every affidavit required because of an applicant's inability to sign his name shall be filed with the duplicate registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

(f) When the registration of an elector has been completed the registrar or commissioner shall deliver to the registered elector upon his request a written statement signed by such registrar or commissioner setting forth the name and address of the elector the fact of registration and the date thereof

Section 19 WHO MAY REGISTER WHO MAY VOTE ELECTORS NEED REGISTER ONLY ONCE EXCEPTION Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered as herein provided From and after the fifth day of May one thousand nine hundred and thirty-four no person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered except by order of a court of common pleas as hereinafter provided and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address unless his registration is cancelled by reason of his failure to vote during a period of two years as hereinafter povided

Section 20 APPLICANTS TO REGISTER MAY BE CHALLENGED PROCEDURE CHALLENGE AFFIDAVIT (a) Any person claiming the right to register may be challenged by a registrar or by any commissioner or by a qualified elector of the city Any person so challenged shall answer the questions of the challenge affidavit as herein specified and after his answers have been recorded he shall subscribe to them his signature or mark and swear to their truth

(b) The affidavits of all persons so registered shall be filed with the duplicate registration affidavits and shall be returned with them to the office of the registration commission

(c) The challenge affidavit shall be in form prescribed by the Secretary of the Commonwealth and shall contain spaces for the following information (1) serial numbers (2) place and date of execution (3) full name of challenged applicant (4) whether he is married or single (5) if married where his family resides (6) if single where his parents reside (7) where applicant actually resided immediately before he took up his present residence (8) his residence for the four months immediately preceding date of execution (9) the name of his present employer (10) the city street and number of his place of business (11) the name of his last employer and the year in which he left his employ (12) the city street and number of said last employer's place of business (13) sex of the applicant (14) his color (15) the date of his birth and (16) such distinguishing marks peculiarities and further information for identification as the commission shall prescribe

(d) The challenged applicant shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his residence in the election district and shall produce such other evidence as may be required to satisfy the registrar or commissioner as to his qualifications as an elector If such challenged applicant shall establish his right to be registered as required by this act to the satisfaction of the registrar or commissioner he shall be permitted to be registered

(e) Any person making application to be enrolled as a member of a political party for the purpose of voting at primaries may be challenged by any qualified elector of the city Any person so challenged shall be enrolled as a member of such party if he shall make and subscribe an affidavit that at the last election at which he voted he voted for a majority of the candidates of such party all of the candidates of a party for presidential elector being counted as two candidates but if he is unable or unwilling to make such affidavit he shall be denied enrollment as a member of such party but he shall not be deemed to be guilty of any violation or attempted violation of any law by reason thereof

Section 21 NATURALIZED APPLICANTS APPLICANTS WHOSE FATHERS OR HUSBANDS WERE NATURALIZED Any person claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certificate under the seal of the court in which his naturalization was effected before he shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father may be registered either by the production of his father's original papers or a certified copy thereof or by making affidavit as to the court in which and time when his father was naturalized and that he the applicant was then less than twenty-one years of age and that he is unable to produce his fther's paper or a certified copy thereof And provided further That any woman claiming citizenship by reason of her marriage prior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturlized prior to their mrriage stating therein the time when and court in which such nturalization took place and that she is unable to produce his original naturalization papers or a certified copy thereof or (b) by the production of evidence that her husband was a native born citizen of the United States Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

Section 22 INCOMPLETE OR REJECTED APPLICATIONS TO BE RECORDED The registrar or commissioner shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar or commissioner shall note thereon the reason for the rejection and shall sign his name thereto All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 23 APPEAL OF REJECTED APPLICANT Any person whose application to be registered has been denied by a registrar or by a commissioner may file a petition with the commission not later than the fifteenth day prior to an election or primary setting forth the ground of his complaint under oath and praying to be registered The commission shall fix a time for a public hearing thereof at its office not later than the tenth day prior to the election or primary At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar or commissioner who rejected the petitioner's application for registration The commission if satisfied that the petitioner is entitled to be registered shall direct a registrar or commissioner to register him in the usual manner and shall amend accordingly the records affected but any registrar or inspector of registration or qualfied elector of the city may appear and show cause why the petitioner should not be registered

Section 24 GENERAL REGISTER The duplicate registration affidavits for the entire city shall be placed in exact alphabetical order and shall be indexed and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded. These affidavits shall constitute the General Register of such city and shall not be removed from the office of the commission except upon order of the court of common pleas of the county

Section 25 DISTRICT REGISTERS The original registration affidavits shall be filed by election districts and within each election district in exact alphabetical order and indexed The affidavits so filed for each election district shall constitute the District Register for such district The district register shall be kept at the office of the commission except as herein provided and shall be open to public inspection at all times subject to reasonable safeguards rules and regulations

Section 26 REMOVAL NOTICES The commission shall provide removal notices which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room apartment flat or floor if his residence is a portion only of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present address and (4)

space wherein the elector shall sign his name The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring sixty days or more after the receipt of the notice at the office of the commission Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission with the elector's signature in the general and district register.

The twenty-seventh section was read as follows:

Section 27 TRANSFER OF REGISTRATION (a) Upon receipt of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration affidavit of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the general and district registers and if the removal shall have been from one election district to another in the same city shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence.

In any case the commission shall advise the elector promptly in writing of its action

(b) If the commission shall doubt that the request for transfer is authentic it shall without transferring the registration of the elector notify the elector promptly that it will be necessary for him to apply in person at the office of the commission for the transfer of his registration

(c) No elector who is unable to write his name shall be permitted to apply for transfer of registration by use of a written removal notice but each such elector must apply in person at the office of the commission establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar or a commissioner who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the clerk.

The amendments were read by the Clerk as follows:

Also on page 28, section 27, line 4, by striking out the brackets before the letter "(b)"

Also on page 28, line 12, by striking out the bracket after the word "primary"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twenty-eighth to the forty-first sections inclusive were separately read and agreed to as follows:

Section 28 CHANGE OF ENROLLMENT OF POLITICAL PARTY CANCELLATION OF PARTY ENROLLMENT PERSONS SUFFERING DISABILITY AFTER REGISTRATION TO HAVE FACT RECORDED CANCELLATION (a) At any time prior to the fifteenth day next preceding a primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar or commissioner and state in writing over his signature the political party in which he desires to be enrolled and the registrar or commissioner shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made

(b) At any time not later than the tenth day preceding any primary any quualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is no longer a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at least twenty-four hours prior to presentation of the same by delivering a copy of the petition to him personally or by leaving it with an adult member of the family with which he resides If at the hearing of any such petition the elector against whom the petition is filed appears and swears or affirms that at the last election at which he voted he voted for a majority of the candidates of the party with which he was then enrolled all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise upon the presentation under oath by the person making the challenge of a prima facie case which satisfies the commission the party enrollment of such elector shall be forthwith cancelled

(c) Any elector who has since the time of registration suffered a physical disability which renders him unable to see or mark the ballot or prepare the voting machine or to enter the voting compartment or voting machine booth without assistance shall at least ten days prior to the next succeeding primary or election personally make application under oath to the commission or a registrar to have such fact entered on his registrtion affidavit together with the exact nature of on his registration affidavit together with the exact nature of

(d) When the commission shall ascertain that any elector who has declared his need for assistance no longer suffers from the disability stated by him or has voted without assistance it shall forthwith cancel on his registration affidavit the entry relating to physical disability which authorized him to have assistance

Section 29 REPORTS OF DEATHS FROM REGISTRARS OF VITAL STATISTICS CANCELLING REGISTRATION CORRECTION IF PERSON IS FALSELY REPORTED DECEASED NOTICE (a) The registrar of vital statistics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the deaths of residents of the city except residents less than twenty years of age. The commission shall forthwith cancel the registration of each registered elector so reported

(b) Any person falsely reported deceased may appear in person before a registrar or commissioner at the office of the commission in such city and prove his identity and the commission thereupon shall correct its records accordingly

Section 30 MAIL CHECK-UP OF REGISTERS (a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon At least once each four years the commission shall send such notices by mail to each registered elector in the city

(b) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found then the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-one of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless

he personally appears and proves his qualifications as an elector

Section 31 CANVASS OF REGISTERED VOTERS (a) The commission may at any time by individual commissioners or by inspectors of registration verify the registration in any election district of the city by visiting each building from which an elector is registered and such other buildings as the commission may deem necessary and shall make a record of the name and address of each person registered who shall not be found to reside at the address from which he is registered or who for any other reason shall appear to be not qualified to vote in the election district from which he is registered and shall leave at the address of each such person a notice requiring him to appear personally at the office of the commission on o. before a date and hour which the notice shall appoint and which shall be not later than the tenth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector and the commission shall cause a confirmation of each such notice to be sent by mail promptly to such person at the address from which he is registered

(b) At the expiration of the time specified in the notice the commission shall cancel the registration of each such person who has not personally appeared and proved his qualifications as an elector

(c) For the purpose of facilitating any such canvass the commission may when necessary appoint special inspectors of registration in number not exceeding double the number of election districts which the commission shall determine to canvass

(d) Such special inspectors shall have and may exercise the powers conferred by this act upon inspectors of registration They shall be qualified electors of the city and shall be appointed without reference to residence in election districts or to their political affiliations or beliefs

(e) The commission shall instruct each special inspector in his duties

Section 32 COMPARISON AND CORRECTION OF REGISTERS PRELIMINARY STREETS LISTS (a) Commencing thirty days prior to each election or primary the commission shall compare and correct the general and district registers

(b) Three months after each municipal election and seven months after each general election the commission shall prepare for each election district a preliminary street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers

(c) The commission shall cause to be made a sufficient number of exact copies of each such list and as soon as possible and not later than the first day of March in each even-numbered year and the first day of July in each odd-numbered year shall distribute the same among the inspectors and special inspectors of registration and the officials concerned with the conduct of primaries and elections and among the parties bodies of electors candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the city committee of each political party or body of electors upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 33 CORRECTED STREET LISTS POSTING Commencing not later than the thirtieth day prior to each primary and election the commission shall prepare for each election district a corrected street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers The commission shall cause to be made a sufficient number of exact copies of each such list which may be made by correcting and supplementing exact copies of the preliminary street lists A copy of the corrected street list of each election district shall forthwith be publicly posted at the polling place of such district Two complete sets of such lists shall be kept on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 34 PETITIONS TO STRIKE OFF NAMES At any time not later than the tenth day preceding any election or primary any qualified elector of the city including any watcher and any registrar or inspector of registration may petition the commission to cancel the registration of any registered elector of such city setting forth under oath supported by the affidavits of at least two adult persons sufficient grounds for such cancellation and also setting forth that due notice of the time and place when said petition would be presented and heard had been given to the person so registered personally at least twenty-four hours prior to the presentation of the same or that he could not be found at the place given in the district register as his residence and that the person in charge thereof to be mentioned by name in said petition had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them or that no person is residing at the address given whereupon the commission may forthwith cancel the registration of such elector and amend accordingly the general and district registers and the other records affected unless the person so registered shall appear and show cause why the same should not be done

Section 35 DELIVERY OF DISTRICT REGISTERS TO COUNTY COMMISSIONERS (a) Not later than noon of the second day preceding an election or primary the commission shall deliver to the county commissioners of the proper county the district register accurately corrected to date for each election district in order that the same may be delivered to the election officers with other election materials for use on election day in the manner in which the county commissioners now are or hereafter may be required to deliver the same Provided That the registration commission shall not deliver to the county commissioners the registration card for use at the polls on election day of any person who has removed from one election district to another within two months of any general municipal primary or special election The registration commission shall withdraw from the district registers the cards of all such persons before the registers are delivered to the county commissioners

(b) District registers when so delivered to the county commissioners shall be contained in suitable binders so constructed and locked that the name address voting record and other data on each card may be visible and that entries may be made on each card but that the cards cannot be removed by the election officers Said binders shall have printed or written thereon the words "District Register of Voters" and the name of the district

Section 36 ENTRY OF INFORMATION IN GENERAL REGISTERS FOLLOWING ELECTIONS AND PRIMARIES REPORT OF INDICATIONS OF FRAUD TO DISTRICT ATTORNEY (a) Immediately following each election or primary the commission shall cause each district register to be examined and shall enter the date of the election or primary in the proper space on the registration affidavits in the general register of each elector whom the district register indicates as having voted

(b) In the case of any elector whom the election officers shall have recorded as removed deceased or challenged and prevented from voting the commission shall ascertain the facts and shall correct the general and district registers in accordance therewith

(c) The commission specifically shall compare the signature of each elector on each voter's certificate with his signature in the district register and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of voter's certificates and registers hereby prescribed.

(d) Whenever the registration affidavits of any registered elector shall have been entirely filled up so that the entries required to be made thereon by this Act can no longer be made the Commission shall have prepared and attached to such registration affidavits in each register a supplemental card Each supplemental card shall be printed in a color different from the registration affidavits It shall have the same serial number as the registration affidavit followed by the letter "A" "B" etc according to the number of supplemental cards attached to

each registration affidavit Each supplemental card shall have space thereon for the entry of the surname of the registered elector his Christian name or names the street and number of his residence the ward and election district in which he resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal the date of each election and primary at which the elector votes and the signature or initials of the election officer who enters the record of voting on the card Each supplemental card shall be attached to the registration affidavit to which it relates by permanent fasteners in such a manner that the contents of he registration affidavit may be examined and the entries required by this Act may be made on the supplemental card Whenever supplemental cards are attached to the registration affidavit of any elector the registration affidavit shall be stamped with the words "Supplemental cards attached" together with the date thereof

Section 37 CANCELLATION OF REGISTRATION UPON FAILURE TO VOTE WITHIN TWO YEARS REQUEST FOR REINSTATEMENT Within three months after the municipal election held in the year one thousand nine hundred and thirty-five and within three months after each general and municipal election thereafter the registration commission shall cause all of the district registers to be examined and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of two years immediately preceding the commission shall send to such elector by mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has not voted within a period of two years and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his resignation setting forth his place of residence and signed by him At the expiration of the time specified in the notice and after publication of the information contained in the notice mailed as aforesaid at least one time in at least one newspaper of general circulation published in the city the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote within a period of two years shall not affect the right of any such elector to subsequently re-register by personal application to the commission or a commissioner or a registrar in the manner provided by this act

Section 38 CANCELLATION REMOVAL AND PRESERVATION OF REGISTRATION AFFIDAVITS Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration affidavits of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such affidavit shall be kept for five years after which the commission may destroy it

Section 39 APPEALS TO COURT TIME OF TIME OF HEARING NOTICE POSTPONEMENT HEARING DECISION OF COURT COSTS AND FEES (a) Any person whose claim for registration has been denied by the commission or whose name although previously registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of the city whose rights are impaired by any general order made by the commission not including registration of particular names by the commission on personal application made to it as aforesaid or refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper court of common pleas not later than the fourth day preceding any election or primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief Thereupon any judge of the court may fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the counsel for the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court Proof of notice or the waiver thereof must be filed therein

(b) Any judge of the court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary At the time so fixed the court or any judge thereof assigned for the purpose shall hear all the witnesses and other evidence that may be offered unless the issue can be decided in some other manner by agreement of the parties concerned

(c) If after any such public hearing the court shall find that an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed

(d) The court may compel the appellant or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner

Section 40 PRODUCTION OF DOCUMENTS ET CETERA AT APPEALS At the written request of any person taking an appeal from any action or order of a commission as aforesaid the commission shall produce at the hearing thereof any petition register or other record in its custody relevant to the issue involved but the commission shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so

Section 41 SUBPOENAS AND WITNESS FESS (a) Any person filing any petition of any kind with a commission or opposing same shall have the privilege of having subpoenas issued by the commission to compel the attendance of witnesses upon condition that all witnesses so subpoenaed shall be paid two dollars and fifty cents each per day as witness fees in the manner herein provided

(b) The commission on its own motion may subpoena witnesses including registrars each of whom shall also be entitled to daily witness fees at the rate aforesaid to be paid out of any money to be provided for the purpose to the commission by the county commissioners in the same manner as other necessary expenses of such commission are to be provided for

(c) All subpoenas shall be in substantially the same form and shall have the same force and effect as subpoenas now issued by a court of common pleas The commission shall have the benefit of the process of said courts if necessary to enforce any subpoena issued by such commission.

(d) No subpoena shall be issued for the benefit of any person other than the commission until he shall have paid the commission a fee of twenty-five cents for issuing the same and deposited with said commission one day's witness fees for each witness to be summoned thereby whose names shall be given to the commission and entered by it in such subpoena and among the records of the commission No such subpoena shall be of any virtue to require the further attendance of any witness after the day mentioned therein unless the hearing be postponed or continued by the commission and unless before four o'clock post meridian of said day the person for whose benefit it is issued shall have deposited with the commission an additional day's witness fees for each witness whose further attendance is desired As soon as convenient after any hearing is concluded (or postponed or continued) on any day the commission shall disburse the fees deposited with it by any person among those witnesses who have appeared in response to subpoenas issued and shall return to the person who deposited the same any fees deposited for others who did not attend and shall also pay like fees to any summoned by the commission taking their receipts therefor so long as there are sufficient funds available for such payments

(e) The commission shall pay over to the county treasurer all fees received for subpoenas The accounts of such commission respecting disbursements of witness fees out of appropriations made to such commission by the county commissioners shall be subject to audit from time to time by the county controller

The forty-second section was read as follows:

Section 42 CRIMES AND PENALTIES (a) Any person who wilfully disobeys a lawful order of the commission or refuses to obey its subpoena duly issued and served under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars

(b) Any wilful false statement made under oath or in writing stating that it is so made although such oath may not have actually been made by any person regarding any material matter or thing relating to any subject being investigated heard or acted upon by any registrar commissioner judge watcher inspector of registration court or commission by virtue of this act shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(c) Any registrar or commissioner who knowingly registers or permits to be registered a person not lawfully entitled to be registered or who without reasonable cause refuses to register a person entitled to be registered or knowingly assists in preventing such person from being registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(d) Any person who applies for registration knowing or having reason to know that he is not entitled to be registered or who falsely personates another in an application for registration or who knowingly offers false naturalization papers to establish his claim to be registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(e) Any registrar commissioner or assistant or employe of a commission who inserts or intentionally permits to be inserted a name or other entries in any registration card without a proper application in person on the part of the person registered or without requiring the proper evidence of the right of the applicant to be registered or who materially alters any registration card after the entries have been made except upon an order of the court of common pleas or of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(f) Any election officer who knowingly refuses the vote of a duly registered and qualified elector or who knowingly accepts the vote of a person not registered in accordance with the provisions of this act (except that of a person in actual military or naval service as aforesaid or a person having an order of court) as aforesaid or who knowingly receives a vote from a person falsely claiming to be a registered voter shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand (1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(g) Any commissioner registrar inspector of registration or other officer assistant or employe upon whom a duty is laid by this act who shall wilfully neglect or refuse to perform such duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(h) Any person who inserts or intentionally permits to be inserted any name or material entry in any registration card street list affidavit petition subpoena certificate report or other record authorized or required by this act to be made or prepared for any purpose herein mentioned except in accordance herewith or who materially alters or destroys an entry which has been duly made therein except as herein provided or who takes and removes any such book paper card or other record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspected or copied as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(i) Any person who neglects or refuses to furnish to any commissioner or to any inspector of registration any information which he is herein authorized to obtain or to exhibit any records papers or documents herein authorized to be inspected by him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(j) Any constable policeman sheriff or other peace or police officer or deputy or subordinate thereof who shall fail upon demand of any commissioner or inspector of registration to render such aid and assistance to him as he shall demand in the maintenance of peace and in the making of arrests without warrant as herein provided or who shall wilfully hinder or delay or attempt to hinder or delay any commissioner or inspector of registration in the performance of any duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years.

(k) Any person who intentionally interferes with hinders or delays any other person in the performance of any act or duty authorized or imposed herein shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 42, page 50, line 25, by striking out the word "and" and insert "or."

Amend Sec. 42, page 51, line 6, by striking out the word "and" and insert "or."

Amend Sec. 42, page 51, line 16, by striking out the word "and" and insert "or."

Amend Sec. 42, page 52, line 2, by striking out the word "and" and insert "or."

Amend Sec. 42, page 52, line 14, by striking out the word "and" and insert "or."

Amend Sec. 42, page 53, line 10, by striking out the word "and" and insert "or."

Amend Sec. 42, page 53, line 19, by striking out the word "and" and insert "or."

Amend Sec. 42, page 54, line 4, by striking out the word "and" and insert "or."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The forty-third to the forty-fifth sections inclusive and the title were separately read and agreed to as follows:

Section 43 EFFECTIVE DATE PARTIAL INVALIDITY LEGISLATIVE INTENT (a) Except as otherwise provided herein this act shall be in force and take effect from and after the first day of January one thousand nine hundred thirty-four

(b) It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 45 REPEAL OF PRIOR LAWS PROVISO (a) The following acts of Assembly and parts of acts and any amendments and supplements thereto are hereby repealed absolutely in so far as they affect the personal registration and enrollment of voters in cities of the second class

(1) Section fifty-nine of an act entitled "An act relating to the Elections of this Commonwealth" approved July second one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred nineteen)

(2) Sections one two three fifteen and nineteen of an act entitled "A further supplement to the act regulating elections in this Commonwealth" approved January thirtieth one

thousand eight hundred and seventy-four (Pamphlet Laws thirty-one)

(3) Section one of an act entitled "An act declaratory of and amending the act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four" approved February thirteenth one thousand eight hundred and seventy-four (Pamphlet Laws forty-four)

(4) An act entitled "An act to amend sections one two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four changing the time and manner of making the registry of voters and the duties of registry assessors" approved May twenty-ninth one thousand eight hundred and ninety-one (Pamphlet Laws one hundred thirty-four)

(5) An act entitled "An act to authorize the election of assistant assessor for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" approved June sixteenth one thousand eight hundred and ninety-one (Pamphlet Laws two hundred ninety-eight)

(6) An act entitled "An act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four as amended by the act of May twenty-ninth one thousand eight hundred and ninety-one fixing the place at which the assessors shall sit to perform the duties imposed upon them by the second section of the said supplement of May twenty-ninth one thousand eight hundred and ninety-one in all voting districts or precincts in this Commonwealth where temporary voting places are or may be established" approved June twelfth one thousand eight hundred and ninety-three (Pamphlet Laws four hundred fifty-five)

(7) An act entitled "An act to amend sections two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the twenty-ninth day of May one thousand eight hundred and ninety-one changing the time and manner of making the registry of voters and duties of registry assessors" approved May sixteenth one thousand eight hundred and ninety-five (Pamphlet Laws seventy-five)

(8) An act entitled "An act supplementary to an act entitled 'An act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violations of its provisions' approved the seventeenth day of February Anno Domini one thousand nine hundred and six providing for the continuance in office of the registration commissioners of consolidated cities" approved June third one thousand nine hundred and seven (Pamphlet Laws three hundred ninety-four)

(9) An act entitled "An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" approved July twenty-fourth one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven)

(10) An act entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of assessors and registry assssors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers wilfully permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket" approved July twenty-fifth one thousand nine hundred and thirteen (Pamphlet Laws one thousand forty-three)

(11) An Act entitled "An act to amend section six of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July one thousand nine hundred and thirteen" approved May twenty-eight one thousand nine hundred and fifteen (Pamphlet Laws five hundred seventy-six)

(12) An act entitled "An act to amend sections fifteen and eighteen of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July one thousand nine hundred and thirteen by providing for attendance of witnesses fees for subpoenas witness fees and the manner of payment of same and providing a penalty for disobedience to the lawful order of the commissioners or refusal to obey their subpoenas and by repealing inconsistent legislation" approved June eighteenth one thousand nine hundred and fifteen (Pamphlet Laws one thousand twenty-seven)

(13) An act entitled "An act to amend the third section of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) by regulating the compensation of the registration commissioners" approved July nineteenth one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred eight)

(14) An act entitled "A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" approved July twenty-first one thousand nine hundred and nineteen (Pamphlet Laws one thousand sixty-five)

(15) An act entitled "An act amending section sixteen of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved July twenty-four one thousand nine hundred and thirteen providing for a change in salaries of the employes of the registration commissioners" approved April twenty-first one thousand nine hundred and twenty-one (Pamphlet Laws two hundred thirty-nine)

(16) An act entitled "An act to amend section one of an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand sixty-five) entitled 'A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) en-

titled 'An act to provide for the personal registration of electors and their enrollment as member of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith'" approved June seventh one thousand nine hundred and twenty-three (Pamphlet Laws six hundred eighty)

(17) An act entitled "An act to amend part of section seven of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith'" approved April twenty-third one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred seventy)

(b) All other acts or parts of acts of Assembly in conflict or inconsistent with this act or any part hereof are hereby repealed so far as they are inconsistent herewith

(c) The provisions of this act shall not affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such acts so repealed respecting any act done or omitted prior to such repeal

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of poiltical parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics and boards of school directors and imposing penalties

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 139 (Senate Bill No. 35), as follows:

An Act relating to milk and the products thereof declaring an emergency with respect to their production and marketing creating a Milk Control Board establishing its jurisdiction powers and duties regulating the production transportation manufacture processing storage distribution delivery and sale of milk and the products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring licensees to furnish bonds for the protection of producers authorizing the examination of the business papers and affairs of and requiring the filing of reports by licensees other milk dealers and producers and permitting with limitations the dissemination of information obtained therefrom authorizing the issuance of subpoenas by the Board or its agents and conferring jurisdiction upon courts to punish contempts or to prohibit violations of orders of the Board providing for appeals to the courts from decisions of the Milk Control Board imposing penalties and making an appropriation

Whereas unhealthful unfair unjust destructive demoralizing and uneconomic trade practices have been and are now carried on in the production sale and distribution of milk and milk products in this Commonwealth whereby the dairy industry in the Commonwealth and the constant supply of pure milk to inhabitants of the Commonwealth are imperiled and

Whereas such conditions constitute a menace to the health welfare and reasonable comfort of the inhabitants of the Commonwealth and

Whereas it is necessary to protect the well-being of the inhabitants of this Commonwealth to promote the public welfare and to preserve the strength and vigor of the race by declaring that the production transportation manufacture processing storage distribution and sale of milk in the Commonwealth of Pennsylvania is a business affecting the public health and affected with a public interest and

Whereas the production and distribution of milk is a paramount industry upon which the prosperity of the Commonwealth in large measure depends and

Whereas the present acute economic emergency being in part the consequence of a severe and increasing disparity between the prices of milk and other commodities which disparity has largely destroyed the purchasing power of milk producers for industrial products has broken down the orderly production and marketing of milk and has seriously impaired the agricultural assets supporting the credit structure of the Commonwealth and its local governmental subdivisions and

Whereas the danger to the public health and welfare is immediate and impending the necessity urgent and such as will not admit of delay in public supervision and control in accord with proper standards of production sanitation and marketing the foregoing statements of fact policy and application of this act are hereby declared to be matters of legislative determination

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the exercise of the police power of the Commonwealth and to protect the public health and public welfare it is hereby declared that the production transportation manufacture processing storage distribution and sale of milk in the Commonwealth is a business affecting the public health and affected with a public interest and it is hereby declared to be the legislative intent that this act shall be an emergency measure enacted for the purpose of regulating and controlling the milk industry in this Commonwealth for the protection of the health welfare and comfort of the inhabitants thereof

Section 2 Short Title This act shall be known and may be cited as the "Milk Control Board Law"

Section 3 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Board" means the temporary State agency created by this act to be known as the "Milk Control Board"

"Consumer" means any person other than a milk dealer who purchases milk for fluid consumption

"Licensee" means a licensed milk dealer

"Market" includes any city borough incorporated town or township in the Commonwealth or any two or more such cities boroughs incorporated towns or townships or any portions thereof designated by the Board as a natural marketing area

"Milk includes fluid milk and cream fresh sour or storage skimmed milk buttermilk and condensed or concentrated whole or skimmed milk except when contained in hermetically sealed cans.

"Milk Dealer" means any person including any store as hereinafter defined who purchases or handles milk within the Commonwealth for sale shipment storage processing or manufacture within or without the Commonwealth A producer who delivers milk to a milk dealer only shall not be deemed a milk dealer A cooperative agricultural association or corporation of producers of milk organized under the laws of this Commonwealth or of any other state and engaged in making collective sales of milk for producers under contract with it shall not be deemed a milk dealer but shall be deemed a producer provided however that if such association or corporation distributes milk within this Commonwealth to stores as defined in this act or to consumers as defined in this act is shall be deemed to be a milk dealer as to that part of its business and shall be governed by the provisions of this act applicable thereto and further provided that such co-operative agricultural association or

corporation shall be governed by the applicable provisions of this act as to the prices at which it sells milk within this Commonwealth.

"Person" includes an individual corporation association partnership limited partnership or other unincorporated enterprise owned by two or more individuals

"Producer" means a person producing milk within the Commonwealth of Pennsylvania

"Store" includes a grocery store hotel restaurant soda fountain dairy products store or any similar mercantile establishment which sells milk

B Any reference to this act to quantity of milk shall be construed to include its whole milk equivalent

C Section headings shall not be construed to affect in any manner the scope or meaning of any section of this act

D The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 4 Creation of Milk Control Board Membership Applicability of Administrative Code A There is hereby created an independent administrative board to be known as the Milk Control Board The Board shall consist of three members who shall be nominated and by and with the consent of the Senate appointed by the Governor Each member shall receive a salary at the rate of six thousand dollars ($6,000) per annum

B Each member of the Board at the time of his appointment and qualification shall be a citizen of the United States and a resident of the Commonwealth of Pennsylvania and shall have been a qualified elector in the Commonwealth for a period of one year next preceding his appointment.

No member of the Board during his period of service as such shall hold any other office under the laws of this Commonwealth or of the United States

The Governor shall designate one of the members of the Board as chairman The chairman shall when present preside at all meetings and in his absence a member designated by the chairman shall preside

Two members of the Board shall constitute a quorum and any action or order of the Board shall require the approval of at least two members

C The Board may appoint a secretary to hold office at its pleasure The secretary if appointed shall have such powers and shall perform such duties not contrary to law as the Board shall prescribe and shall receive such compensation as the Board with the approval of the Governor shall determine The secretary shall have power and authority to designate from time to time one of the clerks appointed by the Board to perform the duties of the secretary during his absence and the clerk so appointed shall exercise for the time so designated the powers of the secretary of the Board

D Except as otherwise specifically provided in this act the Board and its employes shall be subject to all the provisions of The Administrative Code of one thousand nine hundred and twenty-nine approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) its amendments and supplements which apply generally to independent administrative boards or commissions

Section 5 General Powers of Board A The Board is hereby declared to be the instrumentality of the Commonwealth for the purpose of administering the provisions of this act and to execute the legislative intent herein expressed and it is hereby vested with power

(1) To supervise and regulate the entire milk industry of this Commonwealth including the production transportation manufacture processing storage distribution delivery and sale of milk and milk products in this Commonwealth provided however that nothing contained in this act shall be construed to alter amend or repeal The Public Service Company Law or any of the laws of this Commonwealth relating to the public health or to the prevention of fraud or deception

(2) To investigate as the emergency permits and regulate as the emergency requires all matters pertaining to the production manufacture processing storage transportation disposal distribution and sale of milk and milk products in this Commonwealth including the establishment of reasonable trade practices and systems of production control in connection therewith

B The operation and effect of any provision of this act conferring a general power upon the Board shall not be impaired or qualified by the granting to the Board by this act of a specific power or powers

C The Board either itself or through its duly authorized agent may hold such hearings either at the capitol or elsewhere as it deems necessary to carry out the provisions of this act

Section 6 Power of Board to Subpoena Penalty A In order to enable the Board to carry out the provisions of this act it shall have the power to issue subpoenas requiring the attendance of or the production of pertinent books and papers by milk dealers or their employes producers or their employes persons having business dealings with milk dealers or producers or other persons whom the Board believes to have information of importance to it in carrying out the purposes and intent of this act The Board may likewise issue commissions letters rogatory or other appropriate processes outside the Commonwealth

The Board shall likewise have the power to question such witnesses under oath or affirmation and to examine such books and papers

The Board may delegate to any member thereof or any employe designated by it the powers granted to it under this section

B Any witness who refuses to obey a subpoena issued hereunder or to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court For this purpose an application may be made by the Board to the court of common pleas within the territorial jurisdiction of which the offense was committed for which purpose such court is hereby given jurisdiction

C Each witness required to attend before the Board or any member thereof under the provisions of this section shall be entitled to the fees and mileage customarily paid to witnesses in the courts of Dauphin County

Section 7 Rules Regulations and Orders A The Board may adopt and enforce all rules regulations and orders necessary or desirable to carry out the provisions of this act and not inconsistent with law Every general rule regulation or order of the Board shall be posted for public inspection in the main office of the Board at least three days before it shall become effective and shall be given such further publicity by advertisement in a newspaper or otherwise as the Board shall deem advisable An order applying only to a particular person or persons named therein shall be served on the person or persons affected

B An order herein required to be served shall be (1) served in the manner now or hereafter established by law for the service of writs of summons except that such service need not be made by the sheriff or (2) mailed charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a corporation formed under the laws of this Commonwealth to its principal office and (c) in the case of a corporation formed under the laws of some other state to the office of its duly authorized agent in Pennsylvania or if there be no duly authorized agent in Pennsylvania to its home office in the state of incorporation or in any other state

C The posting in the main office of the Board of any rule regulation or order not herein required to be served and the giving of such further publicity thereto if any as the Board deems advisable or the proper service of one required to be served shall constitute due and sufficient notice to all persons affected by such rule or order A rule of the Board when duly posted and filed as provided in this section shall have the force and effect of law The Board shall upon request mail to any person any general rule or regulation of the Board It may charge a reasonable fee for such service

Section 8 Entry and Inspection Pursuant to carrying out the purposes of this act any member of the Board or any employe designated for the purpose shall have access to and may enter at all reasonable hours all places where milk or any product thereof is being produced stored bottled processed manufactured sold or otherwise handled Any member of the Board or any designated employe thereof also shall have power at all reasonable hours to inspect all books papers records or documents in any place within the Commonwealth for the purpose of ascertaining facts to enable the Board to

administer this act The information obtained by any such inspection or by reports required by this act shall be for the confidential use of the Board and the various departments of the State government and shall not be disclosed by any person except as may be required in the enforcement of law or by order of court The Board however may use such information together with other similar information for compilation and publication of statistics of the industry in this Commonwealth

Section 9 Violations Remedies A Except as otherwise specifically provided in this act any person violating any provision of this act or any rule regulation or order of the Board lawfully made shall be guilty of a misdemeanor and shall upon conviction thereof be subject to a fine not exceeding one hundred dollars or imprisonment not exceeding one year or both For each day during which any such violation shall continue such person shall be deemed to have committed an additional violation

B The Board may institute such action at law or in equity as may appear necessary to enforce compliance with any provision of this act or to enforce compliance with any rule regulation or order of the Board made pursuant to the provisions of this act and in addition to any other remedy may apply to the Court of Common Pleas of Dauphin County for relief by injunction if necessary to protect the public interest without being compelled to allege or prove that an adequate remedy at law does not exist

Section 10 Licenses to Milk Dealers Applications Grant Suspension and Revocation A Except as herein otherwise specifically provided a milk dealer as defined in this act shall not buy milk from producers or others within this Commonwealth for storage manufacture processing distribution or sale within or without this Commonwealth or sell or distribute milk within this Commonwealth unless such dealer be duly licensed as herein provided and it shall be unlawful for a milk dealer to buy milk from or sell milk to a milk dealer who is not either licensed or exempted as herein provided or in any way to deal in or handle milk which he has reason to believe has previously been dealt in or handled in violation of the provisions of this act

B The Board may by official order exempt from the license requirements provided by this act milk dealers who purchase or handle milk in a total quantity not exceeding three thousand pounds in any month and milk dealers selling milk in any quantity only in markets of a population of one thousand or less for local consumption The Board may by official order exempt stores or any class thereof from the license requirements provided by this act However milk dealers exempted by this section from the license requirements of this act shall continue to be subject to all the other provisions of this act relating to milk dealers

C An application for a license to operate as a milk dealer shall be made within thirty days after this act takes effect and annually thereafter on or before April fifteenth by mail or otherwise to the Board upon blanks prepared under authority of the Board and shall be accompanied by the fee required by this act The license year shall commence May first and shall end April thirtieth following The applicant shall state the following

(1) The nature of the business to be conducted

(2) The full name of the person applying for the license If the applicant be a co-partnership or association the full name of each member shall be stated If the applicant be a corporation the names and addresses of all officers and directors shall be stated

(3) The city borough incorporated town or township and the street number if any at which the business is to be conducted

(4) The financial condition of the applicant including a comprehensive financial statement of his affairs

(5) Facts showing that the applicant has adequate technical personnel and adequate technical and physical facilities properly to conduct the business of receiving and handling milk that he has complied with all rules regulations and orders of the Board filed or served as required in this act and such other facts with respect to the license as may be required by the Board pursuant to this act

D The Board shall grant a license to an applicant complying with the provisions of this act and of any rules and regulations issued by the Board pursuant thereto The Board may decline to grant a license to an applicant or may suspend revoke or refuse to transfer a license already granted to a milk dealer or may prohibit a milk dealer exempted from the license requirements of this act from continuing to operate as a milk dealer when satisfied that he has

(1) Rejected without reasonable cause any milk purchased from a producer or has rejected without either reasonable cause or reasonable advance notice milk delivered by or on behalf of a producer in ordinary continuance of a previous course of dealing except where the contract has been lawfully terminated Provided however that in the absence of an express or implied fixing of a longer period in the contract "reasonable advance notice" shall not be construed to mean notice of less than one week nor more than two weeks

(2) Without reasonable cause failed to account and make payment for any milk purchased from a producer

(3) Committed any act injurious to the public health or public welfare or to trade or commerce in demoralization of the price structure of milk to such an extent as to interfere with an ample supply thereof for the inhabitants of the Commonwealth affected by this act It is hereby declared that such demoralization is injurious to the public health public welfare and to trade and commerce and that evidence of a course of conduct on the part of the milk dealer tending to such demoralization shall be construed to be prima facie evidence of a violation of this act

(4) Made a general assignment for the benefit of creditors or has been adjudged a bankrupt or there has been entered against him a judgment upon which an execution has been returned wholly or partly unsatisfied

(5) Been a party to a combination to fix prices contrary to law A co-operative agricultural association organized under the laws of this Commonwealth or a similar association or corporation organized under the laws of any other state and engaged in making collective sales or marketing for its members or shareholders of dairy products produced by its members or shareholders shall not be deemed or construed to be a conspiracy or combination in restraint of trade or an illegal monopoly nor shall the contracts agreements arrangements or combinations heretofore or hereafter made by such association or the members officers or directors thereof in making such collective sales and marketing and prescribing the terms and conditions thereof be deemed or construed to be conspiracies or to be injurious to public welfare trade or commerce

(6) Continued in a course of dealing of such nature as to satisfy the Board of an intent of the milk dealer to deceive or defraud producers or consumers

(7) Failed either to keep records or to furnish the statements or information required by the Board

(8) Made any statement upon which the license was issued which statement is found to have been false or misleading in any material particular

(9) Where the milk dealer is a partnership or corporation and any individual holding any position owning any substantial interest therein or having any power of control therein has previously been responsible in whole or in part for any act on account of which a license may be denied suspended or revoked pursuant to the provisions of this act

(10) Where the milk dealer has violated any of the provisions of this act or any of the rules regulations or orders of the Board

E Before refusing to grant or to reissue or before suspending or revoking or before refusing to transfer a license the Board shall afford the applicant or the licensee respectively an opportunity to be heard It shall give to such applicant or licensee by registered mail sent to his last known address at least five days' notice of such hearing

F Licenses issued under this act may not be assigned Licenses may however be transferred from one person to another provided that the prior written approval of the Board to such transfer is obtained but in the case of a receiver or an executor or administrator who succeeds to the business of a licensee he may continue the business for a period of two weeks if otherwise authorized by law without securing the prior approval of the Board Any change in the membership of a partnership or limited partnership either by the withdrawal or the addition of a partner shall be construed to require a transfer of the license

Applications for such transfers shall be filed with the Board at least one week before the transfer is to be made or in the case of a receiver or an executor or administrator within two weeks after he takes possession of the business of the licensee Whenever any license is transferred no license

fee shall be required from the person to whom such transfer is made for the balance of the then current license year except the transfer fee of one dollar

Section 11 License Fees A The Board shall charge and collect license fees from milk dealers on a yearly basis as follows

Where a milk dealer received during any of the twelve calendar months immediately preceding the period for which the license is issued a daily average total quantity of milk

(1) Not exceeding twenty pounds a license fee of one dollar

(2) Exceeding twenty pounds but not exceeding one hundred pounds a license fee of three dollars

(3) Exceeding one hundred pounds but not exceeding one thousand pounds a license fee of ten dollars

(4) Exceeding one thousand pounds but not exceeding two thousand five hunderd pounds a license fee of seventeen dollars and fifty cents

(5) Exceeding two thousand five hundred pounds but not exceeding four thousand pounds a license fee of twenty-five dollars

(6) Exceeding four thousand pounds but not exceeding ten thousand pounds a license fee of fifty dollars

(7) Exceeding ten thousand pounds but not exceeding twenty thousand pounds a license fee of seventy-five dollars

(8) Exceeding twenty thousand pounds but not exceeding sixty thousand pounds a license fee of one hundred fifty dollars

(9) Exceeding sixty thousand pounds but not exceeding one hundred thousand pounds a license fee of two hundred dollars

(10) Exceeding one hundred thousand pounds but not exceeding two hundred fifty thousand pounds a license fee of three hundred fifty dollars

(11) Exceeding two hundred fifty thousand pounds but not exceeding five hunderd thousand pounds a license fee of five hundred dollars

(12) Exceeding five hundred thousand pounds but not exceeding seven hundred fifty thousand pounds a license fee of one thousand dollars

(13) Exceeding seven hundred fifty thousand pounds but not exceeding one million pounds a license fee of one thousand seven hundred fifty dollars

(14) Exceeding one million pounds a license fee of two thousand five hunderd dollars

B Expect as otherwise expressly provided by this act the license fees fixed by this section shall be paid before any license or any renewal thereof is issued

C The fee for a license issued on or after

(1) August first but prior to November first shall be three-fourths of the annual fee

(2) November first but prior to February first of the succeeding year shall be one-half of the annual fee

(3) February first but prior to May first shall be one-fourth of the annual fee

D Milk dealers who have not engaged in the milk business during the prior year shall pay the minimum license fee of one dollar and in addition thereto at such time or times as the Board may fix but not more than four months after the granting of the license shall pay an additional sum based upon the daily average total quantity of milk received by such dealer during any of such months

E Milk sold and distributed outside of this Commonwealth in any state which charges a license fee of milk dealers shall not be included in the determination of the amount of the license fee provided that such milk is actually computed in determining the amount of such license fee in such other state Likewise milk utilized for or sold in the form of manufactured products shall not be included in the determination of the amount of the license fee but the fluid milk equivalent of cream and of condensed or concentrated milk sold within this Commonwealth or in any state in which it is not actually computed in the determination of the license fee of a milk dealer shall be included in computing the license fee to be charged by the Board unless in the case of condensed or concentrated whole or skimmed milk it is sold in hermetically sealed cans

F The licenses required by this act shall be in addition to any other licenses which are now or may hereafter be required by law

Section 12 Licensee's Bonds or Securities Exemptions A Except as otherwise specifically provided in this act a license shall not be issued to a milk dealer purchasing milk from producers within this Commonwealth unless the milk dealer shall execute and file with the application a bond approved by the Board Such bond shall be upon a form prescribed by the Board shall be in a sum to be fixed by the Board but not exceeding by more than twenty-five per centum the value of the maximum amount of milk purchased from producers in any one month during the preceding year and in any event not exceeding one hundred thousand dollars shall be executed by a surety company authorized to do business in this Commonwealth and shall be conditioned for the faithful compliance by the licensee with the provisions of this act and for the prompt payment of all amounts due to producers for milk sold by them to such licensee subsequent to the posting of such bond

B In lieu of the bond required of a milk dealer by this section the Board may accept a collateral bond of the milk dealer secured by an actual deposit with the Board or with a bank bank and trust company or national bank within the Commonwealth of money to the full amount of the bond or by securities to such amount consisting of interest-bearing obligations of the United States government of this Commonwealth or of any political subdivision of this Commonwealth or by any other security or securities approved by the Board Such collateral bond shall be conditioned upon the same terms and in the same manner as is provided by this section in the case of a bond given by a surety company and the security or securities deposited therewith shall constitute a trust fund for producers from whom the licensee purchases milk

C The Board may likewise grant to any milk dealer the authority to substitute for any bond or any collateral another bond or other collateral provided that such other bond or collateral meets all the requirements of this act

D A license shall from time to time when required by the Board make and file with the Board a verified statement of his disbursements or of any other facts in connection with his business during a period to be prescribed by the Board which statement shall contain the names of the producers from whom milk was purchased the amount due to producers and any other relevant facts required by the Board If it shall appear from such statement or from facts otherwise ascertained by the Board that the security afforded to producers selling milk to such licensees by the surety bond or by the collateral bonds does not adequately protect such producers the Board may require such licensee to give an additional bond in a sum to be determined by the Board or additional security for the collateral bond but not exceeding by more than twenty-five per centum the value of the maximum amount of milk purchased from producers in any one month during the preceding year and in any event not exceeding one hundred thousand dollars

Likewise the Board may grant a reduction of the surety bond or the collateral bond if it shall appear that owing to a decrease in the business of the licensee or to other causes a bond in a lesser amount will protect producers selling milk to such licensee

E All surety bonds and all collateral bonds together with any moneys security or securities given as collateral therefor received by the Board from milk dealers pursuant to the provisions of this section shall be transmitted by the Board to the State Treasurer for safe-keeping subject to withdrawal in whole or in part in any time by the Board

F The licensee shall be entitled to all moneys received by the State Treasurer as interest or dividends upon any securities deposited by such licensee with the Board and by it transmitted to the State Treasurer for safe-keeping in accordance with the provisions of this act

Provided however that such licensee shall not be entitled to such interest or dividends if there is on file with the Board a valid unpaid claim of a producer against such licensee based on milk sold by such producer to such licensee

G The Board may by reasonable rule or regulation provide the procedure for the payment out of the bonds or security or securities required by this section of the valid claims of producers based on sales by them of milk to the licensee who has posted the bonds or security or securities

Provided however that if the bond or security or securities which have been posted by a milk dealer shall be insufficient

to pay in full the just claims of producers who have sold milk to such licensee the moneys available shall be divided pro rata among them

The Board shall have the power in its discretion to sue on the bond on behalf of producers

H A co-operative agricultural association or corporation organized under the laws of this Commonwealth or a similar association organized under the laws of this or any other state shall be deemed a producer within the provisions of this section and shall be entitled to its benefits Such an association or corporation if operated for the benefit of producers under contract with it and not conducted for profit shall not be required to file a bond under the provisions of this section

I If satisfied from an investigation of the financial condition of any applicant for a license under this act that such milk dealer is solvent and possessed of sufficient assets reasonably to assure payment to producers from whom he purchases milk the Board may by official order exempt such applicant from posting the surety bond or bond secured by collateral required by this section In such case the applicant shall post with the Board his personal bond in such form to such amount not greater than the maximum fixed by this section for surety bonds and upon such conditions as shall be prescribed by the Board

The Board may at any time it deems such action advisable rescind any order exempting a milk dealer from posting a surety bond or a bond secured by collateral and may require him to post such bond or bond and collateral

J If any milk dealer is financially unable to post such surety bond or bond secured by collateral as may be required by the Board pursuant to the provisions of this act he may file with the Board under oath or affirmation upon a form to be prescribed by the Board an application for exemption from posting such surety bond or bond secured by collateral on the ground of his financial inability to do so Attached to such application shall be the signed statement of the producers from whom the dealer purchases his milk or of any cooperative agricultural association or similar association or corporation representing such producers to the effect that such producers or such association or corporation on their behalf consents to the exemption of such milk dealer from posting such surety bond or bond secured by collateral Such consent may be upon such special terms of payment and such other conditions as shall be agreed upon between such producers or such co-operative agricultural associations or similar association or corporation on their behalf and the milk dealer and approved by the Board

The Board may by official order exempt from posting a surety bond or a bond secured by collateral any dealer who has complied with the provisions of this subsection

The Board may at any time it deems such action advisable rescind any order exempting a milk dealer from posting a surety bond or a bond secured by collateral and may require him to post such bond or bond and collateral

Section 13 Classification of Licenses The Board may classify licenses and may issue licenses to any milk dealer to operate as a milk dealer in a particular municipality only or in a particular market or markets in the Commonwealth only but no milk dealer shall if he be granted a license under this act at all be prohibited from acting as a milk dealer in any municipality or in any market in which he was operating upon the effective date of this act

Section 14 Licenses Appeals from Board Decisions A Any person aggrieved by an order of the Board fixing the price at or the terms upon which milk may be bought or sold or by any other general rule regulation or order of the Board may file an appeal therefrom in the Superior Court within twenty days after the issuance of such order fixing the price of milk or such other general rule regulation or order but such appeal shall not be permitted to act as a supersedeas B Any person aggrieved by an order of the Board in which the Board refuses to issue reissue or transfer or revokes or suspends a license to operate as a milk dealer or by any other order of the Board applying only to a particular person or persns named therein and not otherwise specifically provided for in this section may within twenty days after the issuance of such order file an appeal therefrom in the Court of Common Pleas of the county in which he resides or has his principal place of business or in the case of a nonresident who has no place of business within the Commonwealth in the Court of Common Pleas of Dauphin County C The appeal provided by this section from action of the Board both in the cases of appeals to the Superior Court of Pennsylvania and appeals to the various Courts of Common Pleas shall be by petition against the Board officially as defendant alleging therein in brief detail the action and decision complained of and praying for a reversal thereof Such petition shall specify the petitioner's objections to the action and decision of the Board and no objection not so specified shall be considered by the court Upon service of a summons upon the Board returnable within ten days from its date the Board shall on or before the return day file an answer which shall deny or admit the allegations of fact in the petition and which shall allege by way of defense the grounds for its decision It shall also on or before the return day of such summons certify to the court the record of the proceedings to which the petition refers Such record shall include the testimony taken therein the findings of fact if any of the Board based upon such testimony a copy of all orders made by the Board in the proceedings and a copy of the action or decision of the Board which the petition calls upon the court to reverse

D Upon the filing of the Board's answer the case shall be at issue without further pleadings and upon application of either party the case shall be advanced and heard without further delay Mere technical irregularities in the procedure of the Board shall not be the basis of the decision of the court The case shall be heard upon the record certified to the court by the Board Additional testimony shall not be taken before the court but the court may in proper cases remit the record to the Board for the taking of further testimony

The court shall upon the record transmitted to it by the Board determine whether or not the order appealed from is reasonable and in conformity with law If it shall determine that the order is unreasonable or illegal it shall remit the case to the Board with directions to reform the findings or order or revoke the order in accordance with the court's opinion The court shall have full power to assess the costs upon either party or to divide them between the parties

E From a decision of a court of common pleas on the validity of an order of the Board in which the Board refused to issue reissue or transfer or revoked or suspended a license an appeal may be taken by either party to the Superior Court of Pennsylvania in the manner provided by law In all other cases in which this section authorizes an appeal to a Court of Common Pleas from an order of the Board the decision of the Court of Common Pleas shall be final and there shall be no appeal therefrom

Section 15 Records The Board may require licensees to keep the following records

(1) A record of all milk received detailed as to location and as to names and addresses of producers or milk dealers from whom received with butter fat test prices paid and deductions or charges made

(2) A record of all milk sold classified as to grade location and market outlet and size and style of container with prices and amounts received therefor

(3) A record of quantities and prices of milk sold

(4) A record of the quantity of each milk product manufactured the quantity of milk used in the manufacture of each product and the quantity and value of milk products sold

(5) A record of wastage or loss of milk or butter fat

(6) A record of the items of the spread or handling expense and profit or loss represented by the difference between the price paid and the price received for all milk

(7) A record of all other transactions affecting the assets liabilities or net worth of the licensee

(8) Such other records and information as the Board may deem necessary for the proper enforcement of this act

Section 16 Reports A Each licensee shall from time to time as required by rule or order of the Board make and file a verified report on forms prescribed by the Boad of all matters on account of which a record is required to be kept together with such other information or facts as may be pertinent and material within the scope of the purposes and intent of this act Such report shall cover a period of time specified in the order

B The Board may at any time that it deems such action to the best interests of the dairy industry require similar

reports from milk dealers whom it has pursuant to the provisions of this act exempted from the requirement of procuring a license.

Section 17 Payment of Fees into State Treasury "Milk Control Fund" Appropriation Expenses of Board A All moneys collected or received by the Board arising from license fees penalties or any other source shall be paid by the Board into the State Treasury through the Department of Revenue and shall by the State Treasurer be placed in a separate fund to be known as the "Milk Control Fund" As much of the moneys in the "Milk Control Fund" as may be necessary is hereby specifically appropriated to the Board to be used to pay its expenses including the following

(1) Salaries of the Board of its employes and of any deputy attorney general special deputy attorney general assistant deputy attorney general or other counsel as may be assigned by the Department of Justice to the Board for the handling of any legal work pertaining to its business

(2) Rental and other expenses for offices rooms garage space and other accommodations outside of the Capitol Buildings either in or outside of the capital city occupied by the Board.

(3) Premiums for workmen's compensation insurance covering the offices and employes of the Board

(4) Premiums for surety bonds for such officers or employes of the Board as may be required by law to furnish such bonds

(5) Purchase and operating costs of motor vehicles required by the Board for full-time use including premiums for liability insurance covering such motor vehicles and the members of the Board and employes operating them also the amount payable to the Department of Property and Supplies for the use of automobiles supplied by it for temporary use by the Board

(6) Furniture stationery materials supplies and all other overhead expenses of the Board

(7) All other expenses of every kind and description necessary for the performance by the Board of its work

All such purchases and leases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as agent

B Estimates of the amounts to be expended under this act by the Board either itself or through the Department of Property and Supplies as purchasing agent shall be submitted to the Governor from time to time for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Board or by the Department of Property and Supplies as its agent in excess of the estimates approved by the Governor Subject to this provision the Auditor General shall from time to time draw warrants upon the State Treasury for the amounts specified in such requisitions not exceeding however the amount in the Milk Control Fund at the time of the making of any such requisition

Section 18 Order Fixing Price of Milk Penalties for Violations A The Board shall ascertain by such examination or investigation as the emergency may warrant what prices for milk in the several localities and markets of the Commonwealth and under varying conditions will be most beneficial to the public interest and will best protect the milk industry in the Commonwealth and insure a sufficient quantity of pure and wholesome milk to adults and minors in the Commonwealth having special regard to the health and welfare of children residing therein The Board shall take into consideration all conditions affecting the milk industry including the amount necessary to yield a reasonable return to the producer and to the milk dealer

B The Board after making such examination or investigation shall fix by official order the minimum wholesale and retail prices and may fix by official order the maximum wholesale and retail prices to be charged for milk sold within the Commonwealth wheresoever produced including the following classes

(1) By milk dealers to other milk dealers

(2) By milk dealers to consumers

(3) By milk dealers to stores either for consumption on the premises or resale to consumers

(4) By stores to consumers except for consumption on the premises where sold

When pursuant to statute regulations adopted thereunder or ordinance various grades of milk are specified the Board shall fix the minimum price and may fix the maximum price applicable to each in each of the classes Orders fixing the minimum and maximum prices may vary in different markets and shall designate the markets to which applicable Such orders may likewise classify milk dealers in any manner which the Board deems advisable and may vary according to the classes to which they are applicable

Provided however that this section shall not be construed to empower the Board to fix the price at which milk may be sold by any milk dealer or producer to consumers for consumption on the premises of such milk dealer or producer

C It is hereby declared to be the legislative intent that the public emergency requires that the benefits of any increase of prices received by milk dealers by virtue of the minimum price provisions of this section shall be given to producers except in any case where the Board deems a deviation from this policy necessary in order to maintain proper milk markets and outlets for producers The Board shall whenever it deems such action necessary to accomplish this purpose issue orders rules or regulations to effectuate this intent

D The Board after making the examination or investigation provided by this section shall fix by official order the minimum prices to be paid by milk dealers to producers and others for milk Provided however that the fixing of prices to be paid by milk dealers to producers for milk to be used solely in manufacturing shall be discretionary with the Board The order of the Board with respect to the minimum prices to be paid to the producers and others shall apply to the locality or zone in which the milk is produced and to the market or markets in which the milk so produced is sold and may vary in different localities or markets according to varying uses and different conditions Each such order may classify such milk by forms classes grades or uses as the Board may deem advisable and may specify the minimum prices therefor

The Board may likewise fix by official order the terms upon which milk dealers shall pay producers and others for milk

E After the Board shall have fixed prices to be charged or paid for milk whether by class grade or use it shall be unlawful for a milk dealer to sell or buy or offer to sell or buy milk at any price less or more than such price or prices as shall be applicable to the particular transaction and no method or device shall be lawful whereby milk is bought or sold or offered to be bought or sold at a price less or more than such price or prices as shall be applicable to the particular transaction whether by any discount or rebate or free service or advertising allowance or a combined price for such milk together with another commodity or commodities or service or services which is less or more than the aggregate of the prices for the milk and the price or prices for such other commodity or commodities or service or services when sold or offered for sale separately or otherwise

F The Board may upon its own motion or upon application from time to time alter revise or amend an official order at any time made with respect to the prices to be charged or paid for milk After making such investigation and before making revising or amending any order fixing the price to be charged or paid for milk the Board shall hold a hearing thereon after giving reasonable notice thereof to interested parties of whom the Board has notice and to the public in such newspaper or newspapers as in the judgment of the board shall afford sufficient notice and publicity

G It is hereby declared to be the legislative intent that the instant whenever that may be that the handling within the Commonwealth by a milk dealer of milk produced outside of the Commonwealth becomes a subject of regulation by the Commonwealth in the exercise of its police powers the restrictions set forth in this act respecting such milk so produced shall apply and the powers conferred by this act on the Board shall attach but this shall not apply to condensed or concentrated whole milk contained in hermetically sealed cans or tanks to be used solely for manufacturing purposes by the original consignee thereof After any such milk so produced shall have come to rest within the Commonwealth it shall be unlawful except in any cases in which the Board shall otherwise determine for any milk dealer to sell such milk within the Commonwealth if he has paid to the producer thereof outside the Commonwealth a price lower than that which he would have been required to pay for milk produced within the Commonwealth purchased for similar

purposes and under similar conditions less a proper allowance for the transportation thereof

H It is also declared to be the legislative intent that the producers of milk in this Commonwealth who sell their milk to milk dealers for shipment into and sale in another state where prices to producers are regulated by a state board or other authority with powers substantially similar to the Milk Control Board established by this act shall receive the same price that producers in such other state receive for milk purchased for similar purposes and under similar conditions less a proper allowance for the transportation thereof It shall be unlawful for any milk dealer except in any cases in which the Board shall otherwise determine to pay to a producer within this Commonwealth for milk to be sold in such other state a price lower than that fixed by the state board or other authority in such other state for sale of milk in such other state for similar purposes and under similar conditions minus a proper allowance for the transportation of the milk to the market in such other state

Section 19 Legislative Intent It is hereby declared to be the legislative intent that no provision of this act shall prevent and no provision contained therein shall be deemed or construed to prevent any co-operative agricultural association or corporation organized under the laws of this Commonwealth or a similar association or corporation organized under the laws of this or any other state and engaged in making collective sales or marketing of milk for the producers thereof from blending the net proceeds of its sales in all its markets or of its sales within any particular market in various classes and whether in fluid form or as manufactured products both within and without the Commonwealth and paying its producers such blended price with such deductions and differentials as may be authorized under contract between such association or corporation and its producers or from making collective sales of the milk of its members and other producers represented by it at a blended price based upon sales thereof in the various classes and whether in fluid form or as manufactured products both within and without the Commonwealth and which price is to be paid either directly to the producers or to the co-operative agricultural association or corporation Provided however that such blending or such price shall be subject to disapproval by the Board Nothing herein contained shall prevent any milk dealer from contracting for his milk with such cooperative agricultural association or corporation upon such basis Also no provision of this act shall be deemed or construed to affect the contracts of such cooperative agricultural association or corporation with its producers nor to affect or abridge the rights and powers of such an association or any of its operations which shall however be subject to disapproval by the Board This section shall not however be construed to exempt such association or corporation from the jurisdiction of the Board over the prices at which it may sell milk to milk dealers or consumers or from the jurisdiction of the Board to disapprove the price which it pays to producers

Section 20 Interstate and Federal Compacts The Board is hereby vested with authority to confer with legally constituted authorities of other states and of the United States with respect to uniform milk control within the states and as between states to conduct joint investigations hold joint hearings and issue joint or current orders and to enter into a compact or compacts for such uniform milk control subject to such federal approval as may be authorized or required by law

Section 21 Dissemination of Information Conferences Licensees under this act and associations or corporations thereof and producers of milk and co-operative agricultural associations or corporations engaged in collectively processing preparing for market handling or marketing milk may acquire exchange interpret and disseminate past present and future market statistical economic and similar information by direct exchange between such persons or such associations or corporations or by and through a common agent created or selected by them Any such producers and associations or corporations may confer and discuss the cost of production of marketing market conditions and prices for sale of milk

Section 22 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 23 Saving Clause No provision of this act shall apply or be construed to apply to foreign or interstate commerce except in so far as the same may be effective in accordance with the Constitution of the United States and the laws of the United States enacted pursuant thereto

Section 24 Duration of Board The Board shall continue with all its powers and shall be subject to all the duties and responsibilities prescribed by this act until the thirtieth day of April one thousand nine hundred thirty-five at which time it shall be deemed abolished and the powers duties and jurisdiction conferred or imposed upon the Board by this act shall terminate All books papers records and documents in its possession upon that date shall remain in the possession of the Department of Agriculture

Section 25 Appropriation In addition to any other appropriation made by this act the sum of one hundred thousand dollars ($100,000.00) or as much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Milk Control Board for its use in administering the provisions of this act

On the thirtieth day of April one thousand nine hundred thirty-five all unencumbered and unexpended moneys remaining in the Milk Control Fund shall be paid into the General Rund For such purpose such moneys are hereby appropriated

Section 26 This act shall take effect immediately upon its approval by the Governor and shall continue in effect until the thirtieth day of April one thousand nine hundred thirty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Andrews,	Habbyshaw,	McElwee,	Shellenberger,
Baldi,	Haines,	McGinnis,	Shettel,
Bechtel,	Hamilton,	McGrail,	Shortz,
Beech,	Harmuth,	McGregor,	Shreiner,
Bennett,	Harris,	McHenry,	Shugarts,
Bernhard,	Hart,	McKay,	Simon,
Boyd,	Hartman,	McKinney,	Sinwell,
Brancato,	Heffernan,	Melchiorre,	Snyder,
Brennan,	Hefferon,	Meredith,	Sowers,
Brown, J. E.,	Heffner,	Merrell,	Spann,
Brown, W. L.,	Hermansen,	Mohn,	Stank,
Brownfield,	Hester,	Moore,	Steedle,
Cannon,	Hewitt,	Munley,	Sterling, P.,
Caputo,	Himes, H. E.,	Murphy,	Sterling, R. B.,
Carey,	Himes, L. R.,	Myers,	Stevens,
Carson,	Hoffman,	Negley,	Stevenson,
Chervenak,	Holmes, J. B.,	Nothnagle,	Stiteler,
Cohen,	Holmes, J. L.,	O'Connor,	Stone,
Connor,	Hoopes,	O'Keefe,	Stott,
Cooke,	Horst,	O'Neil,	Tahl,
Cordier,	Hough,	O'Rourke,	Terry,
Craig,	Howard,	Patterson,	Trout,
Cramer,	Hutton,	Peelor,	Turner,
Dane,	Jaffe,	Pennock,	Wade,
DeFrehn,	Jones,	Perry, D. R.,	Wagner,
Denning,	Kane, J. J.,	Perry, J. J.,	Walker, G. E.,
Downey, G. E.,	Kane, L. P.,	Peters,	Walker, W. A.,
Downey, J. J.,	King,	Powell,	Wall,
Duffy,	Kinney,	Powers,	Wasserman,
Dunmire,	Labar,	Price,	Way,
Ederer,	Lane,	Quinn,	Weidemann,
Embardt,	Laubach,	Raub,	Welsh,
Eroe,	Lenahan,	Rectenwald,	Westrick,
Evans,	Lewis,	Reed,	White,
Fitzgerald,	Long,	Reilly,	Wike,
Flanagan,	Lord,	Rhodes,	Williams, G. W.,
Fleisher,	Lovett, J. E.,	Roan,	Williams, J. J.,
Flinchbaugh,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Flynn, J. M.,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Flynn, J. W.,	Lynch, M.,	Ruby,	Witkin,
Forrest,	Male,	Ruth,	Wood,
Furman,	Malina,	Sautter,	Woodside,
Gallagher, T. J.,	Maloney,	Schrock,	Wright,
Gallagher, W. J.,	Marcks,	Schrope,	Yeakel,

Gartner,	Mason,	Schwab,	Yourishin,
Gillette,	McBride,	Schwartz,	Zimmerman,
Gorman,	McCandless,	Scorza,	Talbot,
Greenstein,	McClure,	Scott,	Speaker.
Griffith,	McCreary,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative,

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 234, (Senate Bill No. 89), as follows:

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects providing for the payment of damages by counties and political subdivisions as a result of relocating widening or constructing said highways or bridges and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Highways is hereby authorized to accept grants of funds from the President of the United States or other Federal agency for the construction of public highways and related projects Such moneys shall be held by the State Treasurer as custodian for the Department of Highways and shall be paid out on requisition of the Department of Highways without further appropriation If required by the Federal Government the Department of Property and Supplies shall provide the necessary bonds for the State Treasurer in his capacity as custodian

Section 2 Where any highway or bridge which is not a part of the State Highway System of the Commonwealth has been or may be designated to be improved with funds received from the Federal Government the Department of Highways shall have all of the powers and authority in the relocating widening or construction of such highway which are now or may hereafter be conferred upon it with respect to State highways Any damages sustained by reason of taking of property in the relocation widening or construction of any such highway shall be ascertained in accordance with laws applicable to the ascertainment of damages in relocating widening or constructing State highways and such damages when ascertained shall be paid by the county or political subdivision or both as may be agreed upon between the said political subdivision and county Provided however that no work as aforesaid shall be undertaken until the county or political subdivision or county and political subdivision affected by the liability for damages shall have agreed thereto

Section 3 Where any highway or bridge is to be constructed under contract and to be paid for wholly or in part from Federal funds and the project involves additional work to be contracted and paid for by municipal subdivisions or local authorities the advertisement by the Department of Highways in compliance with the rules and regulations of the proper Federal authorities shall be the only advertising necessary any other acts or requirements to the contrary notwithstanding

Section 4 The Department of Highways shall have authority to make and carry out contracts and to do every other act necessary to carry out any project heretofore or hereafter undertaken which is to be paid for in whole or in part from Federal funds and in every way to conform to the requirements and rules and regulations of the proper Federal authorities with respect to such projects but no limitation contained in this Act shall in anywise diminish any authority or powers now or hereafter conferred on the Department of Highways by any other Act of Assembly

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

Section 6 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191

Andrews,	Gorman,	McClure,	Sheffer,
Baldi,	Green,	McCreary,	Shellenberger,
Barnhardt,	Greenstein,	McElwee,	Shettel,
Bechtel,	Griffith,	McGinnis,	Shortz,
Beech,	Habbyshaw,	McGrail,	Shreiner,
Bennett,	Haines,	McGregor,	Shugarts,
Bernhard,	Hamilton,	McHenry,	Simon,
Blumberg,	Harmuth,	McKay,	Sinwell,
Boyd,	Harris,	McKinney,	Snyder,
Brancato,	Hart,	Melchiorre,	Sowers,
Brennan,	Hartman,	Meredith,	Spann,
Brown, J. E.,	Heffernan,	Merrell,	Stank,
Brown, W. L.,	Hefferon,	Mohn,	Steedle,
Brownfield,	Heffner,	Moore,	Sterling P.,
Cannon,	Hermansen,	Mumford,	Sterling, R. B.,
Caputo,	Hester,	Munley,	Stevens,
Carey,	Hewitt,	Murphy,	Stevenson,
Carson,	Himes, H. E.,	Myers,	Stiteler,
Chervenak,	Himes, L. R.,	Negley,	Stone,
Cohen,	Hoffman,	Nothnagle,	Stott,
Conner,	Holmes, J. B.,	O'Connor,	Tahl,
Cooke,	Holmes, J. L.,	O'Keefe,	Trout,
Cordier,	Hoopes,	O'Neill,	Turner,
Craig,	Hough,	O'Rourke,	Wade,
Cramer,	Howard,	Peelor,	Wagner,
Dane,	Hutton,	Pennock,	Walker, G. E.,
Davies,	Jaffe,	Perry, D. R.,	Walker, W. A.,
DeFrehn,	Jones,	Perry, J. J.,	Wall,
Denning,	Kane, J. J.,	Peters,	Wasserman,
Downey, G. E.,	Kane, L. P.,	Powell,	Way,
Downey, J. J.,	King,	Powers,	Weidemann,
Duffy,	Kinney,	Price,	Welsh,
Dunmire,	Labar,	Quinn,	Westrick,
Ederer,	Lane,	Raub,	White,
Emhardt,	Laubach,	Rectenwald,	Wike,
Eroe,	Lenahan,	Reed,	Williams, G. W.,
Evans,	Lewis,	Reilly,	Williams, J. J.,
Fitzgerald,	Long,	Rhodes,	Wilson, L. M.,
Flanagan,	Lord,	Roan,	Wilson, T. B.,
Fleisher,	Lovett, W. S.,	Royle,	Witkin,
Flinchbaugh,	Lynch, J. R.,	Ruby,	Wood,
Flynn, J. M.,	Lynch, M.,	Ruth,	Woodside,
Flynn, J. W.,	Male,	Sautter,	Wright,
Forrest,	Malina,	Schrock,	Yeakel,
Furman,	Maloney,	Schrope,	Yourishin,
Gallagher, T. J.,	Marcks,	Schwab,	Zimmerman,
Gallagher, W. J.	Mason,	Schwartz,	Talbot,
Gartner,	McBride,	Scorza,	Speaker.
Gillette,	McCandless,	Scott,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 239, (Senate Bill No. 27), entitled:

An Act providing for the construction of a tunnel or tunnels between the State of New Jersey and the Commonwealth of Pennsylvania under the Delaware River and the issuance of permits therefor.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—193

Andrews,	Green,	McCreary,	Scott,
Baldi,	Griffith,	McElwee,	Sheffer,
Barnhardt,	Habbyshaw,	McGinnis,	Shellenberger,
Bechtel,	Haines,	McGrail,	Shettel,
Beech,	Hamilton,	McGregor,	Shortz,
Bennett,	Harmuth,	McHenry,	Shreiner,
Bernhard,	Harris,	McKay,	Shugarts,
Blumberg,	Hart,	McKinney,	Simon,
Boyd,	Hartman,	Melchiorre,	Sinwell,
Brancato,	Heffernan,	Meredith,	Snyder,
Brennan,	Hefferon,	Mohn,	Sowers,
Brown, J. E.,	Heffner,	Moore,	Spann,
Brown, W. L.,	Hermansen,	Mumford,	Stank,
Brownfield,	Hester,	Munley,	Steedle,
Cannon,	Hewitt,	Murphy,	Sterling, P.,
Caputo,	Himes, H. E.,	Myers,	Sterling, R. B.,
Carey,	Himes, L. R.,	Negley,	Stevens,
Carson,	Hoffman,	Nothnagle,	Stevenson,
Chervenak,	Holmes, J. B.,	O'Connor,	Stiteler,
Cohen,	Holmes, J. L.,	O'Keefe,	Stone,
Conner,	Hoopes,	O'Neill,	Stott,
Cooke,	Horst,	O'Rourke,	Tahl,
Cordier,	Hough,	Patterson,	Trout,
Craig,	Howard,	Peelor,	Turner,
Cramer,	Hutton,	Pennock,	Wade,
Dane,	Jaffe,	Perry, D. R.,	Wagner,
Davies,	Kane, J. J.,	Perry, J. J.,	Walker, G. E.,
DeFrehn,	Kane, L. P.,	Peters,	Walker, W. A.,
Denning,	King,	Powell,	Wall,
Downey, G. E.,	Kinney,	Powers,	Wasserman,
Downey, J. J.,	Labar,	Price,	Way,
Duffy,	Lane,	Quinn,	Weidemann,
Dunmire,	Laubach,	Raub,	Welsh,
Ederer,	Lenahan,	Rectenwald,	Westrick,
Eroe,	Lewis,	Reed,	White,
Evans,	Long,	Reilly,	Wike,
Fitzgerald,	Lord,	Rhodes,	Williams, G. W.,
Flanagan,	Lovett, J. E.,	Roan,	Williams, J. J.,
Fleisher,	Lovett, W. S.,	Root,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Roth,	Wilson, T. B.,
Fynn, J. M.,	Lynch, M.,	Royle,	Witkin,
Flynn, J. W.,	Male,	Ruby,	Wood,
Forrest,	Malina,	Ruth,	Woodside,
Furman,	Maloney,	Sautter,	Wright,
Gallagher, T. J.,	Marcks,	Schrock,	Yeakel,
Gallagher, W. J.,	Mason,	Schrope,	Yourishin,
Gartner,	McBride,	Schwab,	Zimmerman,
Gillette,	McCandless,	Schwartz,	Talbot,
Gorman,	McClure,	Scorza,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 242, (Senate Bill No. 115), entitled:

An Act authorizing counties cities boroughs townships incorporated towns poor districts and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding and limiting any compensation payable therefore

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Greenstein,	McCreary,	Scott,
Baldi,	Griffith,	McElwee,	Sheffer,
Barnhardt,	Habbyshaw,	McGinnis,	Shellenberger,
Bechtel,	Haines,	McGrail,	Shettel,
Beech,	Hamilton,	McGregor,	Shortz,
Bennett,	Harmuth,	McHenry,	Shreiner,
Bernhard,	Harris,	McKay,	Shugarts,
Blumberg,	Hart,	McKinney,	Simon,
Boyd,	Hartman,	Melchiorre,	Sinwell,
Brancato,	Heffernan,	Meredith,	Snyder,
Brennan,	Hefferon,	Merrell,	Sowers,
Brown, J. E.,	Heffner,	Mohn,	Spann,
Brown, W. L.,	Hermansen,	Moore,	Stank,
Brownfield,	Hester,	Mumford,	Steedle,
Cannon,	Hewitt,	Munley,	Sterling, P.,
Caputo,	Himes, H. E.,	Murphy,	Sterling, R. B.,
Carey,	Himes, L. R.,	Myers,	Stevens,
Carson,	Hoffman,	Negley,	Stevenson,
Chervenak,	Holmes, J. B.,	Nothnagle,	Stiteler,
Cohen,	Holmes, J. L.,	O'Connor,	Stone,
Conner,	Hoopes,	O'Keefe,	Stott,
Cooke,	Horst,	O'Neill,	Tahl,
Cordier,	Hough,	O'Rourke,	Terry,
Craig,	Howard,	Patterson,	Trout,
Cramer,	Hutton,	Peelor,	Turner,
Dane,	Jaffe,	Pennock,	Wade,
Davies,	Jones,	Perry, D. R.,	Wagner,
DeFrehn,	Kane, J. J.,	Perry, J. J.,	Walker, G. E.,
Denning,	Kane, L. P.,	Peters,	Walker, W. A.,
Downey, G. E.,	King,	Powell,	Wall,
Downey, J. J.,	Kinney,	Powers,	Wasserman,
Duffy,	Labar,	Price,	Way,
Dunmire,	Lane,	Quinn,	Weidemann,
Ederer,	Laubach,	Raub,	Welsh,
Emhardt,	Lenahan,	Rectenwald,	Westrick,
Eroe,	Lewis,	Reed,	White,
Evans,	Long,	Reilly,	Williams, G. W.,
Fitzgerald,	Lord,	Rhodes,	Williams, J. J.,
Flanagan,	Lovett, J. E.,	Roan,	Wilson, L. M.,
Fleisher,	Lovett, W. S.,	Root,	Wilson, T. B.,
Flynn, J. M.,	Lynch, J. R.,	Roth,	Witkin,
Flynn, J. W.,	Lynch, M.,	Royle,	Wood,
Forrest,	Male,	Ruby,	Woodside,
Furman,	Malina,	Ruth,	Wright,
Gallagher, T. J.,	Maloney,	Sautter,	Yeakel,
Gallagher, W. J.,	Marcks,	Schrock,	Yourishin,
Gartner,	Mason,	Schrope,	Zimmerman,
Gillette,	McBride,	Schwab,	Talbot,
Gorman,	McCandless,	Schwartz,	Speaker.
Green,	McClure,	Scorza,	

NAYS—1

Flinchbaugh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 241, (Senate Bill No. 100), entitled:

A Supplement to an act approved the Seventh day of March One Thousand nine hundred and one (Pamphlet Laws 20) entitled "An act for the government of cities of the second class" creating the position of Solicitor for the Department of City Controller.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Andrews,	Gorman,	McClure,	Scorza,
Baldi,	Green,	McCreary,	Scott,
Barnhardt,	Greenstein,	McElwee,	Sheffer,
Bechtel,	Griffith,	McGinnis,	Shellenberger,
Beech,	Habbyshaw,	McGrail,	Shettel,
Bennett,	Haines,	McGregor,	Shortz,
Bernhard,	Hamilton,	McHenry,	Shreiner,
Blumberg,	Harmuth,	McKay,	Shugarts,
Boyd,	Harris,	McKinney,	Simon,
Brancato,	Hartman,	Melchiorre,	Sinwell,
Brennan,	Heffernan,	Meredith,	Snyder,
Brown, J. E.,	Hefferon,	Merrell,	Sowers,

Brown, W. L.,	Heffner,	Mohn,	Spann,
Brownfield,	Hermansen,	Moore,	Stank,
Cannon,	Hester,	Mumford,	Steedle,
Caputo,	Hewitt,	Munley,	Sterling, R. B.,
Carey,	Himes, H. E.,	Murphy,	Stevens,
Carson,	Himes, L. R.,	Myers,	Stevenson,
Chervenak,	Hoffman,	Negley,	Stiteler,
Cohen,	Holmes, J. B.,	Nothnagle,	Stone,
Conner,	Holmes, J. L.,	O'Connor,	Stott,
Cooke,	Hoopes,	O'Keefe,	Tahl,
Cordier,	Horst,	O'Neill,	Terry,
Craig,	Hough,	O'Rourke,	Trout,
Cramer,	Howard,	Patterson,	Turner,
Dane,	Hutton,	Peelor,	Wade,
Davies,	Jaffe,	Pennock,	Wagner,
DeFrehn,	Jones,	Perry, D. R.,	Walker, G. E.,
Denning,	Kane, J. J.,	Perry, J. J.,	Walker, W. A.,
Downey, G. E.,	Kane, L. P.,	Peters,	Wall,
Downey, J. J.,	King,	Powell,	Wasserman,
Duffy,	Kinney,	Powers,	Way,
Dunmire,	Labar,	Price,	Weidemann,
Ederer,	Laubach,	Quinn,	Welsh,
Emhardt,	Lenahan,	Raub,	Westrick,
Eroe,	Lewis,	Rectenwald,	White,
Evans,	Long,	Reed,	Wike,
Fitzgerald,	Lord,	Reilly,	Williams, G. W.,
Flanagan,	Lovett, J. E.,	Rhodes,	Williams, J. J.,
Fleisher,	Lovett, W. S.,	Roan,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Roth,	Wilson, T. B.,
Flynn, J. M.,	Lynch, M.,	Royle,	Witkin,
Flynn, J. W.,	Male,	Ruby,	Wood,
Forrest,	Malina,	Ruth,	Woodside,
Furman,	Maloney,	Sautter,	Wright,
Gallagher, T. J.,	Marcks,	Schrock,	Yeakel,
Gallagher, W. J.	Mason,	Schrope,	Yourishin,
Gartner,	McBride,	Schwab,	Talbot,
Gillette,	McCandless,	Schwartz,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 235, (Senate Bill No. 26), entitled:

An Act accepting the provisions of an Act of Congress for the establishment of a national employment system and authorizing the Department of Labor and Industry to cooperate with the Federal Employment Service under that act, and providing for the custody and disbursement of funds granted to the Commonwealth by the Federal government thereunder.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Andrews,	Gorman,	McCandless,	Schwartz,
Baldi,	Green,	McClure,	Scorza,
Barnhardt,	Greenstein,	McCreary,	Scott,
Bechtel,	Griffith,	McGinnis,	Sheffer,
Beech,	Habbyshaw,	McGrail,	Shellenberger,
Bennett,	Hamilton,	McGregor,	Shettel,
Bernhard,	Harmuth,	McHenry,	Shortz,
Blumberg,	Harris,	McKay,	Shreiner,
Boyd,	Hart,	McKinney,	Shugarts,
Brancato,	Hartman,	Melchiorre,	Simon,
Brennan,	Heffernan,	Meredith,	Sinwell,
Brown, J. E.,	Hefferon,	Merrell,	Snyder,
Brown, W. L.,	Heffner,	Mohn,	Sowers,
Brownfield,	Hermansen,	Moore,	Spann,
Cannon,	Hester,	Mumford,	Stank,
Caputo,	Hewitt,	Munley,	Steedle,
Carey,	Himes, H. E.,	Murphy,	Sterling, P.,
Carson,	Himes, L. R.,	Myers,	Sterling, R. B.
Chervenak,	Hoffman,	Negley,	Stevens
Cohen,	Holmes, J. B.,	Nothnagle,	Stevenson,
Conner,	Holmes, J. L.,	O'Connor,	Stiteler,
Cooke,	Hoopes,	O'Keefe,	Stone,
Cordier,	Horst,	O'Neill,	Stott,
Craig,	Hough,	O'Rourke,	Tahl,
Cramer,	Howard,	Patterson,	Terry,
Dane,	Hutton,	Peelor,	Trout,
Davies,	Jaffe,	Pennock,	Turner,
DeFrehn,	Jones,	Perry, D. R.,	Wade,
Denning,	Kane, J. J.,	Perry, J. J.,	Wagner,
Downey, G. E.,	Kane, L. P.,	Peters,	Walker, W. A.,
Downey, J. J.,	King,	Powell,	Wall,
Duffy,	Kinney,	Powers,	Wasserman,
Dunmire,	Labar,	Price,	Way,
Ederer,	Lane,	Quinn,	Weidemann,
Emhardt,	Laubach,	Raub,	White,
Eroe,	Lenahan,	Rectenwald,	Wike,
Evans,	Lewis,	Reed,	Williams, G. W.,
Fitzgerald,	Long,	Reilly,	Williams, J. J.,
Flanagan,	Lord,	Rhodes,	Wilson, L. M.,
Fleisher,	Lovett, J. E.,	Roan,	Wilson, T. B.,
Flinchbaugh,	Lovett, W. S.,	Root,	Witkin,
Flynn, J. M.,	Lynch, J. R.,	Roth,	Wood,
Flynn, J. W.,	Lynch, M.,	Royle,	Woodside,
Forrest,	Male,	Ruby,	Wright,
Furman,	Malina,	Ruth,	Yeakel,
Gallagher, T. J.,	Maloney,	Sautter,	Yourishin,
Gallagher, W. J.,	Marcks,	Schrock,	Zimmerman,
Gartner,	Mason,	Schrope,	Talbot,
Gillette,	McBride,	Schwab,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

The SPEAKER. The Chair requests the gentleman from Franklin, Mr. Hutton, to preside over the deliberations of the body.

MR. HUTTON IN THE CHAIR

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 233, (Senate Bill No. 53), as follows:

An Act providing for the creation of public "Authorities" in counties of the second class authorizing such "Authorities" to enter into agreements with the Government of the United States particularly as they relate to the National Industrial Recovery Act and any amendment and supplements thereto the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others defining and providing for the organization and dissolution of such "Authorities" conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions upon which such "Authorities" may exercise their powers endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds authorizing such "Authorities" to make and receive appropriations repealing certain acts and parts of acts inconsistent herewith and for other purposes

ARTICLE I

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each county of the second class of this Commonwealth there is hereby created a body corporate and politic to be known as the "Authority" of said county (hereafter in this act called the "Authority") provided however that such "Authority" shall not become operative nor transact any business until and unless the board of county commissioners of the county in which it is created shall by proper resolution declare its creation and appoint and designate the members thereof as in this act herein prescribed Such "Authority" shall constitute a public body corporate and politic of said county for the public purposes herein set forth and shall exercise an essential governmental function in effectuating such purposes and to that end said "Authority" shall be endowed with and is hereby granted the following powers to-wit

(a) To construct maintain and operate bridges tunnels streets highways traffic distribution centers traffic circles airports

hangars parkways recreation grounds and facilities public parks swimming pools lakes dams and parts of any of said projects and improvements thereof and additions thereto and to charge and collect fees tolls rentals and charges in connection with any or all of said structures projects additions or improvements and any or all parts thereof the proceeds therefrom to be used for the purpose of maintaining and operating the same and of repaying to the United States Government and to others any and all monies and interest thereon which may have been borrowed therefrom in connection with the purposes for which said "Authority" was created as same may be due and payable

(b) To enter into any contract or contracts with any street railway company telegraph company telephone company or other corporation or person or persons desiring to make use of any of the projects constructed or maintained pursuant to the purposes for which said "Authority" has been created and under the provisions of this act for the concurrent use of such portion of any of said projects as shall not substantially impair or restrict the public use and enjoyment thereof upon such rates terms and conditions as shall be agreed upon or to charge tolls or rentals for such special use provided however that such rates terms and conditions shall in no instance be less than the rates terms and conditions paid and met for like rights service and privileges within said county

(c) To construct and maintain or to lease the right to construct and maintain roads highways bridges tunnels water mains for park purposes where none is now provided and available and other mechanical equipment and appliances appropriate proper and necessary in connection with the construction operation and use of the aforementioned projects by the public on over under along across or through any land and between any points which may be necessary for the construction and maintenance of such projects and the carrying out of the purposes for which said "Authority" is created

(d) To continue as a body corporate and politic for the time specified in this act

(e) To sue and be sued complain and defend in its own name

(f) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile thereof to be impressed or affixed or in any manner reproduced

(g) To purchase take receive lease as lessee take by gift devise or bequest or otherwise acquire and to own hold use and otherwise deal with any real or personal property or any interest therein situated in the county in which said "Authority" is created and set up which may be appropriate to enable it to accomplish fully and properly its purpose or purposes

(h) To sell and convey lease as lessor and otherwise dispose of all or any part of its property and assets

(i) To borrow money for any or all of the purposes for which it is organized to issue its promissory notes bonds or other forms of certificates of indebtedness with interest as evidence thereof and to secure any of its obligations by mortgage pledge or deed of trust of or on any of its property franchises and income

(j) To enter into any obligation necessary for the transaction of its ordinary affairs

(k) To have and exercise all of the powers and means necessary or essential to effect the purpose or purposes for which the "Authority" is organized

(l) To have and exercise the right and power of eminent domain for the acquisition of real property (the title thereto so acquired being title in fee simple) necessary for and in connection with the business of the "Authority" and for the purposes for which it was created but not to assess levy or collect any taxes of any kind or nature or for any purpose whatsoever specifically to borrow from the Government of the United States or other funds for the construction maintenance and operation of the projects for which said "Authority" shall have been created and to issue its negotiable bonds or other obligations secured by mortgage and trust deed given therefor and to provide for the rights of the holders thereof

(m) To elect a chairman vice-chairman secretary and treasurer and to adopt suitable by-laws for the management of its affairs The secretary and treasurer need not be member or members of the "Authority"

(n) To appoint and designate such officers agents and employes as it may require for the performance of its duties and fix and determine their qualifications duties and compensation

(o) To make rules and regulations for the management and regulations of its affairs

(p) To enter upon any lands waters and premises within the county in which said "Authority" is created and set up for the purpose of making surveys soundings and examinations

(q) To determine the exact location system and character of and all other matters in connection with any and all improvements or facilities which it may be authorized to own construct establish effectuate operate or control

(r) To exercise such other powers not inconsistent with the Constitution of this Commonwealth or of the United States which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers except the power to levy taxes or assessments and generally to exercise in connection with its property and affairs and in connection with property within its control any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs

(s) To dissolve and wind up the "Authority" and specifically when as and if all indebtedness to the United States and all other proper and lawful indebtedness of the "Authority" shall have been fully paid it shall be the duty of the "Authority" through appropriate action of its officers and members to convey and transfer in fee simple free and clear of all debts liens encumbrances and obligations whatsoever to the county in which said "Authority" shall have been created and set up all of the projects improvements structures and operations constructed erected acquired or maintained by said "Authority" during the period of its corporate existence and any and all monies contracts bills and notes receivable leases franchises and all other property whether real or personal of the "Authority" to render to said county by its proper officers full and complete account of all the transactions and business of the "Authority" and to dissolve and wind up its affairs and thereafter cease entirely to exist

ARTICLE II

Section 201 Whenever the county commissioners of any county of the second class shall desire to form an "Authority" under this act they shall adopt a resolution signifying their intention so do do

Section 202 The county commissioners of such county shall cause a notice of the resolution to be published at least one time in the legal periodical of the county in which the "Authority" is to be formed and at least one time in one newspaper of general circulation published in the county The said notice shall contain a brief statement of the substance of the resolution making reference to this act and shall state that on a day certain not less than three days after publication of the said notice articles of incorporation of the proposed "Authority" will be filed with the Secretary of the Commonwealth

Section 203 On or before the day fixed for the notice above provided for the county shall file with the Secretary of the Commonwealth articles of incorporation together with proof of the advertisement required by the preceding section If the Secretary of the Commonwealth finds that the articles of incorporation conform to law he shall forthwith but not prior to the day specified in the notices required by the preceding section endorse his approval thereon and when all proper fees and charges have been paid shall file the articles and issue a certificate of incorporation to which shall be attached a copy of the approved articles The articles upon being approved and filed by the Secretary of the Commonwealth shall constitute the charter of the "Authority"

Section 204 The articles of incorporation shall be executed by each incorporating county by its county commissioners and under its county seal and shall be acknowledged on behalf of each county by its county commissioners

Section 205 The articles of incorporation shall set forth

(a) The name of the "Authority"

(b) A statement that an "Authority" is formed under this act

(c) The name of the incorporating county together with the names and addresses of its county commissioners and the chief clerk of the board of county commissioners

Section 206 Upon the issuance of the certificate of incorporation by the Secretary of the Commonwealth the "Authority's" existence shall begin The certificate of incorporation shall be conclusive evidence of the fact that the "Authority" shall be incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate an "Authority" which should not have been formed under this

act or which had been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation

ARTICLE III

Section 301 The "Authority" shall consist of three members all of whom shall be citizens of this Commonwealth and of the county in which said "Authority" is created and set up and who shall be designated and appointed by the county commissioners All members shall continue to hold office until their respective successors are appointed and qualified

Section 302 The members shall have entire charge of the "Authority's" property and affairs and shall for the purpose of doing business constitute a board but no action of the board shall be binding unless a majority of the members of the "Authority" shall vote in favor thereof

Section 303 The salary or compensation of the officers and members of the "Authority" shall be fixed and determined by the salary board of the county in which said "Authority" is created and set up but none of such salaries of compensation shall be increased or diminished during the term for which the officer or member receiving the same shall have been appointed

Section 304 Vacancies in the office of president vice-president secretary or treasurer caused other than by expiration of term shall be filled by election by the members of the "Authority" Vacancies in the membership of the "Authority" shall be filled by appointment by the county commissioners of the county in which said "Authority" is created and set up

ARTICLE IV

Section 401 If for any of its authorized purposes the "Authority" shall find it necessary or convenient to acquire any real property in the county in which said "Authority" is created and set up whether for immediate or future use the "Authority" may find and determine that such property whether a fee simple absolute or a lesser interest is required for public use and upon such determination may have and may exercise the right and power of eminent domain to acquire the same However no property now or hereafter vested in or held by any county city borough township political subdivision or other municipality shall be taken by the "Authority" without the consent of such political subdivision or municipality unless expressly authorized by this act and neither shall any property of a public service company be taken except such property as can now be taken by the county commissioners under existing laws

If the "Authority" is unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property in the county in which said "Authority" is created and set up for any reason whatsoever then the "Authority" may acquire such real property in the manner provided for the acquisition of such property by counties of the second class in the exercise of the right of eminent domain

The power of the "Authority" to acquire real property by condemnation or the exercise of the power of eminent domain in the county in which said "Authority" is created and set up shall be a continuing power and no exercise thereof shall be deemed to exhaust it

The "Authority" and its duly authorized agents and employes may enter upon any land in the county in which said "Authority" is created and set up for the purpose of making such surveys maps or other examinations thereof as it may deem necessary or convenient for its authorized purposes

All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania not withstanding any contrary provision of law are hereby authorized and enpowered to lease lend grant or convey to the "Authority" upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships political subdivisions or other municipalities may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned any real property which may be necessary or convenient to the effectuation of the authorized purposes of the "Authority" including real property already devoted to public use

The term "real property" as used in this act includes lands structures franchises and interests in land including lands under water and riparian rights and any and all things and rights usually included within the said term and includes not only fees simple absolute but also any and all lesser interests such as easements rights of way uses leases licenses and all other incorporeal hereditaments and every estate interest or right legal or equitable including terms of years and liens thereon by way of judgments mortgages or otherwise and also claims for damage to real estate

Section 402 All contracts shall be let and purchases made by the "Authority" in the manner now provided by law relating to contracts and purchases by county commissioners in counties of the second class

ARTICLE V

Section 501 Notwithstanding any provisions of this act the "Authority" shall have no power to pledge the credit of the Commonwealth of Pennsylvania or the credit of any county city borough township or other municipality of said Commonwealth or to create any debt of said Commonwealth or of such municipality county city borough or township and the bonds and debts of said "Authority" shall be a lien upon and payable solely from the assets and revenues of said "Authority"

Section 502 The "Authority" within sixty days after the first day of January each year shall cause a complete audit of its affairs to be made by a firm of certified public accountants approved by the county commissioners of the county in which said "Authority" is created and set up and shall furnish a copy thereof to the said county commissioners the Federal Emergency Administration of Public Works and if desired to the trustee under any mortgage or deed of trust given to secure any bonds issued by the "Authority"

Section 503 Before entering upon the duties of office the treasurer of the "Authority" shall furnish a bond with at least one corporate surety or three individual sureties in an amount not less than one hundred per centum of the estimated amount of the largest sum which will probably be in the treasurer's hand at one time during the succeeding year Such bonds shall be conditioned for the safe-keeping of the moneys of the "Authority" and faithful performance of the treasurer's duties

In lieu of furnishing surety bond as above provided the treasurer may pledge with any bank trust company or bank and trust company in Pennsylvania which may be agreed upon securities to guarantee safe-keeping of the funds of the "Authority" and faithful performance of his or its duties The securities so pledged shall have a market value of not less than one hundred twenty per centum of the estimated amount of the largest sum which will probably be in the hands of the treasurer at one time during the succeeding year The "Authority" shall have the right to require the pledging of additional securities if and when the securities already pledged shall become depreciated below said value. All securities so pledged shall be accompanied by proper assignments or powers of attorney for their transfer

ARTICLE VI

Section 601 The "Authority" is hereby authorized to make and enforce such rules and regulations and to establish levy and collect (or to authorize by contract franchise lease or otherwise the establishment levying and collection of) such tolls rents rates fees and other charges in connection with any properties which it may construct erect acquire own operate or control as it may deem necessary proper desirable and reasonable which said tolls rents rates fees and other charges shall be at least sufficient to meet the expenses thereof including the cost of maintenance and operation thereof and interest and sinking fund or amortization charges and the "Authority" is hereby authorized and empowered to pledge such tolls rates rents fees and other revenues or any part thereof either presently received or to be received in the future or both as security for the repayment with interest and taxes if any of any monies borrowed by it or advanced to it for any of its authorized purposes and as security for the satisfaction of any other obligation assumed by it in connection with such loans or advances

ARTICLE VII

Section 701 The Commonwealth of Pennsylvania and all municipalities and political subdivisions thereof so long as any bonds or other securities or obligations of the "Authority" remain outstanding and unpaid and unless and until adequate provision is made by law for the protection of those advancing money upon obligations shall not diminish or impair the power of the "Authority" to own operate or control its properties and facilities or to establish levy and collect tolls rents rates fees and other charges in connection with such properties or facilities

ARTICLE VIII

Section 801 The effectuation of its authorized purposes by the "Authority" is and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania for the increase of their commerce and prosperity and for the improvement of their health and living conditions and since the "Authority" will be performing essential governmental functions in effectuating said purposes the "Authority" shall not be required to pay any taxes or assessments upon any property acquired or used by it for such purposes and the bonds or other securities or obligations issued by the "Authority" their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation within the Commonwealth of Pennsylvania

ARTICLE IX

Section 901 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 902 All acts or parts of acts inconsistent herewith are hereby repealed

Section 903 This act shall become effective immediately upon the approval thereof by the Governor of this Commonwealth.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCLURE. Mr. Speaker and members of the House, you have before you at this time Senate Bill No. 53. This bill was presented in the Senate on November 27th by Senator Einstein, of Allegheny County. This bill was acted upon finally in the Senate on the sixth day of December and passed the Senate by a vote of 47 to nothing. On its passage through the Senate there was no contest on the bill on the floor of the Senate. The provisions of this bill provide for the setting up of an authority in second class counties of the Commonwealth of Pennsylvania. As you gentlemen well know, Allegheny County is the only second class county in this Commonwealth. We of Allegheny County ask you to pass this bill in order to make it possible for us to work out some projects under the NRA. Under this bill it gives authority for a Board of three persons, who would be appointed by the Commissioners of Allegheny County. That bill would be incorporated to act under an authority separate and apart from our county government. That Board would apply to the Federal Government under the NRA for self liquidating projects in Alllegheny County.

There has been a very definite program prepared by our engineers and solicitors which has been presented to the authorities in Washington. This program includes the building of the Wabash tunnel and highway. It is one of the self liquidating projects. The program certainly has not been acted upon in Washington, and will not be acted upon in Washington by the authorities in Washington until this authority is created. Among these projects is one known as the Wabash tunnel and bridge project. That project has been submitted with a tentative list which was sent to Washington by someone, through whatever cause or other, has cast a doubt in the minds of members of this House concerning that project. I want to assure you, members of the House, who have in any way anything in mind pertaining to this project, the Wabash project, that there has been no agreement, contract, or other attempted dealing made with the Wabash Company concerning this project. It has been sent to Washington in our tentative plan. Before this project can proceed for this Wabash tunnel and tube it must be passed on in Washington. In order to carry out these several projects we have made application to Washington for approximately $32,000,000. If these grants are made to us, the Government will give is an outright grant of thirty percent of the $32,000,000 and the other seventy percent will be paid back to the Federal Government from tolls and receipts from these several projects.

In this authority is granted to us and the authorities at Washington grant our request, we will be able to carry out in Allegheny County a constructive work plan to relieve unemployment to the tune of $32,000,000. The purpose of creating this separate entity and authority is to have a Board that can deal independently of the county government with the National authority, and in this way it will not be necessary to levy taxes on our citizens to carry out these projects.

Among these projects are works and constructions that we have needed for the past twenty-five years. We have been unable to undertake these projects because of our inability to get hold of the money to carry out the projects. I want to state to you some of the amount of work that these projects will provide for the men who must work in Allegheny County. It has been estimated that if we receive this grant, that during the first month after we get to work on these projects, there will be 1,020 men employed, and that gradually increase until we find that at the end of nine months there will be 12,920 people employed. It is estimated that it will take two years and six months to carry out these projects. During that time there will be an average of 4,600 men employed. When we get into the amount of material required to carry out these projects I want to read a few of the items which will be required to carry out the work.

These projects will require 280,000 cubic yards of concrete, 9,000,000 pounds of steel reinforcing, 50,000 tons of fabricated steel. 250,000 feet of concrete piles, 200,000 square feet of stone facing, 200,000 lineal feet of curbs, 1,000,000 square feet of sidewalks, 500,000 square yards of paving, 1,000,000 pounds of cast steel, 2,500,000 barrels of cement, 280,000 tons of sand, and 560,000 tons of gravel. In addition to that the cost of the manufacture, distribution and delivery of the different items that go into these jobs means the employment of about 35,000 men during the time that this work is being done. We find in studying this problem generally and in a survey of the information as a whole, that from the funds offered by the Federal Government to the Commonwealth of Pennsylvania, the State has only taken advantage of $12,000,000 for this type of work, while the State of New York has taken up approximately $150,000,000 of this money. We find that approximately 150 to 160 million dollars has been allocated to the State of California. We in Allegheny County, are desirous of carrying out this program. We have in our county such projects as I have mentioned, all of which come within the self-liquidating type of project which the Government is glad and willing to accept. We are here trying to help the unemployed in Allegheny County, and in the meantime help our taxpayers by having

these projects done under the self-liquidating plan, I feel that really in this House you will find all, or practically all, of the Allegheny County delegation voting for this measure. I ask you all, gentlemen, to vote "aye" when this bill is up for passage.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

Mr. J. J. KANE. Mr. Speaker and members of the House, speaking for the Democratic members from Allegheny County, I want to inform the House that we are going to vote for this bill but we want it definitely understood that we are not supporting the purchase of the Wabash bridge or tunnel. We believe, and we favor, the building of a new bridge and tunnel and we have attempted in committee to have amendments made to the bill which would bring this about. We also offered as a substitute for the bill the bill known as the revenue bond measure which was reported out of committee and recommitted without an opportunity to present amendments that we thought would be satisfactory to the various factions of the city. We are in favor of putting the people of Allegheny County back to work. We do not entirely agree with the principles of the bill by setting up a separate authority because we believe that the right to spend that money and the right to borrow that money should be in the hands of the elected officials. However, we have argued these things out in committee and with the delegation from Allegheny county and as the bill now presents itself the members of the Democratic party from Allegheny County will vote for it, but we are not being put on record as favoring the purchase of the Wabash bridge and tunnel. I want to serve notice now that the Democratic administration will take over the government of the city of Pittsburgh and we will hope to assit in every program that will put people back to work and we will support all kinds of public works, but we will protest and fight vigorously any attempt to take over that Wabash property. We favor a new bridge and a new tunnel.

In conclusion, without taking up any more of the time of this House, I ask the Democratic mebers of this House to support this bill on these conditions.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160

Andrews,	Habbyshaw,	McGinnis,	Sheffer,
Bechtel,	Hamilton,	McKay,	Shellenberger,
Beech	Hefferon,	McKinney,	Shettel,
Bernhard,	Heffner,	Melchiorre,	Shortz,
Boyd,	Hermansen,	Meredith,	Shugarts,
Brancato,	Hester,	Merrell,	Sinwell,
Brennan,	Hewitt,	Mohn,	Snyder,
Brown, J. E.	Himes, H. E.	Moore,	Spann.
Brown, W. L.,	Himes, L. R.,	Mumford,	Steedle,
Brownfield,	Hoffman,	Munley,	Sterling, P.,
Cannon,	Holmes, J. L.,	Murphy,	Sterling, R. B.,
Caputo,	Hoopes,	Myers,	Stevens,
Carson,	Horst,	Negley,	Stevenson,
Chervenak	Hough,	O'Connor,	Stiteler,
Cohen,	Howard,	O'Keefe,	Stone,
Conner,	Hutton,	O'Neill	Stott,
Cordier,	Jaffe,	O'Rourke,	Tahl,
Craig,	Jones,	Patterson,	Terry,
Cramer,	Kane, J. J.,	Peelor,	Trout,
Dane,	Kane, L. P.,	Perry, D. R.,	Turner,
Davies,	King,	Perry, J. J.,	Wade,
DeFrehn,	Kinney,	Powell,	Wagner,
Downey, J. J.,	Lane,	Powers,	Walker, W. A.,
Duffy,	Laubach,	Price,	Wall,
Dunmire,	Lewis,	Quinn,	Way,
Ederer,	Long,	Raub,	Weidemann,
Emhardt,	Lord,	Rectenwald,	Welsh,
Eroe,	Lovett, J. E.,	Reed,	Westrick,
Evans,	Lovett, W. S.	Reilly,	White,
Fitzgerald,	Lynch, J. R.	Roan,	Wike,
Flanagan,	Lynch, M.,	Roth,	Williams, G. W.
Flinchbaugh,	Male,	Royle,	Williams, J. J.,
Flynn, J. W.	Maloney,	Ruby,	Wilson, L. M.,
Forrest,	Marcks,	Ruth,	Wilson, T. B.
Fuiman,	Mason,	Sautter,	Woodside,
Gallagher, T. J.	McBride,	Schrock,	Wright,
Gallagher, W. J.,	McCandless,	Schrope,	Yourishin,
Gartner,	McClure,	Schwab,	Zimmerman,
Gillette,	McCreary,	Scorza,	Talbot,
Greenstein,	McElwee,	Scott,	Speaker.
Griffith,			

NAYS—9

Baldi,	Cooke,	Root,	Wasserman,
Bennett,	Pennock,	Schwartz,	Witkin,
Blumberg,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILL SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 45.

An Act making home loan bonds issued by the Federal Home Owners' Loan Corporation legal investments for trust funds and other purposes in certain cases

HOUSE BILL No. 192.

An Act making appropriations out of The State Stores Fund to the Department of Welfare for pensions for the blind and for the administration of the distribution of such pensions.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 190.

An Act To amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property

or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 7, line 1, by inserting after the word "one" the words "or more;" also by striking out after the word "one" the word "newspaper" and inserting in lieu thereof the word "newspapers."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Griffith,	McElwee,	Sheffer,
Baldi,	Habbyshaw,	McGinnis,	Shellenberger,
Barnhardt,	Haines,	McGrail,	Shettel,
Bechtel,	Hamilton,	McGregor,	Shortz,
Beech,	Harmuth,	McHenry,	Shreiner,
Bennett,	Harris,	McKay,	Shugarts,
Bernhard,	Hart,	McKinney,	Simon,
Blumberg,	Hartman,	Melchiorre,	Sinwell,
Boyd,	Heffernan,	Meredith,	Snyder,
Brancato,	Hefferon,	Merrell,	Sowers,
Brennan,	Heffner,	Mohn,	Spann,
Brown, J. E.,	Hermansen,	Moore,	Stank,
Brown, W. L.,	Hester,	Mumford,	Steedle,
Cannon,	Hewitt,	Munley,	Sterling P.,
Caputo,	Himes, H. E.,	Myers,	Sterling, R. B.,
Carey,	Himes, L. R.,	Negley,	Stevens,
Carson,	Hoffman,	Nothnagle,	Stevenson,
Chervenak,	Holmes, J. B.,	O'Connor,	Stiteler,
Cohen,	Holmes, J. L.,	O'Keefe,	Stone,
Conner,	Hoopes,	O'Neill,	Stott,
Cooke,	Horst,	O'Rourke,	Tahl,
Cordier,	Hough,	Patterson,	Terry,
Craig,	Howard,	Peelor,	Trout,
Cramer,	Hutton,	Pennock,	Turner,
Dane,	Jaffee,	Perry, D. R.,	Wade,
Davies,	Kane, J. J.,	Perry, J. J.,	Wagner,
DeFrehn,	Kane, L. P.,	Peters,	Walker, G. E.,
Downey, G. E.,	King,	Powell,	Walker, W. A.,
Downey, J.,	Kinney,	Powers,	Wall,
Duffy,	Labar,	Price,	Wasserman,
Dunmire,	Lane,	Quinn,	Way,
Ederer,	Laubach,	Raub,	Weidemann,
Emhardt,	Lenahan,	Rectenwald,	Welsh,
Eroe,	Lewis,	Reed,	Westrick,
Evans,	Long,	Reilly,	White,
Fitzgerald,	Lord,	Rhodes,	Wike,
Flanagan,	Lovett, J. E.,	Roan,	Williams, G. W.,
Flinchbaugh,	Lovett, W. S.,	Roth,	Williams, J. J.,
Flynn, T. J.,	Lynch, J. R.,	Royle,	Wilson, L. M.,
Flynn, W. J.,	Lynch, M.,	Ruby,	Wilson, T. B.,
Forrest,	Male,	Ruth,	Witkin,
Furman,	Maloney,	Sautter,	Wood,
Gallagher, T. J.,	Marcks,	Schrock,	Woodside,
Gallagher, W. J.,	Mason,	Schrope,	Wright,
Gartner,	McBride,	Schwab,	Yeakel,
Gillette,	McCandless,	Schwartz,	Yourishin,
Gorman,	McClure,	Scolza,	Zimmerman,
Green,	McCreary,	Scott,	Talbot,
Greenstein,			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RECONSIDERATION OF VOTE

Mr. BALDI. Mr. Speaker, I move that the vote by which House Bill No. 262, Senate Bill No. 125, Printer's No. 88, on page 5 of today's calendar, bills on second reading, was ordered to be transcribed for a third reading be reconsidered.

The motion was agreed to.

Mr. BALDI. Mr. Speaker, I move that the vote by which the House agreed to the bill on second reading be reconsidered.

The motion was agreed to.

The votes by which the House agreed to the title and the several sections were separately reconsidered.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Sections 2 204 409 513 808 906 908 101 1003 1017 1202 1208 and 1506 of the Act approved the fifteenth day of May One Thousand Nine Hundred and Thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts are hereby amended to read as follows.

Section 2 Definintions A The following terms shall be construed in this act to have the following meaning except in those instances where the context clearly indicates otherwise

"Affiliated corporations or persons" means such an affiliate corporation or person as is defined by any Federal law or any regulation issued by any Federal authority pursuant to law to be a corporation or person affiliated with a national banking association or a member of a Federal Reserve Bank or as a holding company affiliate

"Articles" include the original articles of incorporation any or all amendments thereto articles of merger consolidation or conversion and also what have heretofore been designated by law as certificates of incorporation or charters

"Assets" includes all the property and rights of every kind of an institution as herein defined

"Attorney" includes any attorney at law who receives a general retainer as solicitor or as counsel for an institution

"Authorized capital" means the sum of the par value of the shares authorized to be issued in the articles of incorporation or in any amendment thereto

"Bank" includes any bank which does not have the power to act as trustee guardian executor administrator or in other fiduciary capacities incorporated under this act or under the act approved the thirteenth day of May One Thousand Eight Hundred and Seventy-six (Pamphlet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" its amendments and supplements or under any special act of the General Assembly of this Commonwealth

"Bank and Trust Company" includes any bank and trust company incorporated under this act or any bank incorporated under the act approved the thirteenth day of May One Thousand Eight Hundred and Seventy-six (Pamplet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" its amendments and supplements which has acquired the power to act as fiduciary under the act approved the seventeenth day of July One Thousand Nine Hundred and Nineteen (Pamphlet Laws one thousand thirty-two) entitled "An act authorizing banking companies incorporated and organized under the laws of the Commonwealth and having capital stock at least equal to the capital stock which trust companies are required by law to have to act in any fiduciary capacity in which trust companies organized under the laws of the Commonwealth are empowered to act and prescribing the method of acquiring such rights" or any corporation organized "for insurance of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and incumbrances" under the act approved the twenty-ninth day of April One Thousand Eight Hundred and Seventy-four (Pamphlet Laws seventy-three) its amendments and supplements and which has acquired the power to engage in the business of banking and to act as fiduciary under the supplement to that act approved the ninth day of May One Thousand Eight Hundred and Eighty-nine (Pamphlet Laws one hundred fifty-nine) or a corporation organized under any special act of the General Assembly of this Commonwealth which has the power to engage in a banking business and to act as fiduciary

"Banking" means discounting and negotiating promissory notes drafts bills of exchange and other evidences of debt receiving money and commercial paper on deposit or for transmission lending money on real or personal security buying and selling gold and silver bullion foreign exchange coin or bills of exchange

"Capital" means the sum of the par value of the common shares issued and outstanding

"Corporation" means a corporation or a joint stock association organized under the laws of this Commonwealth of the United States or of any other state territory foreign country or dependency

"Department" means the Department of Banking of this Commonwealth

"Director" includes any individual who is a member of a board of directors board of managers or board of trustees of a bank bank and trust company or trust company

"Incorporator" means a signer of the original articles of incorporation

"Incorporated Institution" includes any bank bank and trust company savings bank or trust company

"Institution" includes any bank bank and trust company savings bank trust company or private bank

"Net Worth" means the total of all the assets of every kind employed in the business of a private bank less the total of all the liabilities of every kind of such business

"Person" means an individual or an unincorporated association including a partnership a limited partnership or any other form of incorporated enterprise owned by two or more individuals

"Private Bank" means a banking business other than those specifically exempted by this act owned and operated in this Commonwealth by an individual a partnership or any other unincorporated association but this shall not include clubs and hotels which receive money from members and guests for temporary safe-keeping express steamship or telegraph companies which receive money for transmission attorneys at law real estate agents fiscal agents and attorneys in fact who are not engaged in the business of receiving moneys in this Commonwealth for deposit or for transmission but receive and transmit moneys only as an incident to their general business or profession and brokers licensed under the laws of this Commonwealth holding membership in a lawfully constituted brokerage exchange who do and have authority to do only such banking as is incident to their brokerage business.

"Private Banker" means an individual who by himself or as a member of a partnership or other unincorporated association owns or operates a private bank

"Recognized Stock Exchange" means the stock exchange of any city having a population of more than five hundred thousand according to the latest official census

"Saving Bank" includes any savings bank incorporated under this act or under the act approved the twentieth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred forty-six) entitled "An act to provide for the incorporation and regulation of savings banks and institutions without capital stock established for the encouragement of saving money" or under any special act of the General Assembly of this Commonwealth

"Shares" means the units into which the shareholders' right to participate in the control of an incorporated institution in its undivided profits or in the distribution of its assets are divided

"Shareholder" means a registered owner of shares in an incorporated institution

"Share Certificate" means a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the corporation or person therein named is the registered owner of the shares therein described It also includes the term "certificate of stock" as used in existing laws

"Trust Company" includes any trust company incorporated under this act or any corporation organized for insurance of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and encumbrances under the act approved the twenty-ninth day of April One Thousand Eight Hundred and Seventy-four (Pamphlet Laws seventy-three) its amendments and supplements and which has acquired the power to engage in the business of banking and acting as a fiduciary under the supplement to the act approved the ninth day of May One Thousand Eight Hundred and Eighty-nine (Pamphlet Laws one hundred fifty-nine) or any other bank and trust company which renounces or has renounced its power to transact a banking business or a corporation organized under any special act of the General Assembly of this Commonwealth which has the power to engage in the banking business and act as a fiduciary but which renounces or has renounced its power to transact a banking business.

"Trustee" includes any individual who is a member of the board of managers or board of trustees of a savings bank

"Written" includes printed typewritten engraved lithographed photographed photostated or telephotographed

B The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 204 Branh Offices and Sub-Agencies A An institution shall not establish maintain or operate either directly or indirectly any branch bank branch office or agency sub-office sub agency or branch place of business within this Commonwealth for the transaction of any part of its business but all of the business of such institution shall be carried on solely and exclusively at its principal place of business except as may be permitted by this act

This section shall not apply to branches sub-offices and sub-agencies established or those for which locations had been purchased or leased by deed recorded or leases actually delivered prior to the first day of March One Thousand Nine Hundred and Twenty-seven or to branches sub-offices and sub-agencies which resulted from mergers or consolidations of institutions effective prior to the first day of April One Thousand Nine Hundred and Twenty-seven and such institutions shall have the right to relocate the same within the corporate limits of the city borough or township in which the principal place of business is located at the time of such relocation provided that such relocation is made with the approval of the department in the manner provided by this act for any removal of the place of business of an institution

This section shall not apply to any institution which has its principal place of business in a city borough or township within this Commonwealth in which one or more national banking associations incorporated under the laws of the United States was on the first day of March one thousand nine hundred and twenty-seven operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch

places of business for the transaction of any part of its business and any such institution may hereafter establish subject to the approval of the department and thereafter maintain and operate branch banks branch offices agencies sub-offices sub-agencies and branch places of business for the transaction of any part of its business but only within the corporate limits of the city borough or township in which its principal office is located and in which such national banking association was on the first day of March one thousand nine hundred and twenty-seven operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business The right to establish and maintain branch banks branch offices agencies sub-offices sub-agencies or branch places of business under the provisions of this subsection shall be limited to the territory included within the corporate limits on the first day of March one thousand nine hundred and twenty-seven of the respective cities boroughs or townships in which such national banking associations were on that date operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business and such right shall not extend to additional territory which may after the first day of March one thousand nine hundred and twenty-seven be added to such cities boroughs or townships by annexation consolidation with one or more municipal corporations or otherwise nor shall it extend to other portions or divisions of municipal corporations to which such cities boroughs or townships may be annexed or with which they may be consolidated after that date the intention being to limit to the respective corporate limits such cities boroughs or townships as they existed on the first day of March one thousand nine hundred and twenty-seven the right to establish and maintain the branch banks branch offices agencies sub-offices sub-agencies and branch places of business authorized in this section

Any institution may continue to maintain and operate any branch bank branch office agency sub-office sub-agency or branch place of business lawfully established by such institution

Any institution may in the manner provided by this act section for any amendment to its articles establish a branch bank branch office agency sub-office sub-agency or branch place of business at any place within this Commonwealth where at the time such institution proposes to establish such branch bank branch office agency sub-office sub-agency branch place of business any national banking association having its principal office in the same county as that in which the principal office of the institution proposing to take such action is located would have the power under the laws of the United States now or hereafter enacted to establish a branch bank branch office agency sub-office sub-agency or branch place of business of such national banking association

Section 409 Issuance of Fractional Shares or Scrip A bank a bank and trust company or a trust company may in paying a dividend or in pursuance of a plan of merger [or] consolidation or reorganization issue a certificate for a fractional share and by action of its board of directors may issue in lieu thereof scrip or other evidence of ownership which shall entitle the holder to receive a certificate for a full share upon the surrender of such scrip or other evidence of ownership aggregating a full share but for which shall not entitle the holder to exercise any voting right or to receive any dividend However any such holder shall be entitled to participate proportionately in any of the assets of the bank bank and trust company or trust company in the event of liquidation The board of directors may cause such scrip or evidence of ownership to be issued subject to the condition that it shall become void if not exchanged for share certificates before a specified date or subject to the condition that the shares for which such scrip or evidence of ownership is exchangeable may be sold by the bank the bank and trust company or the trust company and the proceeds thereof distributed to the holders of such scrip or other evidence of ownership or subject to any other conditions not prohibited by this act which the board of directors may deem advisable

Section 513 Bonds of Officers and Employees A The officers and employees of every institution as well as any director or trustee of an incorporated institution who is authorized to receive payments of moneys or to handle negotiable securities on behalf of such incorporated institution shall before entering upon the performance of their duties furnish to it bonds in such amount as is specified with such surety as is approved in the case of an incorporated institution by the directors or trustees and in the case of a private bank by the private banker or bankers Such bond shall be conditioned upon the faithful performance of the duties of such officers directors trustees or employees The cost of such bonds may be paid by the institution

B The Departments shall have the power to require any such officer director trustee or employee at any time during his term of office or employment to furnish a bond in an amount greater than that required by the board of directors or trustees of the incorporated institution or by the private banker or bankers as the case may be or it may require new or additional surety

Section 808 Approval of Articles of Amendment by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles of amendment from the Department of State conduct such examination as it may deem necessary to ascertain from the best sources of information at its command whether such amendment or amendments will be lawful not injurious to the community and in accordance with the purposes of the articles of incorporation The costs of such examination and any other charges of the Department of Banking bearing upon the filing of articles of amendment shall be assessed upon the incorporated institution in the manner provided by law or assessments by the Department of Banking of costs of examinations or other charges

B Within thirty days after the receipt of the articles of amendment from the Department of State the Department of Banking shall upon bases of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action It if shall approve the articles of amendment it shall endorse its approval thereon and shall return them to the Department of State [If the purpose of the amendment is to establish a branch bank branch office agency sub-office sub-agency or branch place of business and if the Department of Banking shall approve such amendment any person aggrieved by the action of the Department of Banking in approving the articles of amendment may appeal to the court of common pleas of the county in which it is proposed to establish such branch bank branch office agency sub-office sub-agency or branch place of business The court shall hear such appeal promptly and shall decide the matter upon its merits The court shall send to the Department of Banking a certified copy of its order]

C If the Department of Banking disapproves the articles of amendment it shall return them to the Department of State stating in detail its reasons for doing so The Deparment of State shall immediately give notice to the incorporated institution of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The decision of the Department of Banking [in disapproving any articles of amendment] shall be conclusive and not subject to any review

Section 906 Deposits with Other Corporations or Persons Authorize to Receive Deposits Reserve Agents A Except as otherwise specifically provided in this act any institution may deposit any of its funds in any other institution national banking association or any corporation or person [doing business in another state] authorized by [the laws of such other state] law to receive deposits and subject to the supervision of the banking authorities of [such other state] the United States of the State in which such corporation or person transacts business but an incorporated institution shall not deposit any of its funds in such other institution national banking association or corporation or person unless it has been designated as a depository by a majority of all the members of the board of directors or of the board of trustees as the case may be of the depositing incorporated institution

B An institution shall not have on deposit at any one time with any other institution national banking association or other corporation or person [doing business in another state corporation or person has been duly approved for this purpose and subject to the supervision of the banking authorities of such other state] an amount in excess of ten per centum of the unimpaired capital plus ten per centum of the unimpaired surplus of the depositing institution if a bank or a bank and trust company or an amount in excess of ten per centum of its unimpaired surplus if a savings bank or an amount in excess of ten per centum of its net worth if a private bank unless

such other institution national banking association or other authorized by the laws of such other state to receive deposits by the department

C A Director of a bank a bank and trust company or a trust company or a trustee of a savings bank shall not have a vote in designating as a depository any institution national banking association or other corporation or person of which he is an officer or director or if the proposed depository is a private bank of which he is one of the owners or if it is an incorporated institution a national banking association or any other corporation of which he owns five per centum or more of the shares of its capital

D A reserve agent of an institution for the purposes of this act shall be any institution national banking association or corporation or person designated as a depository of such institution in the manner provided by this act and approved by the department as a depository for any moneys of such institution which are part of the reserve fund against deposits and demand liabilities as defined herein which is required by this act to be established and maintained by such institution

Section 908 Reserve Fund against Deposits and Demand Liabilities A Every bank bank and trust company or private bank shall establish and maintain a reserve fund in an amount equal to at least fifteen per centum of the total of its net demand deposits and net demand ialbilities plus seven and one-half per centum of its total net time deposits as herein defined

B Except in the case of a savings bank the term "demand deposits" shall be construed to refer to all deposits payment of which can legally be required on demand or within any period less than thirty days after demand

The term "demand liabilities" shall be construed to refer to all obligations of the institution other than deposits payment of which can legally be required on demand

Except in the case of a savings bank the term "time deposits" shall be construed to refer to all deposits payment of which cannot legally be required within thirty days

C Except in the case of a savings bank the total of such reserve fund may and at least one-third [thereof] of the reserve fund against demand deposits and demand liabilities shall consist of gold bullion gold coin United States gold or silver certificates notes or bills issued by any national banking association or Federal reserve bank or any other form of currency of the United States and be kept on hand at the place of business of the institution unpledged unassigned and unhypothecated

One-third of such reserve fund may consist of bonds or other interest-bearing obligations of the United States the Commonwealth of Pennsylvania or any political subdivision thereof Such bonds while being carried in the reserve fund shall be computed at their current market value They shall be the absolute property of the institution and shall not be pledged assigned or hypothecated in any manner whatsoever

[The balance of such reserve fund or any] Any part [thereof but] of such reserve fund not [exceeding two-thirds of the total reserve fund] required to consist of gold bullion gold coin or any form of currency kept on hand at the place of business of the institution may consist of an actual net balance of moneys on deposit subject to call without notice in any reserve agent as hereinbefore defined

D Every savings bank shall establish and maintain a reserve fund in an amount equal to at least seven and one-half per centum of the total of its net deposits

E In the case of savings banks the total of such reserve fund may and at least two-thirds thereof shall consist of gold bullion gold coin United States gold or silver certificates notes or bills issued by any national banking association or Federal reserve bank or any other form of currency of the United States kept on hand at the place of business of the institution unpledged unassigned and unhypothecated or an actual net balance of moneys on deposit subject to call without notice in any reserve agent as hereinbefore defined

The balance of such reserve fund may consist of bonds or other interest-bearing obligations of the United States the Commonwealth of Pennsylvania or any political subdivision thereof Such bonds while being carried in the reserve fund shall be computed at their current market value They shall be the absolute property of the institution and shall not be pledged assigned or hypothecated in any manner whatsoever

Section 1001 Powers of Banks Bank and Trust Companies or Trust Companies A In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a bank or a bank and trust company elsewhere in this act a bank or a bank and trust company shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To receive money on deposit and to pay interest thereon

(2) To receive money for transmission either to a foreign country or otherwise

(3) To rediscount and borrow money bonds or other securities and to pledge collateral therefor

(4) To lend money either upon the security of real or person property or otherwise to charge or to receive in advance interest therefor

(5) To discount buy sell negotiate or assign promissory notes drafts bills of exchange trade and bank acceptances stocks bonds or other evidences of debt

(6) To buy and sell exchange coin and bullion

(7) To purchase hold or convey real property

(8) To improve or to lease real property for its accommodation

(9) To accept for payment at a future date drafts or bills of exchange drawn upon it

(10) To issue letters of credit authorizing the holders thereof to draw drafts or bills of exchange upon it or its correspondents

(11) To become a member of a Federal Reserve Bank

(12) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(13) To invest in the shares of an institution engaged in a foreign banking business

(14) To become a member of a clearing house association and to pledge such assets therewith as will qualify it for membership therein

(15) To establish branch banks branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(16) To become a member of the Federal Deposit Insurance Corporation in accordance with the provisions of the Federal "Banking Act of one thousand nine hundred and thirty-three" approved the sixteenth day of June one thousand nine hundred and thirty-three its amendments and supplements or of any other corporation hereafter organized by the United States for the purpose of insuring deposits in banks or bank and trust companies and to purchase and hold so much of the capital of the Federal Deposit Insurance Corporation or of such other corporation as will qualify it for membership therein

B In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a trust company elsewhere in this act a trust company shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To purchase hold or convey real property

(2) To improve or to lease real property for its accommodation

(3) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(4) To establish branch trust companies branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(5) To make any investments subject to the same limitations as in the case of savings banks incorporated hereunder including such investments as are specifically authorized by its articles

Section 1003 Interest on Deposits A A bank or a bank and trust company shall have the power to credit and pay on all deposits such interest as may be established from time to time by agreement or regulation Such interest shall be paid to the respective depositors or credited to their accounts at least annually and in the case of certificates of deposit interest shall be paid or accrued a least annually

B A bank or a bank and trust company shall not credit or pay any interest on any deposit for a longer period than it has been deposited with the bank or bank and trust company except that deposits made not later than the fifth business

day of the month or deposits withdrawn upon one of the last three business days of the month ending any annual semi-annual or quarterly interest period may have interest declared upon them for the whole of the period or month in which they were so deposited or withdrawn It shall also be lawful for deposit accounts closed between interest periods to be credited with interest computed from the last interest period to the date when closed

Section 1017 Protection against Loss on Previous Loan or Investment The restrictions imposed by this act shall not be construed to prevent a bank or a bank and trust company in order to protect itself from loss upon a loan or investment previously made lawfully and in good faith from acquiring ownership of or otherwise taking and holding any kind of property or security whether real or personal Except as otherwise provided by this act any property so acquired unless of the character and nature by this act authorized to be purchased or held by such bank or bank and trust company shall be sold by it within five years but the department may upon application of a bank or bank and trust company grant to it in writing the power to hold such property for a longer period

Section 1202 Powers of Savings Banks In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a savings bank elsewhere in this act a savings bank shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To receive money on deposit and pay interest thereon

(2) To receive money for transmission to a foreign country or otherwise and to forward such money through any bank bank and trust company private bank national banking association or any other corporation or person authorized by the laws of any state to receive deposits and subject to the supervision of the banking authorities of such state

(3) To borrow money to repay the demands of depositors and to pledge its assets therefor

(4) To make investments

(5) To lend money upon the security of real or personal property and to charge or to receive in advance interest therefor

(6) To purchase hold or convey real property

(7) To improve or to lease real property for its accommodation

(8) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(9) To establish branch savings banks branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(10) To become a member of a Federal Reserve Bank and for such purpose to purchase and hold so much of the capital of such Federal Reserve Bank as will under any Federal law qualify it for membership therein

(11) To become a member of the Federal Deposit Insurance Corporation in accordance with the provisions of the Federal "Banking Act of one thousand nine hundred thirty-three" approved the sixteenth day of June one thousand nine hundred thirty-three its amendments and supplements or of any other corporation hereafter organized by the United States for the purpose of insuring deposits in savings banks and to purchase and hold so much of the capital of the Federal Deposit Insurance Corporation or of such other corporation as will qualify it for membership therein

Section 1208. Authorized Investments of Savings Banks Not Under Special Charter A Except as otherwise specifically provided in this act a savings bank other than a savings bank organized under a special act of the General Assembly shall not make any investments except as follows

(1) Bonds or other interest-bearing obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged including the bonds or other interest-bearing obligations of the District of Columbia

(2) Farm loan bonds issued by Federal land banks operating under the provisions of the Federal Farm Loan Act approved the seventeenth day of July one thousand nine hundred sixteen its amendments and supplements

[(3)] (3) Bonds or other interest-bearing obligations of the Commonwealth of Pennsylvania or of any state of the United States or those for the payment of the principal and interest on which the faith and credit of this Commonwealth or of such state is pledged provided that it has not at any time within the ten years immediately preceding the date of the purchase of such bonds or other obligations by the savings bank defaulted in the payment of any part of any principal or interest due by it

[(4)] (4) Bonds or other interest-bearing obligations of any county city borough township school district or other political subdivision of the Commonwealth of Pennsylvania or of any city borough township school district or other political subdivision of any state of the United States or those for the payment of the principal and interest on which the faith and credit of such political subdivisions is pledged provided that it has not within the ten years immediately preceding the date of the purchase of such bonds or other obligations by the savings bank defaulted in the payment of any part of any principal or interest due by it

[(5)] (5) Obligations issued assumed or guaranteed as to principal and interest by or equipment bonds of any railroad corporation whether incorporate under the laws of this Commonwealth of any other state or of the Dominion of Canada provided that such railroad corporation has not at any time within the five years immediately preceding the date of the investment in such obligations or bonds by the savings bank failed punctually to pay the matured principal and interest on all of its indebtedness

[(6)] (6) The bonds of any corporation whether incorporated under the laws of the United States of any other state or of the District of Columbia which transacts the business of supplying electrical energy artificial gas or natural gas purchased from another corporation and supplied in substitution for or in mixture with artificial gas for light heat power and other purposes or which transacts any two or all of such businesses but at least seventy-five per centum of the gross operating revenues of such corporation shall be derived from such business and not more than fifteen per centum of the gross operating revenues shall be derived from any one kind of business other than supplying electricity and gas and such corporation shall be subject to regulation by a public service commission a public utility commission or any other similar regulatory body duly established by the laws of the United States or of any state in which such corporation operates subject to the following conditions

(a) Such corporation shall have all the franchises necesary to operate in territory in which at least seventy-five per centum of its gross income is earned which franchises shall either be made indeterminate permits of or agreements with or subject to the jurisdiction of a public service commission or other duly constituted regulatory body or shall extend at least five years beyond the maturity of such bond and such corporation shall file with the department and make public in each year a statement and a report giving the income account covering the previous fiscal year and a balance sheet showing in reasonable detail the assets and liabilities at the end of the year

(b) The outstanding full-paid capital stock of such corporation shall at the time of such investment be equal to at least two-thirds of the total debt secured by mortgage liens on any part or all of its property but in the case of a corporation having non-par value shares the amount of capital which such shares represent shall be the capital as shown by the books of the corporation

(c) Such corporation shall have been in existence for a period of not less than eight fiscal years and at no time within such period of eight fiscal years immediately preceding the date of such investment shall such corporation have failed to pay promptly and regularly the matured principal and interest of all its indebtedness direct assumed or guaranteed but the period of life of the corporation together with the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation merger or purchase shall be considered together in determining such required period

(d) For period of five fiscal years immediately preceding such investment the net earnings of such corporation shall have averaged per year not less than twice the average annual interest charges on its total funded debt applicable

to that period and for the last fiscal year preceding such investment such net earnings shall have been not less than twice the interest charges for a full year on its total funded debt outstanding at the time of such investment and for such period the gross operating revenues of any such corporation shall have averaged per year not less than one million dollars and such corporation shall have for each such year either earned an amount available for dividends or paid an amount in dividends equal to four per centum upon a sum equivalent to two-thirds of its funded debt

(e) In determining the qualifications of any bond under this clause where a corporation shall have acquired its property or any substantial part thereof within the five years immediately preceding the date of such investment by consolidation or by merger or by the purchase of all or a substantial portion of the property of any other corporation or corporations the gross operating revenues net earnings and interest charges of the several predecessor or constituent corporations shall be consolidated and adjusted so as to ascertain whether the requirements of the paragraph immediately preceding this one as to net and gross earnings and as to dividends have been complied with

(f) The gross operating revenues and expenses of a corporation for the purpose of this clause shall be respectively the total amount earned from the operation of and the total expense of maintaining and operating all property owned and operated by or leased and operated by such corporation as determined by the system of accounts prescribed by the public service commission or public utility commission or other similar regulatory body having jurisdiction in the matter The gross operating revenue and expenses as defined above of subsidiary companies may be included provided that all the mortgage bonds and a controlling interest in shares of such subsidiary companies are pledged as part of the security for the mortgage debt of the principal company

The net earnings of any corporation for the purpose of this clause shall be the balance obtained by deducting from its gross operating revenues its operating and maintenance expenses taxes other than Federal and State income taxes rentals and provision for renewals and retirements of the physical assets of the corporation and by adding to such balance its income from securities and miscellaneous sources but not however exceeding fifteen per centum of such balance

(g) Such bonds must be part of an issue of not less than one million dollars and must be mortgage bonds secured by a first or refunding mortgage secured by property owned and operated by the corporation issuing or assuming them or must be underlying mortgage bonds secured by property owned and operated by the corporations issuing or assuming them but such bonds shall be refunded by a junior mortgage providing for their retirement the bonds under such junior mortgage shall comply with the requirements of this section and such underlying mortgage shall be either a closed mortgage or shall remain open solely for the issue of additional bonds which are to be pledged under such junior mortgage The aggregate principal amount of bonds secured by such first or refunding mortgage plus the principal amount of all the underlying outstanding bonds shall not exceed sixty per centum of the value of the physical property owned as shown by the books of the corporation and subject to the lien of such mortgage or mortgages securing the total mortgage debt However if such mortgage is a refunding mortgage it must provide for the retirement on or before the date of their maturity of all bonds secured by prior liens on the property

(h) The term funded debt shall be construed to mean all interest-bearing debts maturing more than one year from date of issue

[(7)] (7) The bonds of any corporation whether incorporated under the laws of the United States of any other state or of the District of Columbia which engages and is authorized to engage in the business of furnishing telephone service in the United States provided that such corporation is subject to regulation by the interstate commerce commission a public service commission a public utility commission or any other similar Federal or State regulatory body duly established by the laws of the United States or by the laws of any state in which such corporation operates subject to the following conditions

(a) Such corporation shall have been in existence for a period of not less than eight fiscal years and at no time within such period of eight fiscal years immediately preceding the date of such investment shall such corporation have failed to pay promptly and regularly the matured principal and interest of all its indebtedness direct assumed or guaranteed but the period of life of the corporation together with the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation merger or purchase shall be considered together in determining the required period of such corporation shall file with the department and make public in each year a statement and a report giving the income account covering the previous fiscal year and a balance sheet showing in reasonable detail the assets and liabilities at the end of the year

(b) The outstanding full-paid capital stock of such corporation shall at the time of such investment be equal to at least two-thirds of the total debt secured by mortgage liens on any part or all of its property

(c) For a period of five fiscal years immediately preceding such investment the net earnings of such corporation shall have averaged per year not less than twice the average annual interest charges on its total funded debt applicable to that period and for the last fiscal year preceding such investment such net earnings shall have been not less than twice the interest charges for a full year on its total funded debt outstanding at the time of such investment and for such period the gross operating revenues of any such corporation shall have averaged per year not less than five million dollars and such corporation shall have for each such year either earned an amount available for dividends or paid an amount in dividends equal to four per centum upon all its outstanding capital stock

(d) Such bonds must be part of an issue of not less than five million dollars and must be secured by a first or refunding mortgage and the aggregate principal amount of bonds secured thereby plus the principal amount of all underlying outstanding bonds shall not exceed sixty per centum of the value of the property real and personal owned absolutely and subject to the lien of such mortgage However if such mortgage is a refunding mortgage it must provide for the retirement of all bonds secured by prior liens on the property Not more than thirty-three and one-third per centum of the property constituting the specific security for such bonds may consist of shares or unsecured obligations of affilated or other telephone companies or both

(e) In determining the qualifications of any bond under this clause where a corporation shall have acquired its property or any substantial part thereof within five years immediately preceding the date of such investment by consolidation by merger or by the purchase of all or a substantial portions of the property of any other corporation or corporations the gross operating revenues net earnings and interest charges of the several predecessor or constituent corporations shall be consolidated and adjusted so as to ascertain whether the requirements of this clause as to earnings and dividends have been complied with

(f) The gross operating revenues and expenses of a corporation for the purpose of this clause shall be respectively the total amount earned from the operation of and the total expense of maintaining and operating all property owned and operated by or leased and operated by such corporation as determined by the system of accounts prescribed by the interstate commerce commission or the public service commission or the public utility commission or any other similar Federal or State regulatory body having jurisdiction in the matter

(g) The net earnings of any corporation for the purpose of this clause shall be the balance obtained by deducting from its gross operating revenues its operating and maintenance expenses provision for depreciation of the physical assets of the corporation taxes other than Federal and State income taxes rentals and miscellaneous charges and by adding to such balance its income from securities and miscellaneous sources but not however to exceed fifteen per centum of such balance

(h) The term funded debt shall be construed to mean all interest-bearing debts maturing more than one year from date of issue

[(8)] (8) Bonds secured by mortgages which are first liens upon unencumbered improved real property including

improved farm land situated within the Commonwealth to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years unless amortized in equal annual installments over a period not exceeding fifteen years Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of the savings bank by the mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the savings bank making the investment It shall be lawful for a savings bank to renew such policies at the expense of such mortgagor from year to year or for a longer or shorter period not however exceeding the term of the bond in case the mortgagor shall fail to do so All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such mortgagor In the event that the mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so mortgaged All expenses of searchers examinations certificates of titles or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the savings bank.

B A savings bank other than a savings bank organized under a special act of the General Assembly may make such additional investments as are authorized by its articles but it shall not purchase or invest in bonds secured by mortgage upon real property other than such as are expressly authorized by this act nor shall it invest in the shares of capital of any corporation whatsoever except a Federal Reserve Bank

Section 1506 Prohibition upon Corporations Acting as Fiduciary Penalty A The only corporations organized under the laws of this Commonwealth which shall have authority to act in this Commonwealth as trustees guardians executors administrators or in any similar fiduciary capacity shall be bank and trust companies and trust companies

B A corporation organized under the laws of any state of the United States other than Pennsylvania shall not have authority to act in this Commonwealth as trustee guardian executor administrator or in any other similar fiduciary capacity unless it shall be appointed such fiduciary by any last will and testament or codicil thereto or other testamentary writing or by deed of trust inter vivos or by any court of register of wills of this Commonwealth and unless the laws of such other state confer like powers upon corporations organized under the laws of this Commonwealth but such corporations organized under the laws of another state shall be required to give such bond or other security as shall be deemed adequate by the court or register of wills in the Commonwealth having jurisdiction over the estate of which the corporation is acting as trustee guardian executor administrator or similar fiduciary

C The provisions of this section shall not be construed to permit a corporation organized under the laws of any state other than this Commonwealth to establish in this Commonwealth a place of business for the conducting of the business of acting as fiduciary

D The provisions of this section shall not apply to any nonprofit corporation nor shall they be construed to prevent any court or testator from appointing any corporation as trustee to execute a trust for its own use within the purposes of such corporation or to prevent any corporation from liquidating and winding-up the business and affairs of another corporation for the benefit of the creditors and shareholders of such other corporation

E Any national banking association having authority under the laws of the United States to act as trustee guardian executor administrator or similar fiduciary shall upon the adoption by its board of directors of a resolution agreeing to place its trust department under the supervision of the Department of Banking and upon the transmission of a certified copy of such resolution to the Department of Banking be authorized to act as such fiduciary in this Commonwealth

F Any corporation whether organized under the laws of this Commonwealth or of any other state which violates the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding five thousand dollars

On the question,

Will the House agree to the section?

Mr. BALDI. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend page 2, section 1, line 4, by striking out the number "204."

Amend page 9 by striking out entirely lines 7 to 29 inclusive.

Amend page 10 by striking out entirely lines 1 to 28 inclusive.

Amend page 11 by striking out entirely lines 1 to 29 inclusive.

Amend page 12 by striking out all of lines 1 to 29 inclusive.

Amend page 13 by striking out all of lines 1 to 13 inclusive.

Amend page 15, line 25 by striking out the bracket after the word "State" and before the word "if."

Amend page 15, line 29 by striking out bracket after the last word "in."

Amend page 16 by striking out from line 1 the bracket in front of the word "approving."

Amend page 16, line 15 by striking out the bracket after the last word "order."

Amend page 16, line 15, by striking out the bracket after the word "Banking" and in front of the word "in," and by striking out the bracket after the last word "amendment" on line 15.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections were separately read and agreed to as follows:

Section 2 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 3 This act shall become effective immediately upon it approval by the Governor

The title was read as follows:

An Act to amend the act approved the fifteenth day of May, One Thousand nine hundred and Thirty-three (Pamphlet Laws six hundred and twenty-four), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers; and of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons, restricting the exercise of banking powers by any other corporations, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts" by providing

for establishment, maintenance, and operation of branch banks, branch offices and agencies and by further providing for the powers and limitations upon the facts of corporations and persons authorized to engage in a banking or a fiduciary business, or both, and of affiliates of such corporations or persons, and of officers, directors, trustees, and employes of such corporations and persons.

On the question,

Will the House agree to the title?

Mr. BALDI. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title by striking out on the tighth line on page 2, of said title the word "pro-" at the end of the line and by striking out on page 2, on the ninth line of said title all of the 9th line, and by striking out on the 10th line of said title appearing on page 2, the following words: "[branch banks branch offices and agencies and by]."

Amend 12th line of said title appearing on the second page by striking out the letter "f" from the word "facts."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

ADJOURNMENT

Mr. HUTTON. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 9.30 o'clock.

The motion was agreed to, (at 5.20 o'clock P. M.) the House adjourned until Thursday, December 21, 1933, at 9.30 o'clock A. M.

ERRATUM

In the Legislative Journal for Wednesday, December 6, page 453 in the roll call on House Bill No. 20, the vote of David R. Perry should be changed from "Yea" to "Nay."

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1933.

Vol. 16 HARRISBURG, PA., THURSDAY, DECEMBER 21, 1933. No. 22.

SENATE

THURSDAY, December 21, 1933.

The Senate met at 10 o'clock A. M

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Acting Chaplain, Rev. Oscar F. R. Treder offered the following prayer:

O God, our Lord and Master, before Whom the angels veil their faces, look on us standing before Thee. Forgive our lack of reverence and sympathy; our ignorance of Thy Spirit, of our own hearts, and of our people's trials.

For the great benefits of Thy eternal goodness, we render Thee most hearty thanks. Sanctify our thoughts and intentions, our words and actions, that by Thy blessing they may be effective and successful according as they can be capable.

Strengthen these Thy servants with all gifts of grace necessary to their work, that they may have zeal with prudence, fervor with patience, and earnestness with humility.

O Wisdom, which camest forth out of the Most High, mightily and sweetly ordering all things, come and teach them Thy way.

Specifically we pray Thee, merciful God, giver of life and health, bless Thy servants, the members of this House and the Chaplain of this House, and those who minister to them of Thy healing gifts, that they may be restored to health of body and of mind.

Preserve the people of this Commonwealth from faithless fears and worldly anxieties, and grant that no clouds of this mortal life may hide from them the light of that love which is immortal, lift them to Thy presence, where they may be still and know that Thou art God.

And, O Lord, support us all the day long, until the shadows lengthen and the evening comes, and the busy world is hushed, and the fever of life is over, and our work is done. Then in Thy mercy grant us a safe lodging, and a holy rest, and peace at the last. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SONES, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

The CHAIR asked and obtained leave of absence for the Senator from Lackawanna, Mr. Howell, on account of illness.

ERRATUM

Page 727, Column 1, line 37, strike out the word "aye" and insert in lieu thereof the word "nay."

HOUSE MESSAGE

HOUSE INSISTS UPON ITS AMENDMENTS TO SENATE BILL No. 35

The Clerk of the House of Representatives being introduced presented communication from the House informing the Senate that the House insists upon its amendments, non-concurred in by the Senate, to Senate Bill No. 35, entitled:

An Act relating to milk and the products thereof declaring an emergency with respect to their production and marketing creating a Milk Control Board establishing its jurisdiction powers and duties regulating the production transportation manufacture processing storage distribution delivery and sale of milk and the products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring licensees to furnish bonds for the protection of producers authorizing the examination of the business papers and affairs of and requiring the filing of reports by licensees other milk dealers and producers and permitting with limitations the dissemination of information obtained therefrom authorizing the issuance of subpoenas by the Board or its agents and conferring jurisdiction upon courts to punish contempts providing for appeals to the courts from decisions of the Milk Control Board imposing penalties and making an appropriation

APPOINTMENT OF COMMITTEE OF CONFERENCE

Mr. BUCKMAN. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments to the foregoing bill and a committee of conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Buckman, Clark and Owlett, be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 21, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

F. E. Angerer, Wilkinsburg.

BERKS COUNTY

M. Louis Rudolph, Reading.

BUCKS COUNTY

Howard W. Good, Ottsville

GIFFORD PINCHOT.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 53, entitled:

An Act providing for the creation of public "Authorities" in counties of the second class; authorizing such "Authorities" to enter into agreements with the Government of the United States, particularly as they relate to the National Industrial Recovery Act and any amendments and supplements thereto, the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others; defining and providing for the organization and dissolution of such "Authorities;" conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions upon which such "Authorities" may exercise their powers; endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds; authorizing such "Authorities" to make and receive appropriations; repealing certain acts and parts of acts inconsistent herewith; and for other purposes.

Senate Bill No. 89, entitled:

An Act authorizing the State Treasury and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects; providing for the payment of damages by counties and townships as a result of relocating, widening or constructing said highways or bridges; and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE SENATE TO SENATE BILL No. 35

The Clerk of the House of Representatives being introduced informed the Senate that the House insists upon its non-concurrence in the amendments made by the Senate to Senate Bill No. 35, entitled:

An Act relating to milk and the products thereof; declaring an emergency with respect to their production and marketing; creating a Milk Control Board establishing its jurisdiction, powers, and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery, and sale of milk and the products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring licensees to furnish bonds for the protection of producers; authorizing the examination of the business, papers, and affairs of, and requiring the filing of reports by, licensees and other milk dealers and producers and permitting with limitations the dissemination of information obtained therefrom; authorizing the issuance of subpoenas by the Board or its agents, and conferring jurisdiction upon courts to punish contempts; providing for appeals to the courts from decisions of the Milk Control Board; imposing penalties; and making an appropriation.

and has appointed Messrs. Haines, Hutton and Horst as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two Houses in relation to said bill.

RECESS

Mr. EALY. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 35

Mr. BUCKMAN. Mr. President, I move that the Senate do now proceed to the consideration of the Report of the Committee of Conference on Senate Bill No. 35, entitled:

An Act relating to milk and the products thereof; declaring an emergency with respect to their production and marketing; creating a Milk Control Board in the Department of Agriculture; defining its jurisdiction, powers, and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery, and sale of milk and the products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring licenses to furnish bonds for the protection of producers; authorizing the examination of the business, papers, and affairs of, and requiring the filing of reports by, licensees and other milk dealers, and permitting with limitations the dissemination of information obtained therefrom; authorizing the issuance of subpoenas by the Board or its agents, and conferring jurisdiction upon courts to punish contempts; providing for appeals to the courts from decisions of the Milk Control Board; imposing penalties; and making an appropriation."

Mr. OWLETT. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 35

To the Members of the Senate and the House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 35, entitled:

"An Act relating to milk and the products thereof; declaring an emergency with respect to their production and marketing; creating a Milk Control Board establishing its jurisdiction powers and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery, and sale of milk and the products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring licensees to furnish bonds for the protection of producers; authorizing the examination of the

business, papers, and affairs of, and requiring the filing of reports by, licensees other milk dealers, and producers, and permitting with limitations the dissemination of information obtained therefrom; authorizing the issuance of subpoenas by the Board or its agents, and conferring its jurisdiction upon courts to punish contempts providing for appeals to the courts from decisions of the Milk Control Board; imposing penalties; and making an appropriation."

respectfully submit the following bill as our report.

CLARENCE J. BUCKMAN,
WILLIAM H. CLARK,
G. MASON OWLETT,
Committee on the part of the Senate.

W. ALBERTSON HAINES,
A. J. WHITE HUTTON,
MILES HORST,
Committee on the part of the House of Representatives

An Act relating to milk and the products thereof declaring an emergency with respect to their production and marketing creating a Milk Control Board establishing its jurisdiction powers and duties regulating the production transportation manufacture processing storage distribution delivery and sale of milk and the products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring licensees to furnish bonds for the protection of producers authorizing the examination of the business papers and affairs of and requiring the filing of reports by licensees other milk dealers and producers and permitting with limitations the dissemination of information obtained therefrom authorizing the issuance of subpoenas by the Board or its agents and conferring jurisdiction upon courts to punish contempts or to prohibit violations of orders of the Board providing for appeals to the courts from decisions of the Milk Control Board imposing penalties and making an appropriation

Whereas unhealthful unfair unjust destructive demoralizing and uneconomic trade practices have been and are now carried on in the production sale and distribution of milk and milk products in this Commonwealth whereby the dairy industry in the Commonwealth and the constant supply of pure milk to inhabitants of the Commonwealth are imperiled and

Whereas such conditions constitute a menace to the health welfare and reasonable comfort of the inhabitants of the Commonwealth and

Whereas it is necessary to protect the well-being of the inhabitants of this Commonwealth to promote the public welfare and to preserve the strength and vigor of the race by declaring that the production transportation manufacture processing storage distribution and sale of milk in the Commonwealth of Pennsylvania is a business affecting the public health and affected with a public interest and

Whereas the production and distribution of milk is a paramount industry upon which the prosperity of the Commonwealth in large measure depends and

Whereas the present acute economic emergency being in part the consequence of a severe and increasing disparity between the prices of milk and other commodities which disparity has largely destroyed the purchasing power of milk producers for industrial products has broken down the orderly production and marketing of milk and has seriously impaired the agricultural assets supporting the credit structure of the Commonwealth and its local governmental subdivisions and

Whereas the danger to the public health and welfare is immediate and impending the necessity urgent and such as will not admit of delay in public supervision and control in accord with proper standards of production sanitation and marketing the foregoing statements of fact policy and application of this act are hereby declared to be matters of legislative determination

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the exercise of the police power of the Commonwealth and to protect the public health and public welfare it is hereby declared that the production transportation manufacture processing storage distribution and sale of milk in the Commonwealth is a business affecting the public health and affected with a public interest and it is hereby declared to be the legislative intent that this act shall be an emergency measure enacted for the purpose of regulating and controlling the milk industry in this Commonwealth for the protection of the health welfare and comfort of the inhabitants thereof

Section 2 Short Title This act shall be known and may be cited as the "Milk Control Board Law"

Section 3 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Board" means the temporary State agency created by this act to be known as the "Milk Control Board"

"Consumer" means any person other than a milk dealer who purchases milk for fluid consumption.

"Licensee" means a licensed milk dealer

"Market" includes any city borough incorporated town or township in the Commonwealth or any two or more such cities boroughs incorporated towns or townships or any portions thereof designated by the Board as a natural marketing area

"Milk" includes fluid milk and cream fresh sour or storage skimmed milk buttermilk and condensed or concentrated whole or skimmed milk except when contained in hermetically sealed cans

"Milk Dealer" means any person including any store as hereinafter defined who purchases or handles milk within the Commonwealth for sale shipment storage processing or manufacture within or without the Commonwealth A producer who delivers milk to a milk dealer only shall not be deemed a milk dealer A co-operative agricultural association or corporation of producers of milk organized under the laws of this Commonwealth or of any other state and engaged in making collective sales of milk for producers under contract with it shall not be deemed a milk dealer but shall be deemed a producer provided however that if such association or corporation distributes milk within this Commonwealth to stores as defined in this act or to consumers as defined in this act it shall be deemed to be a milk dealer as to that part of its business and shall be governed by the provisions of this act applicable thereto and further provided that such co-operative agricultural association or corporation shall be governed by the applicable provisions of this act as to the prices at which it sells milk within this Commonwealth

"Person" includes an individual corporation association partnership limited partnership or other unincorporated enterprise owned by two or more individuals

"Producer" means a person producing milk within the Commonwealth of Pennsylvania

"Store" includes a grocery store hotel restaurant soda fountain dairy products store or any similar mercantile establishment which sells milk

B Any reference in this act to quantity of milk shall be construed to include its whole milk equivalent

C Section headings shall not be construed to affect in any manner the scope or meaning of any section of this act

D The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the faminine

Section 4 Creation of Milk Control Board Membership Applicability of Administrative Code A There is hereby created an independent administrative board to be known as the Milk Control Board The Board shall consist of three members who shall be nominated and by and with the consent of the Senate appointed by the Governor Each member shall receive a salary at the rate of six thousand dollars ($6,000) per annum

B Each member of the Board at the time of his appointment and qualification shall be a citizen of the United States and a resident of the Commonwealth of Pennsylvania and shall have been a qualified elector in the Commonwealth for a period of one year next preceding his appointment

No member of the Board during his period of service as such shall hold any other office under the laws of this Commonwealth or of the United States

The Governor shall designate one of the members of the Board as chairman The chairman shall when present preside

at all meetings and in his absence a member designated by the chairman shall preside

Two members of the Board shall constitute a quorum and any action or order of the Board shall require the approval of at least two members

C The Board may appoint a secretary to hold office at its pleasure The secretary if appointed shall have such powers and shall perform such duties not contrary to law as the Board shall prescribe and shall receive such compensation as the Board with the approval of the Governor shall determine The secretary shall have power and authority to designate from time to time one of the clerks appointed by the Board to perform the duties of the secretary during his absence and the clerk so appointed shall exercise for the time so designated the powers of the secretary of the Board

D Except as otherwise specifically provided in this act the Board and its employes shall be subject to all the provisions of The Administrative Code of one thousand nine hundred and twenty-nine approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) its amendments and supplements which apply generally to independent administrative boards or commissions

Section 5 General Powers of Board A The Board is hereby declared to be the instrumentality of the Commonwealth for the purpose of administering the provisions of this act and to execute the legislative intent herein expressed and it is hereby vested with power

(1) To supervise and regulate the entire milk industry of this Commonwealth including the production transportation manufacture processing storage distribution delivery and sale of milk and milk products in this Commonwealth provided however that nothing contained in this act shall be construed to alter amend or repeal The Public Service Company Law or any of the laws of this Commonwealth relating to the public health or to the prevention of fraud or deception

(2) To investigate as the emergency permits and regulate as the emergency requires all matters pertaining to the production manufacture processing storage transportation disposal distribution and sale of milk and milk products in this Commonwealth including the establishment of reasonable trade practices and systems of production control in connection therewith

B The operation and effect of any provision of this act conferring a general power upon the Board shall not be impaired or qualified by the granting to the Board by this act of a specific power or powers

C The Board either itself or through its duly authorized agent may hold such hearings either at the capitol or elsewhere as it deems necessary to carry out the provisions of this act

Section 6 Power of Board to Subpoena Penalty A In order to enable the Board to carry out the provisions of this act it shall have the power to issue subpoenas requiring the attendance of or the production of pertinent books and papers by milk dealers or their employes producers or their employes persons having business dealings with milk dealers or producers or other persons whom the Board believes to have information of importance to it in carrying out the purposes and intent of this act The Board may likewise issue commissions letters rogatory or other appropriate processes outside the Commonwealth

The Board shall likewise have the power to question such witnesses under oath or affirmation and to examine such books and papers

The Board may delegate to any member thereof or any employe designated by it the powers granted to it under this section

B Any witness who refuses to obey a subpoena issued hereunder or to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court For this purpose an application may be made by the Board to the court of common pleas within the territorial jurisdiction of which the offense was committed for which purpose such court is hereby given jurisdiction

C Each witness required to attend before the Board or any member thereof under the provisions of this section shall be entitled to the fees and mileage customarily paid to witnesses in the courts of Dauphin County

Section 7 Rules Regulations and Orders A The Board may adopt and enforce all rules regulations and orders necessary or desirable to carry out the provisions of this act and not inconsistent with law Every general rule regulation or order of the Board shall be posted for public inspection in the main office of the Board at least three days before it shall become effective and shall be given such further publicity by advertisement in a newspaper or otherwise as the Board shall deem advisable An order applying only to a particular person or persons named therein shall be served on the person or persons affected

B An order herein required to be served shall be (1) served in the manner now or hereafter established by law for the service of writs of summons except that such service need not be made by the sheriff or (2) mailed charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a corporation formed under the laws of this Commonwealth to its principal office and (c) in the case of a corporation formed under the laws of some other state to the office of its duly authorized agent in Pennsylvania or if there be no duly authorized agent in Pennsylvania to its home office in the state of incorporation or in any other state

C The posting in the main office of the Board of any rule regulation or order not herein required to be served and the giving of such further publicity thereto if any as the Board deems advisable or the proper service of one required to be served shall constitute due and sufficient notice to all persons affected by such rule or order A rule of the Board when duly posted and filed as provided in this section shall have the force and effect of law The Board shall upon request mail to any person any general rule or regulation of the Board It may charge a reasonable fee for such service

Section 8 Entry and Inspection Pursuant to carrying out the purposes of this act any member of the Board or any employe designated for the purpose shall have access to and may enter at all reasonable hours all places where milk or any product thereof is being produced stored bottled processed manufactured sold or otherwise handled Any member of the Board or any designated employe thereof also shall have power at all reasonable hours to inspect all books papers records or documents in any place within the Commonwealth for the purpose of ascertaining facts to enable the Board to administer this act The information obtained by any such inspection or by reports required by this act shall be for the confidential use of the Board and the various departments of the State government and shall not be disclosed by any person except as may be required in the enforcement of law or by order of court The Board however may use such information together with other similar information for compilation and publication of statistics of the industry in this Commonwealth

Section 9 Violations Remedies A Except as otherwise specifically provided in this act any person violating any provision of this act or any rule regulation or order of the Board lawfully made shall be guilty of a misdemeanor and shall upon conviction thereof be subject to a fine not exceeding one hundred dollars or imprisonment not exceeding one year or both For each day during which any such violation shall continue such person shall be deemed to have committed an additional violation

B The Board may institute such action at law or in equity as may appear necessary to enforce compliance with any provision of this act or to enforce compliance with any rule regulation or order of the Board made pursuant to the provisions of this act and in addition to any other remedy may apply to the Court of Common Pleas of Dauphin County for relief by injunction if necessary to protect the public interest without being compelled to allege or prove that an adequate remedy at law does not exist

Section 10 Licenses to Milk Dealers Applications Grant Suspension and Revocation A Except as herein otherwise specifically provided a milk dealer as defined in this act shall not buy milk from producers or others within this Commonwealth for storage manufacture processing distribution or sale within or without this Commonwealth or sell or distribute milk within this Commonwealth unless such dealer

be duly licensed as herein provided and it shall be unlawful for a milk dealer to buy milk from or sell milk to a milk dealer who is not either licensed or exempted as herein provided or in any way to deal in or handle milk which he has reason to believe has previously been dealt in or handled in violation of the provisions of this act

B The Board may by official order exempt from the license requirements provided by this act milk dealers who purchase or handle milk in a total quantity not exceeding three thousand pounds in any month and milk dealers selling milk in any quantity only in markets of a population of one thousand or less for local consumption The Board may by official order exempt stores or any class thereof from the license requirements provided by this act However milk dealers exempted by this section from the license requirements of this act shall continue to be subject to all the other provisions of this act relating to milk dealers

C An application for a license to operate as a milk dealer shall be made within thirty days after this act takes effect and annually thereafter on or before April fifteenth by mail or otherwise to the Board upon blanks prepared under authority of the Board and shall be accompanied by the fee required by this act The license year shall commence May first and shall end April thirtieth following The applicant shall state the following

(1) The nature of the business to be conducted

(2) The full name of the person applying for the license If the applicant be a co-partnership or association the full name of each member shall be stated If the applicant be a corporation the names and addresses of all officers and directors shall be stated

(3) The city borough incorporated town or township and the street number of any at which the business is to be conducted (4) The financial condition of the applicant including a comprehensive financial statement of his affairs

(5) Facts showing that the applicant has adequate technical personnel and adequate technical and physical facilities properly to conduct the business of receiving and handling milk that he has complied with all rules regulations and orders of the Board filed or served as required in this act and such other facts with respect to the license as may be required by the Board pursuant to this act

D The Board shall grant a license to an applicant complying with the provisions of this act and of any rules and regulations issued by the Board pursuant thereto The Board may decline to grant a license to an applicant or may suspend revoke or refuse to transfer a license already granted to a milk dealer or may prohibit a milk dealer exempted from the license requirements of this act from continuing to operate as a milk dealer when satisfied that he has

(1) rejected without reasonable cause any milk purchased from a produced or has rejected without either reasonable cause or reasonable advance notice milk delivered by or on behalf of a producer in ordinary continuance of a previous course of dealing except where the contract has been lawfully terminated Provided however that in the absence of an express or implied fixing of a longer period in the contract "reasonable advance notice" shall not be construed to mean notice of less than one week nor more than two weeks

(2) without reasonable cause failed to account and make payment for any milk purchased from a producer

(3) committed any act injurious to the public health or public welfare or to trade or commerce in demoralization of the price structure of milk to such an extent as to interfere with an ample supply thereof for the inhabitants of the Commonwealth affected by this act It is hereby declared that such demoralization is injurious to the public health public welfare and to trade and commerce and that evidence of a course of conduct on the part of the milk dealer tending to such demoralization shall be construed to be prima facie evidence of a violation of this act

(4) made a general assignment for the benefit of creditors or has been adjudged a bankrupt or there has been entered against him a judgment upon which an execution has been returned wholly or partly unsatisfied

(5) been a party to a combination to fix prices contrary to law A co-operative agricultural association organized under the laws of this Commonwealth or a similar association or corporation organized under the laws of this or any other state and engaged in making collective sales or marketing for its members or shareholders of dairy products produced by its members or shareholders shall not be deemed or construed to be a conspiracy or combination in restraint of trade or an illegal monopoly nor shall the contracts agreements arrangements or combinations heretofore or hereafter made by such association or corporation or the members officers or directors thereof in making such collective sales and marketing and prescribing the terms and conditions thereof be deemed or construed to be conspiracies or to be injurious to public welfare or commerce

(6) continued in a course of dealing of such nature as to satisfy the Board of an intent of the milk dealer to deceive or defraud producers of consumers

(7) failed either to keep records or to furnish the statements or information required by the Board

(8) made any statement upon which the license was issued which statement is found to have been false or misleading in any material particular

(9) where the milk dealer is a partnership or corporation and any individual holding any position owning any substantial interest therein or having any power to control therein has previously been responsible in whole or in part for any act on account of which a license may be denied, suspended or revoked pursuant to the provisions of this act

(10) where the milk dealer has violated any of the provisions of this act or any of the rules regulations or orders of the Board

E Before refusing to grant or to reissue or before suspending or revoking or before refusing to transfer a license the Board shall afford the applicant or the licensee respectively an opportunity to be heard It shall give to such applicant or licensee by registered mail sent to his last known address at least five days' notice of such hearing

F Licenses issued under this act may not be assigned Licenses may however be transferred from one person to another provided that the prior written approval of the Board to such transfer is obtained but in the case of a receiver or an executor or administrator who succeeds to the business of a licensee he may continue the business for a period of two weeks if otherwise authorized by law without securing the prior approval of the Board Any change in the membership of a partnership or limited partnership either by the withdrawal or the addition of a partner shall be construed to require a transfer of the license

Applications for such transfers shall be filed with the Board at least one week before the transfer is to be made or in the case of a receiver or an executor or administrator within two weeks after he takes possession of the business of the licensee Whenever any license is transferred no license fee shall be required from the person to whom such transfer is made for the balance of the then current license year except the transfer fee of one dollar

Section 11 License Fees A The Board shall charge and collect license fees from milk dealers on a yearly basis as follows

Where a milk dealer received during any of the twelve calendar months immediately preceding the period for which the license is issued a daily average total quantity of milk

(1) not exceeding twenty pounds a license fee of one dollar

(2) exceeding twenty pounds but not exceeding one hundred pounds a license fee of three dollars

(3) exceeding one hundred pounds but not exceeding one thousand pounds a license fee of ten dollars

(4) exceeding one thousand pounds but not exceeding two thousand five hundred pounds a license fee of seventeen dollars and fifty cents

(5) exceeding two thousand five hundred pounds but not exceeding four thousand pounds a license fee of twenty-five dollars

(6) exceeding four thousand pounds but not exceeding ten thousand pounds a license fee of fifty dollars

(7) exceeding ten thousand pounds but not exceeding twenty thousand pounds a license fee of seventy-five dollars

(8) exceeding twenty thousand pounds but not exceeding sixty thousand pounds a license fee of one hundred fifty dollars

(9) exceeding sixty thousand pounds but not exceeding one hundred thousand pounds a license fee of two hundred dollars

(10) exceeding one hundred thousand pounds but not exceeding two hundred fifty thousand pounds a license fee of three hundred fifty dollars

((1) exceeding two hundred fifty thousand pounds but not exceeding five hundred thousand pounds a license fee of five hundred dollars

(12) exceeding five hundred thousand pounds but not exceeding seven hundred fifty thousand pounds a license fee of one thousand dollars

(13) exceeding seven hundred fifty thousand pounds but not exceeding one million pounds a license fee of one thousand seven hundred fifty dollars.

(14) exceeding one million pounds a license fee of two thousand five hundred dollars

B Except as otherwise expressly provided by this act the license fees fixed by this section shall be paid before any license or any renewal thereof is issued

C The fee for a license issued on or after

(1) August first but prior to November first shall be three-fourths of the annual fee

(2) November first but prior to February first of the succeeding year shall be one-half of the annual fee

(3) February first but prior to May first shall be one-fourth of the annual fee

D Milk dealers who have not engaged in the milk business during the prior year shall pay the minimum license fee of one dollar and in addition thereto at such time or times as the Board may fix but not more than four months after the granting of the license shall pay an additional sum based upon the daily average total quantity of milk received by such dealer during any of such months

E Milk sold and distributed outside of this Commonwealth in any state which charges a license fee of milk dealers shall not be included in the determination of the amount of the license fee provided that such milk is actually computed in determining the amount of such license fee in such other state Likewise milk utilized for or sold in the form of manufactured products shall not be included in the determination of the amount of the license fee but the fluid milk equivalent of cream and of condensed or concentrated milk sold within this Commonwealth or in any state in which it is not actually computed in the determination of the license fee of a milk dealer shall be included in computing the license fee to be charged by the Board unless in the case of condensed or concentrated whole or skimmed milk it is sold in hermetically sealed cans

F The licenses required by this act shall be in addition to any other licenses which are now or may hereafter be required by law

Section 12 Licensee's Bonds or Securities Exemptions A Except as otherwise specifically provided in this act a license shall not be issued to a milk dealer purchasing milk from producers within this Commonwealth unless the milk dealer shall execute and file with the application a bond approved by the Board Such bond shall be upon a form prescribed by the Board shall be in a sum to be fixed by the Board but not exceeding by more than twenty-five per centum the value of the maximum amount of milk purchased from producers in any one month during the preceding year and in any event not exceeding one hundred thousand dollars shall be executed by a surety company authorized to do business in this Commonwealth and shall be conditioned for the faithful compliance by the licensee with the provisions of this act and for the prompt payment of all amounts due to producers for milk sold by them to such licensee subsequent to the posting of such bond

B In lieu of the bond required of a milk dealer by this section the Board may accept a collateral bond of the milk dealer secured by an actual deposit with the Board or with a bank bank and trust company or national bank within Commonwealth of money to the full amount of the bond or by securities to such amount consisting of interest-bearing obligations of the United States government of this Commonwealth or of any political subdivision of this Commonwealth or by any other security or securities approved by the Board Such collateral bond shall be conditioned upon the same terms and in the same manner as is provided by this section in the case of a bond given by a surety company and the security or securities deposited therewith shall constitute a trust fund for producers from whom the license purchases milk

C The Board may likewise grant to any milk dealer the authority to substitute for any bond or any collateral another bond or other collateral provided that such other bonds or collateral meets all the requirements of this act

D A licensee shall from time to time when required by the Board make and file with the Board a verified statement of his disbursements or of any other facts in connection with his business during a period to be prescribed by the Board which statement shall contain the names of the producers from whom milk was purchased the amount due to producers and any other relevant facts required by the Board If it shall appear from such statement or from facts otherwise ascertained by the Board that the security afforded to producers selling milk to such licensee by the surety bond or by the collateral bond does not adequately protect such producers the Board may require such licensee to give an additional bond in a sum to be determined by the Board or additional security for the collateral bond but not exceeding by more than twenty-five per centum the value of the maximum amount of milk purchased from producers in any one month during the preceding year and in any event not exceeding one hundred thousand dollars

Likewise the Board may grant a reduction of the surety bond or the collateral bond if it shall appear that owing to a decrease in the business of the licensee or to other causes a bond in a lesser amount will protect producers selling milk to such licensee

E All surety bonds and all collateral bonds together with any moneys security or securities given as collateral therefor received by the Board from milk dealers pursuant to the provisions of this section shall be transmitted by the Board to the State Treasurer for safe-keeping subject to withdrawal in whole or in part at any time by the Board

F The licensee shall be entitled to all moneys received by the State Treasurer as interest or dividends upon any securities deposited by such licensee with the Board and by it transmitted to the State Treasurer for safe-keeping in accordance with the provisions of this act

Provided however that such licensee shall not be entitled to such interest or dividends if there is on file with the Board a valid unpaid claim of a producer against such licensee based on milk sold by such producer to such licensee

G The Board may by reasonable rule or regulation provide to procedure for the payment out of the bonds or security or securities required by this section of the valid claims of producers based on sales by them of milk to the licensee who has posted the bonds or security or securities

Provided however that if the bond or security or securities which have been posted by a milk dealer shall be insufficient to pay in full the just claims of producers who have sold milk to such licensee the moneys available shall be divided pro rata among them

The Board shall have the power in its discretion to sue on the bond on behalf of producers

H A co-operative agricultural association or corporation organized under the laws of this Commonwealth or a similar association organized under the laws of this or and other state shall be deemed a producer within the provisions of this section and shall be entitled to its benefits Such an association or corporation if operated for the benefit of producers under contract with it and not conducted for profit shall not be required to file a bond under the provisions of this section

I If satisfied from an investigation of the financial condtiion of any applicant for a license under this act that such milk dealer is solvent and possessed of sufficient assets reasonably to assure payment to producers from whom he purchases milk the Board may by official order exempt such applicant from posting the surety bond or bond secured by collateral required by this section In such case the applicant shall post with the Board his personal bond in such form to such amount not greater than the maximum fixed by this section for surety bonds and upon such conditions as shall be prescribed by the Board

The Board may at any time it deems such action advisable rescind any order exempting a milk dealer from posting a surety bond or a bond secured by collateral and may require him to post such bond or bond and collateral

J If any milk dealer is financially unable to post such surety bond or bond secured by collateral as may be re-

quired by the Board pursuant to the provisions of this act he may file with the Board under oath or affirmation upon a form to be prescribed by the Board an application for exemption from posting such surety bond or bond secured by collateral on the ground of his financial inability to do so Attached to such application shall be the signed statement of the producers from whom the dealer purchases his milk or of any cooperative agricultural association or similar association or corporation representing such producers to the effect that such producers or such association or corporation on their behalf consents to the exemption of such milk dealer from posting such surety bond or bond secured by collateral Such consent may be upon such special terms of payment and such other conditions as shall be agreed upon between such producers or such co-operative agricultural association or similar association or corporation on their behalf and the milk dealer and approved by the Board

The Board may by official order exempt from posting a surety bond or a bond secured by collateral any dealer who has complied with the provisions of this subsection

The Board may at any time it deems such action advisable rescind any order exempting a milk dealer from posting a surety bond or a bond secured by collateral and may require him to post such bond or bond and collateral

Section 13 Classification of Licenses The Board may classify licenses and may issue licenses to any milk dealer to operate as a milk dealer in a particular municipality only or in a particular market or markets in the Commonwealth only but no milk dealer shall if he be granted a license under this act at all be prohibited from acting as a milk dealer in any municipality or in any market in which he was operating from the effective date of this act

Section 14 Licenses Appeals from Board Decisions A Any person aggrieved by on order of the Board fixing the price at or the terms upon which milk may be bought or sold or by any other general rule regulation or order of the Board may file an appeal therefrom in the Superior Court within twenty days after the issuance of such order fixing the price of milk or such other general rule regulation or order but such appeal shall not be permitted to act as a supersedeas B Any person aggrieved by an order of the Board in which the Board refuses to issue reissue or transfer or revokes or suspends a license to operate as a milk dealer or by any other order of the Board applying only to a particular person or persons named therein and not otherwise specifically provided for in this section may within twenty days after the issuance of such order file an appeal therefrom in the Court of Common Pleas of the county in which he resides or has his principal place of business or in the case of a nonresident who has no place of business within the Commonwealth in the Court of Common Pleas of Dauphin County C The appeal provided by this section from action of the Board both in the cases of appeals to the Superior Court of Pennsylvania and appeals to the various Courts of Common Pleas shall be by petition against the Board officially as defendant alleging therein in brief detail the action and decision complained of and praying for a reversel thereof Such petition shall specify the petitioner's objections to the action and decision of the Board and no objection not so specified shall be considered by the court Upon service of a summons upon the Board returnable within ten days from its date the Board shall on or before the return day file an answer which shall deny or admit the allegations of fact in the petition and which shall allege by way of defense the grounds for its decision It shall also on or before the return day of such summons certify to the court the record of the proceedings to which the petition refers Such record shall include the testimony taken therein the findings of fact if any of the Board based upon such testimony a copy of all orders made by the Board in the proceedings and a copy of the action or decision of the Board which the petition calls upon the court to reverse.

D Upon the filing of the Board's answer the case shall be at issue without further pleadings and upon application of either party the case shall be advanced and heard without further delay Mere technical irregularities in the procedure of the Board and shall not be the basis of the decision of the court The case shall be heard upon the record certified to the court by the Board Additional testimony shall not be taken before the court but the court may in proper cases remit the record to the Board for the taking of further testimony

The court shall upon the record transmitted to it by the Board determine whether or not the order appealed from is reasonable and in conformity with law If it shall determine that the order is unreasonable or illegal it shall remit the case to the Board wtih directions to reform the findings or order or revoke the order in accordance with the court's opinion The court shall have full power to assess the costs upon either party or to divide them between the parties

E From a decision of a court of common pleas on the validity of an order of the Board in which the Board refused to issue reissue or transfer or revoked or suspended a license an appeal may be taken by either party to the Superior Court of Pennsylvania in the manner provided by law In all other cases in which this section authorizes an appeal to a Court of Common Pleas from an order of the Board the decision of the Court of Common Pleas shall be final and there shall be no appeal therefrom

Section 15 Records The Board may require licensees to keep the following records

(1) A record of all milk received detailed as to location and as to names and addresses of producers or milk dealers from whom received with butter fat test prices paid and deductions or charges made

(2) A record of all milk sold classified as to grade location and market outlet and size and style of container with prices and amounts received therefor

(3) A record of quantities and prices of milk sold

(4) A record of the quantity of each milk product manufactured the quantity of milk used in the manufacture of each product and the quantity and value of milk products sold

(5) A record of wastage or loss of milk or butter fat

(6) A record of the items of the spread or handling expense and profit or loss represented by the difference between the price paid and the price received for all milk

(7) A record of all other transactions affecting the assets liabilities or net worth of the licensee

(8) Such other records and information as the Board may deem necessary for the proper enforcement of this act

Section 16 Reports A Each license shall from time to time as required by rule or order of the Board make and file a verified report on forms prescribed by the Board of all matters on account of which a record is required to be kept together with such other information or facts as may be pertinent and material within the scope of the purposes and intent of this act Such report shall cover a period of time specified in the order

B The Board may at any time that it deems such action to the best interests of the dairy industry require similar reports from milk dealers whom it has pursuant to the provisions of this act exempted from the requirement of procuring a license

Section 17 Payment of Fees into State Treasury "Milk Control Fund" Appropriation Expenses of Board A All moneys collected or received by the Board arising from license fees penalties or any other source shall be paid by the Board into the State Treasury through the Department of Revenue and shall by the State Treasurer be placed in a separate fund to be known as the "Milk Control Fund" As much of the moneys in the "Milk Control Fund" as may be necessary is hereby specifically appropriated to the Board to be used to pay its expenses including the following

(1) Salaries of the Board of its employes and of any deputy attorney general special deputy attorney general assistant deputy attorney general or other counsel as may be assigned by the Department of Justice to the Board for the handling of any legal work pertaining to its business

(2) Rental and other expenses for offices rooms garage space and other accommodations outside of the Capitol Buildings either in or outside of the captial city occupied by the Board

(3) Premiums for workmen's compensation insurance covering the officers and employes of the Board

(4) Premiums for surety bonds for such officers or employes of the Board as may be required by law to furnish such bonds

(5) Purchase and operating costs of motor vehicles required by the Board for full-time use including premiums for liability insurance covering such motor vehicles and the members of the Board and employes operating them also the amount payable to the Department of Property and Sup-

plies for the use of automobiles supplied by it for temporary use by the Board

(6) Furniture stationery materials supplies and all other overhead expenses of the Board

(7) All other expenses of every kind and description necessary for the performance by the Board of its work

All such purchases and leases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as agent

B Estimates of the amounts to be expended under this act by the Board either itself or through the Department of Property and Supplies as purchasing agent shall be submitted to the Governor from time to time for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Board or by the Department of Property and Supplies as its agent in excess of the estimates approved by the Governor Subject to this provision the Auditor General shall from time to time draw warrants upon the State Treasury for the amounts specified in such requisitions not exceeding however the amount in the Milk Control Fund at the time of the making of any such requisition

Section 18 Order Fixing Price of Milk Penalties for Violation A The Board shall ascertain by such examination or investigation as the emergency may warrant what prices for milk in the several localities and markets of the Commonwealth and under varying conditions will be most beneficial to the public interest and will best protect the milk industry in the Commonwealth and insure a sufficient quantity of pure and wholesome milk to adults and minors in the Commonwealth having special regard to the health and welfare of children residing therein The Board shall take into consideration all conditions affecting the milk industry including the amount necessary to yield a reasonable return to the producer and to the milk dealer

B The Board after making such examination or investigation shall fix by official order the minimum wholesale and retail prices and may fix by official order the maximum wholesale and retail prices to be charged for milk sold within the Commonwealth wheresoever produced including the following classes

(1) By milk dealers to other milk dealers

(2) By milk dealers to consumers

(3) By milk dealers to stores either for consumption on the premises or resale to consumers

(4 By stores to consumers except for consumption on the premises where sold

When pursuant to statute regulations adopted thereunder or ordinance various grades of milk are specified the Board shall fix the minimum price and may fix the maximum price applicable to each in each of the classes Orders fixing minimum and maximum prices may vary in different markets and shall designate the markets to which applicable Such orders may likewise classify milk dealers in any manner which the Board deems advisable and may vary according to the classes to which they are applicable

Provided however that this section shall not be construed to empower the Board to fix the price at which milk may be sold by any milk dealer or producer to consumers for consumption on the premises of such milk dealer or producer

C It is hereby declared to be the legislative intent that the public emergency requires that the benefits of any increase of prices received by milk dealers by virtue of the minimum price provisions of this section shall be given to producers except in any case where the Board deems a deviation from this policy necessary in order to maintain proper milk markets and outlets for producers The Board shall whenever it deems such action necessary to accomplish this purpose issue orders rules or regulations to effectuate this intent

D The Board after making the examination or investigation provided by this section shall fix by official order the minimum prices to be paid by milk dealers to producers and others for milk Provided however that the fixing of prices to be paid by milk dealers to producers for milk to be used solely in manufacturing shall be discretionary with the Board The order of the Board with respect to the minimum prices to be paid to the producers and others shall apply to the locality or zone in which the milk is produced and to the market or markets in which the milk so produced is sold and may vary in different localities or markets according to varying uses and different conditions Each such order may classify such milk by forms classes grades or uses as the Board may deem advisable and may specify the minimum prices therefor

The Board may likewise fix by official order the terms upon which milk dealers shall pay producers and others for milk

E After the Board shall have fixed prices to be charged or paid for milk whether by class grade or use it shall be unlawful for a milk dealer to sell or buy or offer to sell or buy milk at any price less or more than such price or prices as shall be applicable to the particular transaction and no method or device shall be lawful whereby milk is bought or sold or offered to be bought or sold at a price less or more than such price or prices as shall be applicable to the particular transaction whether by any discount or rebate or free service or advertising allowance or a combined price for such milk together with another commodity or commodities or service or services which is less or more than the aggregate of the prices for the milk and the price or prices for such other commodity or commodities or service or services when sold or offered for sale separately or otherwise

F The Board may upon its own motion or upon application from time to time alter revise or amend an official order at any time made with respect to the prices to be charged or paid for milk After making such investigation and before making revising or amending any order fixing the price to be charged or paid for milk the Board shall hold a hearing thereon after giving reasonable notice thereof to interested parties of whom the Board has notice and to the public in such newspaper or newspapers as in the judgment of the board shall afford sufficient notice and publicity

G It is hereby declared to be the legislative intent that the instant whenever that may be that the handling within the Commonwealth by a milk dealer of milk produced outside of the Commonwealth becomes a subject of regulation by the Commonwealth in the exercise of its police powers the restrictions set forth in this act respecting such milk so produced shall apply and the powers conferred by this act on the Board shall attach but this shall not apply to condensed or concentrated whole milk contained in hermetically sealed cans or in tanks to be used solely for manufacturing purposes by the original consignee thereof After any such milk so produced shall have come to rest within the Commonwealth it shall be unlawful except in any cases in which the Board shall otherwise determine for any milk dealer to sell such milk within the Commonwealth if he has paid to the producer thereof outside the Commonwealth a price lower than that which he would have been required to pay for milk produced within the Commonwealth purchased for similar purposes and under similar conditions less a proper allowance for the transportation thereof

H It is also declared to be the legislative intent that the producers of milk in this Commonwealth who sell their milk to milk dealers for shipment into and sale in another state where prices to producers are regulated by a state board or other authority with powers substantially similar to the Milk Control Board established by this act shall receive the same price that producers in such other state receive for milk purchased for similar purposes and under similar conditions less a proper allowance for the transportation thereof It shall be unlawful for any milk dealer except in any cases in which the Board shall otherwise determine to pay to a producer within this Commonwealth for milk to be sold in such other state a price lower than that fixed by the state board or other authority in such other state for sale of milk in such other state for similar purposes and under similar conditions minus a proper allowance for the transportation of the milk to the market in such other state

Section 19 Legislative Intent It is hereby declared to be the legislative intent that no provision of this act shall prevent and no provision contained therein shall be deemed or construed to prevent any co-operative agricultural association or corporation organized under the laws of this Commonwealth or a similar association or corporation organized under the laws of this or any other state and engaged in making collective sales or marketing of milk for the producers thereof from blending the net proceeds of its sales in all its markets or of its sales within any particular market

in various classes and whether in fluid form or as manufactured products both within and without the Commonwealth and paying its producers such blended price with such deductions and differentials as may be authorized under contract between such association or corporation and its producers or from making collective sales of the milk of its members and other producers represented by it at a blended price based upon sales thereof in the various classes and whether in fluid form or as manufactured products both within and without the Commonwealth and which price is to be paid either directly to the producers or to the co-operative agricultural association or corporation Nothing herein contained shall prevent any milk dealer from contracting for his milk with such co-operative agricultural association or corporation upon such basis Also no provision of this act shall be deemed or construed to affect the contracts of such cooperative agricultural association or corporation with its producers nor to affect or abridge the rights and powers of such an association or any of its operations This section shall not however be construed to exempt such association or corporation from the jurisdiction of the Board over the prices at which it may sell milk to milk dealers or consumers

Section 20 Interstate and Federal Compacts The Board is hereby vested with authority to confer with legally constituted authorities of other states and of the United States with respect to uniform milk control within the states and as between states to conduct joint investigations hold joint hearings and issue joint or current orders and to enter into a compact or compacts for such uniform milk control subject to such federal approval as may be authorized or required by law

Section 21 Dissemination of Information Conferences Licensees under this act and associations or corporations thereof and producers of milk and co-operative agricultural associations or corporations engaged in collectively processing preparing for market handling or marketing milk may acquire exchange interpret and disseminate past present and future market statistical economic and similar information by direct exchange between such persons or such associations or corporations or by and through a common agent created or selected by them Any such producers and associations or corporations may confer and discuss the cost of production of marketing market conditions and prices for sale of milk

Section 22 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 23 Saving Clause No provision of this act shall apply or be construed to apply to foreign or interstate commerce except in so far as the same may be effective in accordance with the Constitution of the United States and the laws of the United States enacted pursuant thereto

Section 24 Duration of Board The Board shall continue with all its powers and shall be subject to all the duties and responsibilities prescribed by this act until the thirtieth day of April one thousand nine hundred thirty-five at which time it shall be deemed abolished and the powers duties and jurisdiction conferred or imposed upon the Board by this act shall terminate All books papers records and documents in its possession upon that date shall remain in the possession of the Department of Agriculture

Section 25 Appropriation In addition to any other appropriation made by this act the sum of one hundred thousand dollars ($100,000.00) or as much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Milk Control Board for its use in administering the provisions of this act

On the thirtieth day of April one thousand nine hundred thirty-five all unencumbered and unexpended moneys remaining in the Milk Control Fund shall be paid into the General Fund For such purpose such moneys are hereby appropriated.

Section 26 This act shall take effect immediately upon its approval by the Governor and shall continue in effect until the thirtieth day of April one thousand nine hundred thirty-five

On the question,

Will the Senate adopt the report?

Mr. BUCKMAN. Mr. President, the amendments made by the Committee of Conference are three strike-outs: On page 37, line 22, beginning with the word "provided" and ending with the word "Board" on line 24, and on page 38, line 2, beginning with the word "which" and ending with the word "Board"; and, again on page 38, line 7, beginning with the word "or" and ending with the word "producing".

Inasmuch as the amendments to this bill consist of strike-outs only, it is not necessary to reprint the bill.

Mr. TRAINER. Mr. President, in passing on this bill I desire to call the attention of the members of the Senate to the fact that I have warned you once before in this session of what you are doing as to the benefit of the farmer. I am as much interested in the farmer as any farmer in this hall. I am also interested in the man who sells milk, and I want to call your attention to the fact that in this bill there is an absolute excusing of the chain stores in this proposition. You cannot bring the chain store in, and you will not make this bill a success until you put the chain store on a parity with the man in the milk business. I am serving notice on you members of the Senate now that coming from the towns where you have your small milk dealers and the men who make a livelihood out of it, that if you are going to allow the chain store to enter into this business you are going to do the milk men of your districts an injustice, and you are going to have something to answer for. There is no reason under the sun why the chain store should have any right over anybody else, and all of us who have any experience know that the domination of any business comes when the chain store takes ahold of it, and it is going to wipe out the men in the small town, in the towns and villages, because they will be able to do the same business and sell milk. I am going to ask you gentlemen in passing on this bill to bear in mind that you are voting against your own welfare when you are doing it. The rest of the bill I am perfectly satisfied with. It makes no difference to me. But I do say this, that it is the death knell to the men in the country districts to allow this thing to go through and to allow the chain stores to have preference over any other business.

Mr. WILLIAMSON. Mr. President, I was just going, with the permission of the Chair, to interrogate the Senate from Bucks, Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks, Mr. Buckman, allow himself to be interrogated?

Mr. BUCKMAN. Mr. President, I will.

Mr. WILLIAMSON. Mr. President, Senator Trainer has just said in his address to the members of the Senate that this bill is an advantage to the chain stores. In other words, that they will have a decided advantage over the independent dealer throughout the state.

Mr. BUCKMAN. Mr. President, that is not correct. In answer to the Senator from Huntingdon, Mr. Williamson, I wish to say it does not give any advantage to the chain stores. It merely provides that the Board of Control who will have charge of the milk industry in Pennsylvania may classify milk sheds, they may classify dealers, they may classify distributors, they may classify all of these things; and of course it is true, in direct answer to the Senator from Huntingdon, Mr. Williamson, that if this Board of Control sees fit it may allow a differential to the so-called chain stores, as mentioned by the Senator from Philadelphia, Mr. Trainer, in that the chain stores doing a cash and carry business may charge a cent less a quart. And in that connection, Mr. President, I want to say that I am not in the milk business. I am not any more a farmer, although I was

raised on a farm. I am not a distributor. But in preparing this bill the committee that has been investigating this subject has worked hard over almost a year, and we have tried to frame a bill which would be fair not only to the milk dealers but to the farmers, and we have also had in mind the consumers, the people who pay for the milk. Mr. President, I hold no brief for the chain stores. I represent none of them. I have no interest in them. But it has appealed to this committee that if a man wanted to go to the store and carry his milk home there is no reason why he should not have the opportunity of saving a cent a quart on that milk if he saw fit to do so. This bill has been prepared with the interest of all these people at heart, and we are not trying to do anything in favor of the chain stores or any other class. It is a fair bill. It also includes the little storekeeper as well as the chain store, and there is no reason why a man who keeps a store should not be permitted to sell milk, if the Board permits, at a cent a quart cheaper than the man or the company or the milk trust, if you please, who have large expense and maintain an expensive system of delivery. If the little store on the corner as well as the chain store sees fit to sell milk to the consuming public at one cent a quart cheaper than the large dealers and milk trust can do, there is no reason in our judgment why the consumer, the poor man who maybe wants five quarts a day for his family and children should not be entitled to save that five cents a day; and there is no reason why these storekeepers should be prevented from making that differential and saving the consumer, the poor man, that cent a quart on milk sold. And it is for that reason, Mr. President, that we have inserted that clause in it, that we have fixed any differential; but we have put in the power in the Board of Control, if in their judgment they see fit, to make a preference, they may do so. And I ask this Senate to pass this bill and adopt the report of the Committee of Conference.

Mr. FAY. Mr. President, I desire to interrogate the Senator from Bucks, Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks, Mr. Buckman, permit himself to be interrogated?

Mr. BUCKMAN. Mr. President, that is fine.

Mr. FAY. Mr. President, does this milk bill peg prices?

Mr. BUCKMAN. Mr. President, what does the Senator from Mercer mean?

Mr. FAY. Mr. President, the Senator from Bucks, Mr. Buckman, knows what I mean.

Mr. BUCKMAN. Mr. President, this bill does not, it puts it in the Board of Control to do so, they may establish a price.

Mr. FAY. Mr. President, they may establish a price?

Mr. BUCKMAN. Mr. President, yes.

Mr. FAY. Mr. President, I do not think that is so good.

Mr. SHAPIRO. Mr. President, I should like to interrogate the Senator from Bucks, Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks, Mr. Buckman, permit himself to be interrogated?

Mr. BUCKMAN. Mr. President, I will.

Mr. SHAPIRO. Mr. President, I desire to ask the Senator from Bucks, Mr. Buckman, whether the bill in the present form gives the Board the right to fix a differential between the price of the producer and the chain stores.

Mr. BUCKMAN. Mr. President, I do not know that I understand that question.

Mr. SHAPIRO. Mr. President, the Senator from Bucks, Mr. Buckman, says there is a differential to be allowed by the Board to the cash and carry stores so they could sell at one cent less; now I ask whether or not this Board has the right to allow a differential between the consumer from the producer to the seller in favor of chain stores.

Mr. BUCKMAN. Mr. President, I understand there is no reference to that, that is not limited.

Mr. SHAPIRO. Mr. President, the Board can make differentials to permit the producer to sell at a cheaper price to the quantity producer as against the small storekeeper, is that correct?

Mr. BUCKMAN. Mr. President, I do not think so. No, that is not correct.

Mr. SHAPIRO. Mr. President, what I would like to know is, whether there is, in addition to having the opportunity to sell milk one cent cheaper to the public, the chain stores also have the privilege of buying it at one cent cheaper?

Mr. BUCKMAN. Mr. President, no, that is not correct.

Mr. WILLIAMSON. Mr. President, I would like to further interrogate the Senator from Bucks, Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks, Mr. Buckman, permit himself to be further interrogated?

Mr. BUCKMAN. Mr. President, yes.

Mr. WILLIAMSON. Mr. President, I would like to ask this: Whether this bill regulates in the so-called milk control the price at which milk may be sold. The reason for this question is that I am informed that the New York Milk Control bill does.

Mr. BUCKMAN. Mr. President, yes, it does, it permits the Board to do so.

Mr. WILLIAMSON. Mr. President, when does this bill go into effect and how long will it be effective?

Mr. BUCKMAN. Mr. President, it is mandatory. The Board does fix a minimum price, and it goes into effect immediately.

Mr. WILLIAMSON. Mr. President, there is no limit as to its duration?

Mr. BUCKMAN. Mr. President, yes, there is; it expires on April 30, 1935.

Mr. OWLETT. Mr. President, I served with the Senator from Bucks, Mr. Buckman, and the Senator from Chester, Mr. Clark, on the milk investigation committee. I am going to vote for this bill but I desire to place on record at this time the feeling that I have in reference to the establishment of a Board such as this and the grant of powers that this Board has.

I feel that the situation with the farmer today, which has been clearly established, that he is selling his milk at less than the cost of production is critical. I feel that we are justified in going a long way in trying to save this industry. I feel that this bill has been prepared by men who know the milk business, with a great deal of care, and involves a great many concessions on the part of many people, and for that reason, Mr. President, I intend to vote for this bill; but I do feel that we should have it on record, and the attention of the Senate should be called to the vast powers which are given by this bill to a Board of three men. This Board can step into the whole industry and have absolute control of the whole milk industry in this state. They can tell the farmer where to sell his milk, what he may sell it for, to whom he can sell it, and can tell the producer and the distributor how he shall run his business and what the consumer shall pay.

Now, the emergency that exists in the milk industry at this time may warrant the establishment of such a Board. I rather think it does, but I think it should be made clear by those of us who are supporting this bill, because it is an emergency measure, because of the critical character and the critical

situation that the producer is in, we do feel that it is a principle of government that we are setting up a bureauracy such as has never been known in the state of Pennsylvania to control any interest, and we ought to give notice to the world that this kind of legislation is only temporary to meet the emergency, and I wish to put that explanation on the record in connection with my vote.

Mr. WILLIAMSON. Mr. President, I would like to interrogate the Senator from Tioga, Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett, permit himself to be interrogated?

Mr. OWLETT. Mr. President, I will.

Mr. WILLIAMSON. Mr. President, I would like to know whether the Department of Agriculture was represented in the preparation of this bill or what so-called organization sat in in the preparation of this bill, and I want further to know, Mr. President, how this Board originated, who appointed it?

Mr. OWLETT. Mr. President, in answer to that last question, section four of the act, as you will note, provides that the milk control board shall consist of three members to be appointed by the Governor with the advice and consent of the Senate. The bill as originally passed in the Senate provided that the Board should consist of the Secretary of Agriculture, the Secretary of Health, and that three members should be appointed by the Governor. It was felt that the duties of this Board would be so important and consume so much time of the Secretary of Agriculture and the Secretary of Health would not assume the burden.

Now, as to who prepared this bill, the work was done by this milk investigating committee, and I want to say here that I have had very little to do with the preparation of this bill. Senator Buckman, Senator Clark, Doctor Hoffman, Mr. Horst and Doctor Haines, the Chairman of the Agricultural Committee in the House, have worked night and day on this bill. Dr. Haines and Doctor Hoffman and Mr. Horst have given a large amount of their time to the preparation of this bill, and of course, we all know that all of these men and Senator Buckman have nothing but the interest of the producer at heart and the interest of the public at heart. They have called in representatives of the producers and representatives of the distributors and other organizations. This strike-out was made last night which has changed the control of this Board, which was not as it passed the House. In other words, as this bill passed the House the farmer, even the farmers got together and agreed upon this, and the Board steps in and tells them how to run their business. Now that is out.

Does that answer the question of the Senator from Huntingdon, Mr. Williamson?

Mr. WILLIAMSON. Mr. President, there is one more question. I have not had time to read this. I would like to know whether the so-called control provision in this bill, whether there will be any charge to the shippers when shipped to, we will say, the Philadelphia district and more remote sections and the center of Pennsylvania? We ship our milk into the Philadelphia district, and I want to know how the shippers from my district will fare in this bill, whether they will be charged the freight and whether the shipper of milk out of Mr. Buckman's district, which is practically in the Philadelphia district, will have that large advantage over the shipper from the more remote district of the state?

Mr. OWLETT. Mr. President, the Board has the right to control that. In other words, they have full power to do anything, almost anything connected with the milk industry in this state.

Mr. WILLIAMSON. Mr. President, with that assurance I am willing to vote for this bill.

Mr. REED. Mr. President, I would like to interrogate the Senator from Tioga, Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett, permit himself to be interrogated?

Mr. OWLETT. Mr. President, I will.

Mr. REED. Mr. President, I desire to ask the Senator whether the only strike-out is that which has been discussed relative to cooperative store?

Mr. OWLETT. Mr. President, that is correct. The only strike-outs are the three strike-outs in section nineteen.

Mr. SALUS. Mr. President, I am not very familiar with this milk proposition; I have been off the milk question since long before the adoption of the Eighteenth Amendment; so that, I cannot talk very much about it; but there has been an effort here to make the chain store the "big, bad wolf" of this program.

Now, the chain store,—and I know a little something about the stores in Philadelphia,—are just a small proportion of the number of stores that handle milk, and the chain stores, as a rule, are not in very poor sections. In the very poor sections you have the little corner grocery stores, and if these grocers on these little corners can sell to their poor neighbors, who are willing to go and carry their milk home, and thus save a few pennies for the family exchequer, that becomes direct relief.

We are all crying "direct relief". That is direct relief, and those of us who want to stay in our apartments and have de luxe service ought to be willing to pay a little bit more for our milk than the poor fellow who sends his children or his wife to this little corner store and take their two or three quarts of milk each day; and these poor people drink milk and not so much cream.

So that is direct relief. And the "big, bad wolf" in this whole proposition, as I have seen it, is these cooperative corporations handling milk. They were established for the benefit of the farmer; today they are nothing more nor less than milk trusts; and the little farmer has little or nothing to say.

I think if this bill so works out that the little corner grocery store can save something for its poor neighbor, it is a good proposition for the poor people.

Mr. TRAINER. Mr. President, In answer to the Senator from Tioga, Mr. Owlett, on the power of the Board, I desire to offer these amendments—

Mr. SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his point of order.

Mr. SHAPIRO. Mr. President, my point of order is that amendments cannot be offered to the report of a conference committee.

The PRESIDENT. The chair rules that the point of order is well taken.

Mr. TRAINER. Mr. President, then I would like to submit the proposition that what is good for the goose is good for the gander.

The PRESIDENT. The report of the Committee of Conference is before the Senate only. Whether the Senate will adopt this report or not is a question for the Senate.

Mr. BUCKMAN. Mr. President, I want to say just one word in conclusion after all that has been said on this matter. There has been a consistent and persistent lobby during this

entire Extraordinary Session. This bill has been framed honestly and conscientiously. It has been framed in the interest of the farmer, the man who milks the cow, with due regard for the interest of the middle man, including the milk trust. This is a relief measure, it is an emergency measure it is true; but it contains unusual power to the Board. But we believe, those of us who have served on this committee and have heard the testimony believe it is necessary business legislation, and I ask the Senate to adopt this report of the Committee of Conference.

The PRESIDENT. The question is on the adoption of the report of the Committee of Conference.

Mr. TRAINER. Mr. President, I want to say to the farmer members who may be present that I happen to be an individual who milked the cow and followed the plow myself, and I am still doing it, and I am not speaking to hurt the farmer, but I am speaking to protect the small dealer. As Senator Buckman says, this bill has been given a great deal of consideration. There is no doubt about it. Within the last three weeks a gentleman appeared in the House who was asked who he represented, and he represented a body of Philadelphia business men to take care of their interests, and they have taken care of the interests of the chain stores against the poor man of Philadelphia.

Mr. SHAPIRO. Mr. President, I read this bill when it first came over, and I think I am somewhat familiar with it. I want to say this is one of the most universal and important steps we have taken. I do not think we ought to be misled, and I agree with the Senator from Tioga, Mr. Owlett, that there is great power given the Board. The power is not in the hands of the Senate but in the hands of the people who are going to enforce the law. I am sorry this is not a vote asking for the advice and consent of the Senate, for I am sure you would only be asked for consent and not advice. I am sure the people are interested in placing the responsibility where it belongs, on someone who can give the time and give the thought to it and see what is needed to work out for all parties interested in this matter, and if the results are not satisfactory it will not be the fault of the Senate, but it will be the fault of the people behind the work of the Senate, and not our advice.

Mr. TRAINER. Mr. President, may I ask a ruling on the question of what is good for the goose is good for the gander?

The PRESIDENT. The question is on the adoption of the report of the Committee of Conference.

And the question recurring,

Will the Senate adopt the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Batchelor,	Gelder,	Pierson,	Shapiro,
Bennett,	Harvey,	Prince,	Sones,
Brandt,	Homsher,	Reed,	Sordoni,
Buckman,	Krause,	Rice,	Staudenmeier,
Chapman,	Mansfield,	Roberts,	Thompson,
Clark,	Owlett,	Salus,	Williamson,
Frazier,	Parkinson,	Scott,	Ziesenheim,

NAYS—17

Armstrong,	Ealy,	Harris,	Norton,
Baumer,	Einstein,	Hunsicker,	Pethick,
Bell,	Fay,	Lanius,	Snyder,
Boyd,	Graff,	Miller,	Trainer,
Coyne,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

SENATE BILL NO. 55 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced returned to the Senate Senate Bill No. 55, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction, and providing for the repayment of such moneys from the General Fund.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

lowing Mr. SCOTT. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

Said amndments having been printed as required by the Constitution, were twice read as follows: Amend section 2, page 2, line 8, by striking out after the word "Fund" the following: "in the future whenever the financial condition of the General Fund permits an appropriation from the General Fund for such purposes without incurring an over appropriation liability" and inserting in lieu thereof "within a period of four years from the effective date of this act."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Einstein,	Miller,	Salus,
Batchelor,	Fay,	Norton,	Scott,
Baumer,	Frazier,	Owlett,	Shapiro,
Bell,	Gelder,	Parkinson,	Snyder,
Bennett,	Graff,	Pethick,	Sones,
Boyd,	Harris,	Pierson,	Sordoni,
Brandt,	Harvey,	Prince,	Staudenmeier,
Buckman,	Homsher,	Quigley,	Thompson,
Chapman,	Hunsicker,	Reed,	Trainer,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL NO 41 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 41, entitled:

An Act making an appropriation from the General Fund for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three and making an appropriation out of the Veterans' Compensation Fund to reimburse the General Fund.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the constitution, were twice read as follows: Amend title, page 1, line 2, by inserting after the word "appropriation" the following: "from the General Fund"; also line 6, by inserting after the word "thirty-three" the following: "and making an appropriation out of the Veterans' Compensation Fund to reimburse the General Fund"; also section 1, page 1, line 1, by inserting after the word "dollars" the sum "($25,000)"; also section 2, page 2, line 6, by inserting after the word "repaid" the following: "from the Veterans' Compensation Fund"; also line 7, by inserting after the word "bonds" the following: "As much of the money in the Veterans' Compensation Fund as may be necessary is hereby appropriated for this purpose."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Einstein,	Miller,	Salus,
Batchelor,	Fay,	Norton,	Scott,
Baumer,	Frazier,	Owlett,	Shapiro,
Bell,	Gelder,	Parkinson,	Snyder,
Bennett,	Graff,	Pethick,	Sones,
Boyd,	Harris,	Pierson,	Sordoni,
Brandt,	Harvey,	Prince,	Staudenmeier,
Buckman,	Homsher,	Quigley,	Thompson,
Chapman,	Hunsicker,	Reed,	Trainer,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO 123 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 123, entitled:

An Act To amend the title and sections one and two of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws one thousand nineteen) entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances" by extending the provisions thereof to unseated lands

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows: Amend title, page 1, line 2, by striking out after the word "and" the words "section one" and inserting in lieu thereof "sections one and two"; also section 1, page 1, line 4, by striking out after the word "and" the words "section one" and inserting in lieu thereof "sections one and two"; also page 2, line 21, by inserting after the word "situated" the following: Section 2 Upon petition of the county commissioners to the proper court of common pleas setting forth the date of sale of such lands to the county commissioners the date when the right of redemption expired and that the right of redemption was not exercised prior to its expiration a description of the lands sought to be sold the name of the proposed purchaser and the terms of the proposed sale and the amount of taxes and costs accrued against the said lands the court shall fix a time for hearing upon said petition and require ten days' notice thereof to be given by publication in one newspaper of general circulation published in the county wherein such lands are located In the case of seated lands the court may also require such additional notice as to it appears proper

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Einstein,	Miller,	Salus,
Batchelor,	Fay,	Norton,	Scott,
Baumer,	Frazier,	Owlett,	Shapiro,
Bell,	Gelder,	Parkinson,	Snyder,
Bennett,	Graff,	Pethick,	Sones,
Boyd,	Harris,	Pierson,	Sordoni,
Brandt,	Harvey,	Prince,	Staudenmeier,
Buckman,	Homsher,	Quigley,	Thompson,
Chapman,	Hunsicker,	Reed,	Trainer,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO 93 RETURNED WITH AMENDMENTS

He also returned to the Senate Senate Bill No. 93, entitled:

An Act to amend section ten of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 284), entitled "An act imposing a State tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties;" regulating the refund of taxes paid on malt liquors.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. STAUDENMEIER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows: Amend section 1, page 2, line 10, by inserting after the word "penalties" the following: "as amended by Act Number seven approved the fifth day of December one thousand nine hundred and thirty-three"; also by inserting after the word "hereby" the word "further"; also by striking out all of Section 10, and inserting in lieu thereof the following: "Section 10 In case any malt liquors upon which stamps or crowns have been placed by a manufacturer or distributor have been sold and shipped by

him to a licensed or regular dealer in malt liquors in another state such manufacturer or distributor in this Commonwealth shall be entitled to a refund of the actual amount of tax paid by him upon condition that the seller in this Commonwealth shall make affidavit that the malt liquors were so sold and shipped and that he shall furnish from the purchaser an affidavit that he has received such malt liquors for sale or consumption outside the Commonwealth and the amount of stamps or crowns thereon together with the name and address of the purchaser whereupon the department shall with the approval of the Board of Finance and Revenue issue to the seller in this Commonwealth stamps or crowns of sufficient value to cover the refund. The procedure for refund in any case shall be completed by the Department of Revenue and the Board of Finance and Revenue within sixty days after the proper affidavits have been filed with the department."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Einstein,	Miller,	Salus,
Batchelor,	Fay,	Norton,	Scott,
Baumer,	Frazier,	Owlett,	Shapiro,
Bell,	Gelder,	Parkinson,	Snyder,
Bennett,	Graff,	Pethick,	Sones,
Boyd,	Harris,	Pierson,	Sordoni,
Brandt,	Harvey,	Prince,	Staudenmeier,
Buckman,	Homsher,	Quigley,	Thompson,
Chapman,	Hunsicker,	Reed,	Trainer,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 49 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 49, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. HARRIS. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows: "Amend section 2, page 2, line 22, by inserting after the line the following: "(g) Primary election" shall mean any election for the nomination of candidates"; also line 23, by striking out at the beginning of the line "(g)" and inserting in lieu thereof "(h)"; also line 25, by striking out at the beginning of the line "(h)" and inserting in lieu thereof "(i)"; also page 3, line 3, by striking out at the beginning of the line "(i)" and inserting in lieu thereof "(j)"; also line 14, by striking out at the beginning of the line "(j)" and inserting in lieu thereof "(k)"; also line 20, by striking out at the beginning of the line "(k)" and inserting in lieu thereof "(l)"; also line 24, by striking out at the beginning of the line "(l)" and inserting in lieu thereof "(m)"; also line 26, by striking out at the beginning of the line "(m)" and inserting in lieu thereof "(n)"; also line 28, by striking out at the beginning of the line "(n)" and inserting in lieu thereof "(o)"; also page 4, line 2, by striking out after the word "district" the following: "within such city" and inserting in lieu thereof "with which it is coextensive"; also line 4, by striking out at the beginning of the line "(o)" and inserting in lieu thereof "(p)"; also line 10, by striking out at the beginning of the line "(p)" and inserting in lieu thereof "(q)"; also by inserting after line 11, the following: "(r) District shall mean any election district of the city"; also section 3, page 4, line 22, by striking out at the beginning of the line the word "four" and inserting in lieu thereof the word "two"; also line 23, by striking out after the word "than" the word "two" and inserting in lieu thereof the word "one"; also by striking out after the word "enrolled" the word "members" and inserting in lieu thereof the word "member"; also page 5, line 19, by striking out after the word "appointment" the words "or election"; also section 5, page 7, line 8, by striking out after the word "APPOINTMENT" the following: "APPOINTMENT OF CLERKS OR SECRETARIES AS REGISTRARS"; also line 24, by striking out after the word "Registrars" the following: "and inspectors of registration"; also line 25, by striking out after the article "the" the word "city" and inserting in lieu thereof the words "election district"; also section 7, page 10, line 2, by inserting after the word "commissioners" the following "counsel a sufficient number"; also line 3, by striking out after the word "registration" the word "counsel"; also line 22, by striking out after the article "the" the word "passage" and inserting in lieu thereof the words "effective date"; also section 12, page 12, line 3, by inserting before the first word "lists" in the line and before the second word "lists" the words "voting check"; also by striking out after the second "lists" the words "of voters"; also section 14, page 14, line 1, by striking out before the word "than" the word "more" and inserting in lieu thereof the word "less"; also section 16, page 14, line 4, by inserting after the word "registrar" the following: "or clerk appointed by the Commission"; also page 15, line 2, by striking out after the word "have" the article "a" and inserting in lieu thereof the word "two"; also line 19, by striking out at the beginning of the line the words "city or"; also by striking out after the word "district" the word "thereof"; also page 16, line 16, by striking out the strike out brackets before the word "and" and after the word "desirable"; also section 17, page 17, line 22, by inserting thteh word "cards" the following: "which binders can be locked The keys of all such binders shall at all times be retained by the commission"; also section 21, page 24, line 16, by inserting after the word "place" the following: "and that she is unable to produce his original naturalization papers or a certified copy thereof"; also line 19, by striking out after

the word "it" the word "effects" and inserting in lieu thereof the word "affects"; also section 23, page 25, line 6, by striking out after the word "REJECTED" the word "APPLICATION" and inserting in lieu thereof the word "APPLICANT"; also section 27, page 28, line 15, by striking out at the beginning of the line "(c)" and inserting in lieu thereof "(b)"; also line 13, by striking out at the beginning of the line "(d)" and inserting in lieu thereof "(c)"; also section 28, page 28, line 26, by striking out after the article "the" the word "tenth" and inserting in lieu thereof the word "fifteenth"; also section 32, page 35, line 7, by striking out at the beginning of the line the word "county" and inserting in lieu thereof the word "city"; also section 33, page 35, line 21, by striking out after the syllables "TRIBUTION" the word "Not" and inserting in lieu thereof the words "Commencing not"; also page 36, line 1, by inserting after the word "lists" the following: "A copy of the corrected street list of each election district shall forthwith be publicly posted at the polling place of such district"; also section 35, page 37, line 23, by inserting after the syllables "structed" the words "and locked"; also line 25, by striking out after the word "cards" the words "may not" and inserting in lieu thereof the word "cannot"; also by striking out all of section 36, also section 37, page 43, line 3, by striking out after the word "Section" the number "37" and inserting in lieu thereof the number "36"; also by inserting after line 23, the following: "(d) Whenever the registration affidavits of any registered elector shall have been entirely filled up so that the entries required to be made thereon by this Act can no longer be made the Commission shall have prepared and attached to such registration affidavits in each register a supplemental card Each supplemental card shall be printed in a color different from the registration affidavits It shall have the same serial number as the registration affidavit followed by the letter 'A' 'B' etc according to the number of supplemental cards attached to each registration affidavit Each supplemental card shall have space thereon for the entry of the surname of the registered elector his Christian name or names the street and number of his residence the ward and election district in which he resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal the date of each election and primary at which the elector votes and the signature or initials of the election officer who enters the record of voting on the card Each supplemental card shall be attached to the registration affidavit to which it relates by permanent fasteners in such a manner that the contents of the registration affidavit may be examined and the entries required by this Act may be made on the supplemental card. Whenever supplemental cards are attached to the registration affidavit of any elector the registration affidavit shall be stamped with the words "Supplemental cards attached" together with the date thereof"; also line 24, by striking out after the word "Section" the number figure "38" and inserting in lieu thereof the number "37"; also section 38, page 44, line 15, by striking out the strike-out bracket before the word "and"; also line 18, by striking out the strike-out bracket after the word "city"; also page 44, line 27, by striking out after the word "Section" the number "39" and inserting in lieu thereof "38"; also page 45, line 7, by striking out after the word "Section" the number "40" and inserting in lieu thereof "39"; also page 47, line 1, by striking out after the word "Section" the number "41", and inserting in lieu thereof the number "40"; also line 11, by striking out after the word "Section" the number "42" and inserting in lieu thereof the number "41"; also page 49, line 4, by striking out after the word "Section" the number "43" and inserting in lieu thereof the number "42"; also line 20, by striking out after the word "dollars" the word "and" and inserting in lieu thereof the word "or"; also page 50, line 1, by striking out after "dollars" the word "and" and inserting in lieu thereof the word "or"; also line 11, by striking out after the word "dollars" the word "and" and inserting in lieu thereof the word "or"; also line 25, by striking out after the word "dollars" the word "and" and inserting in lieu thereof the word "or"; also page 52, line 3, by striking out after the word "dollars" the word "and" and inserting in lieu thereof the word "or"; also line 25, by striking out after the word "dollars" the word "and" and inserting in lieu thereof the word "or"; also page 53, line 5, by striking out after the word "Section" the number "44" and inserting in lieu thereof the number "43".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Einstein,	Miller,	Salus,
Batchelor,	Fay,	Norton,	Scott,
Baumer,	Frazier,	Owlett,	Shapiro,
Bell,	Gelder,	Parkinson,	Snyder,
Bennett,	Graff,	Pethick,	Sones,
Boyd,	Harris,	Pierson,	Sordoni,
Brandt,	Harvey,	Prince,	Staudenmeier,
Buckman,	Homsher,	Quigley,	Thompson,
Chapman,	Hunsicker,	Reed,	Trainer,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 43, as follows:

An Act Making an appropriation from the General Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of adjusted compensation to veterans as provided by law and making an appropriation out of the Veterans' Compensation Fund to reimburse the General Fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs for the purpose of paying for clerical hire postage and printing and other necessary expenses incurred by the Adjutant General or the Department of Military Affairs in the dissemination of information and the preparation and distribution of forms for the payment of adjusted compensation to veterans in such manner and in such amounts as is or may be provided by law

The amount that shall be necessarily expended from said appropriation for the purposes stated shall be repaid from the Veterans' Compensation Fund into the General Fund in the State Treasury out of the first receipts from the sale of bonds for the payment of such compensation as are or may be authorized by law As much of the money in the Veterans' Compensation Fund as may be necessary is hereby appropriated for this purpose

Section 2 This act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Einstein,	Miller,	Salus,
Batchelor,	Fay,	Norton,	Scott,
Baumer,	Frazier,	Owlett,	Shapiro,
Bell,	Gelder,	Parkinson,	Snyder,
Bennett,	Graff,	Pethick,	Sones,
Boyd,	Harris,	Pierson,	Sordoni,
Brandt,	Harvey,	Prince,	Staudenmeier,
Buckman,	Homsher,	Quigley,	Thompson,
Chapman,	Hunsicker,	Reed,	Trainer,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberes,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 129 (House Bill No. 97), as follows:

An Act authorizing officers departments boards and commissions of any political subdivision of the Commonwealth and cities counties boroughs incorporated towns townships school districts to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any officer department board or commission of any political subdivision of the Commonwealth or city county borough incorporated town township school district or poor district hereinafter called the purchaser has heretofore made any contract for the purchase of furniture stationery food stuffs fuel or other materials or supplies of any kind whatsoever and has cancelled all or any part of such contract under authority of an act of Assembly authorizing cancellation because that by reason of the operation of any agreement code or license approved prescribed or issued under the National Industry Recovery Act approved the sixteenth day of June one thousand nine hundred and thirty-three and any amendments thereof or supplements thereto the contractor's costs have been so increased that it would be inequitable to require him to comply with his contract and where for want of prior express legislative authority the purchaser delayed cancellation of the contract and required compliance thereunder until enactment of authority to effect cancellation such officer department board or commission city county borough incorporated town township school district or poor district is authorized to reimburse said contractor for loss sustained on materials delivered under any such contract which contained provisions for the adjustment of prices in the event of the enactment of State or Federal legislation increasing costs to the contractor subject however to limitations prescribed by this act

Section 2 Adjustments hereunder shall only be made in costs of materials actually delivered in the interim between the effective date of any agreement code or license approved prescribed or issued under the National Industry Recovery Act approved the sixteenth day of June one thousand nine hundred and thirty-three increasing costs to said contractors and effective date of legislation authorizing cancellation and said contractor shall be reimbursed for loss sustained by enforced compliance with his contract payment however to be limited to the difference between the price specified in said contract and the price specified in a subsequent made contract or the open market price for like materials at the time of delivery whichever be lower

Section 3 Nothing in this act shall be so construed as to make valid any resolution or contract except to the extent that materials were actually delivered or that work was actually done and performed in enforced compliance with contracts subsequently cancelled under authority of legislative enactment

Section 4 All acts or parts of acts inconsistent herewith are hereby suspended for the period during which this act shall be in effect

Section 5 This act shall become effective immediately upon final enactment

And the amendments made thereto having been printed by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	Mansfield,	Roberts,
Aron,	Einstein,	Miller,	Salus,
Batchelor,	Fay,	Norton,	Scott,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,		

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

BILLS ON THIRD READING AND FINAL PASSAGE

Argeeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 105 (House Bill No. 16), as follows:

An Act to amend section four of the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred and twenty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs" is hereby amended to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred and thirty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs" is hereby amended to read as follows

Section 4 The stay of any execution under this act shall from time to time continue the return day of the writ of execution to [the first] a future regular return day for such

writs [which shall occur after a sale held under such writ] to be fixed by the court not later than the first Monday of June 1935 In the meantime the writ shall remain in full force and effect and sale may be made thereunder without the issuance of an alias or any other writ

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 113 (House Bill No. 120), entitled:

An Act in aid of unemployment relief for the citizens of this Commonwealth by providing for preference to citizens of this Commonwealth in employment upon public works of this Commonwelath, conferring certain duties on the Department of Labor and Industry, and providing penalties.

And sail bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 148 (House Bill No. 62), entitled:

A Supplement to the act number three hundred-A approved the third day of June one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to certain administrative departments

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Sones,
Bennett,	Graff,	Parkinson,	Sordoni,
Boyd	Harris,	Pethick,	Staudenmeier,
Brandt,	Harvey,	Pierson,	Thompson,
Buckman,	Homsher,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne.			

NAYS—2

Reed,	Snyder,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 156 (House Bill No. 193), as follows:

An Act providing for and regulating subject to certain restrictions limitations and liabilities pensions for certain blind persons and the administration of this act by the Department of Welfare the trustees who administer mothers' assistance in the several counties or by other trustees in certain cases authorizing appointment of trustees for the pensions payable to certain individuals and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be administered by the Department of Welfare of this Commonwealth and the Boards of Trustees of the Mothers' Assistance Funds of the several counties who when acting under the provisions of this act shall be known as Boards of Trustees of Pension Fund for the Blind

In the event that any county shall not have a Board of Trustees of the Mothers' Assistance Fund because of the failure of such county to have accepted the provisions of the Mothers' Assistance Act the trustees of the Old Age Assistance Fund of the county if any shall have the duties and powers of and shall be the trustees for the Pension Fund for the Blind If there shall be neither a Board of Trustees of the Mothers' Assistance Fund nor a Board of Trustees of the Old Age Assistance Fund in the

county the Governor shall appoint a board of trustees composed of seven residents of the county who shall be called a Board of Trustees of Pension Fund for the Blind If at any time thereafter a Board of Trustees of a Mothers' Assistance Fund shall be appointed for such county it shall immediately take over the work of the Blind of Trustees of Pension Fund for the Blind and this act shall be administered as in other counties

Any trustees of the Pension Fund for the Blind appointed under the provisions of this section shall hold office for a term of six years or until a Board of Trustees of the Mothers' Assistance Fund has been appointed in their county

The Department of Welfare shall have the power and its duties shall be to set up rules and regulations for the administration of this act with the approval of the Welfare Commisison

Section 2 Such supervisors and assistants as shall be necessary to exercise general supervision over the administration of this act shall be appointed by the Secretary of Welfare subject as in other cases to the approval by the Governor of the number and compensation of such supervisors and assistants

Section 3 The boards of trustees in the several counties shall appoint such additional investigators and clerical assistants as may be necessary to enable them to distribute pensions for the blind in their respective counties but as far as possible the investigators engaged in the administration of the Mothers' Assistance Law shall also perform the work necessary for the administration of this act at no time shall the additional expense of administering this act in any county exceed in amount six per centum of the allocation to such county from the appropriation for pensions for the blind

Section 4 Pensions may be granted under this act only to an applicant who

(a) Has attained the age of twenty-one years or upwards

(b) Resides in the Commonwealth and has so resided continuously for at least ten years immediately preceding the date of application Provided That absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the State if a domicile be not acquired outside the State

(c) Is not at the date of making application an inmate of any prison jail workhouse insane asylum or other public reform or correctional institution

(d) Is not at the date of making application suffering from mental or physical infirmity which in itself would make him or her a charge upon any other institution or agency of this State and which has so incapacitated him or her prior to the loss of sight that such person was a public charge prior thereto

(e) Has not sufficient means of his own to enable him to maintain himself and is incapable of or lacking the opportunity of self-support

(f) Has less than three-sixtieth or ten-two hundredths normal vision and by reason thereof is unable to earn a livelihood except through special training and in occupations which can successfully be carried on by blind persons

Section 5 All applications for pensions under this act shall be made to the Board of Trustees of Pension Fund for the Blind of the county in which the applicant resides in such form as the Department of Welfare may prescribe No application shall be approved until the Board of Trustees is satisfied after proper investigation that the applicant is entitled thereto under the provisions of this act and particularly not until an ophthalmologist certificated by the American Board for Ophthalmic Examinations or an oculist duly licensed to practice in Pennsylvania and actively engaged in treatment of the human eye shall have certified in writing as to the diagnosis prognosis and visual acuity of the applicant

Section 6 The Board of Trustees of Pension Fund for the Blind of a county may require any recipient of pension hereunder to submit to further examination of his eyes by competent ophthalmologist or oculist at such reasonable times as the board of trustees or the Department of Welfare shall deem necessary

Section 7 The maximum payment to any one person allowed by a board of trustees under the provisions of this act shall be thirty dollars per month

Section 8 Before any payment is made to any person under the provisions of this act a complete report shall be made of all matters stated in the application giving the name of the beneficiary the number and kinds of relatives the financial condition of relatives and all other matters which shall be from time to time required by the Department of Welfare All such reports shall be made upon forms supplied for the purpose by the Department of Welfare All such reports shall be made in triplicate One copy shall be retained by the local board of trustees one copy shall be forwarded to the Department of Welfare and one copy to the Auditor General All reports shall be sworn to by the investigator and shall be approved by a majority of the board of trustees

Section 9 If any person receiving pension under this act shall refuse or neglect to comply with any reasonable request of a county board of trustees or of the Department of Welfare for information concerning the continued existence of need and the other qualifications for such pension or who shall on request neglect or refuse to authorize any other person firm or corporation to furnish such information about the pension recipient or his affairs or who shall refuse to submit to any examination required by this act the board of trustees may suspend all payments to such recipient until he shall have complied with such requirements

Section 10 If the condition or circumstances of any person receiving a pension under this act should change in such way that the person does not have all the qualifications required to obtain a pension hereunder pension payments to such person shall at once cease

Section 11 The Department of Welfare may appoint a trustee to take charge of the expenditure of the pension granted any applicant when in its opinion such trustee is necessary In such case the payment shall be made direct to such trustee upon requisition of the Department Such trustee shall serve without pay and shall be subject to the rules and regulations which the Department shall prescribe

Section 12 All payments under the provisions of this act shall be made monthly direct to the recipient thereof by warrant after requisition as provided by law in other cases

Section 13 The initial appropriation made by the General Assembly for Pensions for the Blind shall be allocated among the several counties of the State according to population Any amount so allocated and unused in any fiscal year in any county shall be added to the amount of the appropriation subject to allocation for the following fiscal year under the current or any future appropriation For the second and subsequent fiscal years allocations of amounts available for such pensions shall be made among the several counties according to the number of persons receiving pensions and who are eligible for pensions up to the end of the tenth month of the previous fiscal year

Section 14 Any person securing any pension contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 15 This act shall not relieve any county city or poor district from responsibility for the maintenance either in an institution or otherwise of any person who cannot qualify for pension under this act or who cannot be provided for under the current appropriation for carrying out the provisions of this act

Section 16 This act shall become effective immediately upon its approval by the Governor but the first payments hereunder shall be made for the month of June one thousand nine hundred and thirty-four

Section 17 It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 18 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to, and the amendments made hereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 157 (House Bill No. 197), entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing on elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board

And said bill having been read at length the third time, and agreed to,

An the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Harris,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 163 (House Bill No. 86), entitled:

An Act to prohibit discrimination and intimidation on account of race or color in employment under contracts for public buildings or public works, and fixing penalties therefor.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 166 (House Bill No. 196), as follows:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred twenty-three as last amended by an act approved the twenty-sixth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred forty-two) of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended is hereby amended to read as follows

Section 423 Any party in interest may within [ten] fifteen days after notice of a referee's award or disallowance of compensation shall have been served upon him, take an appeal to the board on the ground (1) That the award or disallowance of compensation is not in conformity with the terms of this act or that the referee committed any other error of law (2) That the findings of fact and award or disallowance of compensation was unwarranted by the evidence or was procured by fraud The coercion or other improper conduct of any party in interest

In any such appeal the board may disregard the findings of fact of the referee and may examine the testimony taken before such referee and if it deem proper may hear other evidence and may substitute for the findings of the referee such findings of fact as the evidence taken before the referee and the board as hereinbefore provided may in the judgment of the board require and may make such disallowance for award of compensation or other order as the facts so found by it may require

And said bill having been read at length the third time, and agreed to, and the amendments made hereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 167 (House Bill No. 199), entitled:

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 168 (House Bill No. 200), entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 169 (House Bill No. 153), entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. SALUS. Mr. President, I want to call the attention of the Senate to the fact that this is a question of approving the joint resolution to the Constitution of the United States on the matter of the employment of persons under eighteen years of age.

The reason I am calling your attention to this is that there is a similar bill on third reading in the House and I would like the Senate to pass this bill, because it is possible that over in the House they think we are going to pass it and the y may drop their end of it and as a result of that, they may not pass the House bill. I am going to ask the Senate to vote on this and pass it here, to make the proposition sure.

And the question recurring

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Armstrong,	Einstein,	Mansfield,	Snyder,
Aron,	Frazier,	Miller,	Sordoni,
Batchelor,	Graff,	Norton,	Staudenmeier,
Baumer,	Harris,	Rice,	Thompson,
Bell,	Hunsicker,	Roberts,	Trainer,

Bennett,	Krause,	Salus,	Williamson,
Boyd,	Lanius,	Shapiro,	Ziesenheim,
Coyne,			

NAYS—15

Buckman,	Fay,	Owlett,	Reed,
Chapman,	Gelder,	Pethick,	Scott,
Clark,	Harvey,	Pierson,	Sones,
Ealy,	Homsher,	Prince,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 174 (House Bill No. 109), entitled:

An act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled "An act authorizing the abatement of penalties on local taxes" as amended by providing for the extension of time during which such abatements may be allowed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett.	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince.	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 175 (House Bill No. 138), entitled:

An Act to further amend clause (e) of section three hundred and six of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" by permitting the extension of time for hospitalization to ninety days at the option of the employer or insurer and fixing the date when this act becomes effective

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 178 (House Bill No. 191), entitled:

An Act to amend section one of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 237), entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two, and validating the liens of such taxes," further extending the period for such returns and providing for returns for the year one thousand nine hundred and thirty and for the year one thousand nine hundred and thirty-three.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 179 (House Bill No. 212), as follows:

An Act to amend section two hundred and four of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without

fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the excerise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" regulating the establishment and maintenance of branch banks offices and agencies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assmbly met and it is hereby enacted by the authority of the same That section two hundred and four of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows

Section 204 Branch Offices and Sub-agencies A An institution shall not establish maintain or operate either directly or indirectly any branch bank branch office agency sub-office sub-agency or branch place of business within this Commonwealth for the transaction of any part of its business but all of the business of such institution shall be carried on solely and exclusively at its principal place of business except as may be permitted by this act

This section shall not apply to branches sub-offices and sub-agencies established or those for which locations had been purchased or leased by deed recorded or leases actually delivered prior to the first day of March one thousand nine hundred twenty-seven or to branches sub-offices and sub-agencies which resulted from mergers or consolidations of institutions effective prior to the first day of April one thousand nine hundred twenty-seven and such institutions shall have the right to relocate the same within the corporate limits of the city borough or township in which the principal place of business is located at the time of such relocation provided that such relocation is made with the approval of the Department in the manner provided by this act for any removal of the places of business of an institution

This section shall not apply to any institution which has its principal place of business in a city borough or township within this Commonwealth in which one or more national banking association incorporated under the laws of the United States was on the first day of March one thousand nine hundred twenty-seven operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business for the transaction of any part of its business and any such institution may hereafter establish subject to the approval of the Department and thereafter maintain and operate branch banks branch offices agencies sub-offices sub-agencies and branch places of business for the transaction of any part of its business but only within the corporate limits of the city borough or township in which its principal office is located and in which such national banking association was on the first day of March one thousand nine hundred twenty-seven operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business The right to establish and maintain branch banks branch offices agencies sub-offices sub-agencies or branch places of business under the provisions of this subsection shall be limited to the territory included within the corporate limits on the first day of March one thousand nine hundred twenty-seven of the respective cities boroughs or townships in which such national banking associations were on that date operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business and such right shall not extend to additional territory which may after the first day of March one thousand nine hundred twenty-seven be added to such cities boroughs or townships by annexation consolidation with one or more municipal corporations or otherwise nor shall it extend to other portions or divisions of municipal corporations to which such cities boroughs or townships may be annexed or with which they may be conbank branch office agency sub-office sub-agency or branch solidated after that date the intention being to limit to the respective corporate limits such cities boroughs or townships as they existed on the first day of March one thousand nine hundred twenty-seven the right to establish and maintain the branch banks branch offices agencies sub-offices sub-agencies and branch places of business authorized in this section

B Any institution may continue to maintain and operate any branch bank branch office agency sub-office sub-agency or branch place of business lawfully established by such institution

C Any institution may in the manner provide by this act for an amendment to its articles establish a branch bank branch office agency sub-office sub-agency or branch place of business at any place within this Commonwealth where at the time such institution proposes to establish such branch place of business any national banking association having its principal office in the same county as that in which the principal office of the institution proposing to make such action is located would have the power under the laws of the United States now or hereafter enacted to establish a branch bank branch office agency sub-office sub-agency or branch place of business of such national banking association

D Any institution in any city of the first class or any city of the second class may in the manner provided by this act for an amendment to its articles or in pursuance of a plan of merger or consolidation in accordance with the provisions of this act establish and thereafter maintain and operate a branch bank branch office agency sub-office sub-agency or branch place of business at any place within the corporate limits of the said city of the first class or city of the second class in which its principal office is located or in any township of the first class contiguous to a city of the first class where the community in which such branch bank branch office agency sub-office sub-agency or branch place of business is to be established originally is without banking facilities or in the case of a merger or consolidaiton is without banking facilities other than an institution or institutions party or parties to a plan of merger or consolidation in accordance with this act

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,

Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. SHAPIRO. Mr. President, I ask unanimous consent that Senate Bill No. 180 (House Bill No. 137), entitled:

An Act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four by installments and for a discount for prompt payment of such taxes in cities of the second class.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 181 (House Bill No. 245), as follows:

An Act to amend section three clause (b) and sections nineteen and twenty-three of the act approved the fifth day of December one thousand nine hundred thirty-three (Act Number six) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties."

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three clause (b) of the act approved the fifth day of December one thousand nine hundred thirty-three (Act Number Six) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties" is hereby amended to read as follows

Section 3 Imposition of Tax

(a) Except as otherwise in this act provided every manufacturer shall be subject to pay to the Commonwealth of Pennsylvania the taxes imposed in this section for the privilege of producing manufacturing distilling rectifying or compounding distilled spirits rectified spirits or wines in this Commonwealth when such distilled spirits rectified spirits or wines are withdrawn from bond or if not required by Act of Congress to be stored or placed in bond when prepared for market or for use in the manufacture or production of any beverage intended for sale

Such taxes shall be measured by the amount of such distilled spirits rectified spirits and wines so produced manufactured distilled rectified or compounded by the manufacturer on or after the effective date of this act and shall be computed thereon at the following rates

On distilled spirits one dollar ($1) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On rectified spirits thirty cents ($.30) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon in addition to the tax imposed herein on the privilege of manufacturing or producing using or selling within this Commonwealth the distilled spirits or wines from which said rectified spirits are produced manufactured or compounded

On wines one-half cent ($.005) per unit or proof per wine gallon and a proportionate tax at a like rate on all fractional parts of such wine gallon

Provided however that the rate of tax on the privilege of manufacturing producing or distilling in this Commonwealth distilled spirits or wines until January first one thousand nine hundred thirty-four shall be two dollars on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon and that until January first one thousand nine hundred thirty-four the tax of thirty cents ($.30) per proof gallon or wine gallon when below proof shall not be imposed for the privilege of rectifying spirits

(b) Except as otherwise in this act provided every importer shall be subject to pay to the Commonwealth of Pennsylvania the taxes imposed in this section for the privilege of selling or using in this Commonwealth distilled spirits rectified spirits or wines [produced manufactured distilled rectified or compounded without] brought into this Commonwealth Such taxes shall be measured by the amount of such distilled spirits rectified spirits and wines so sold or used by the importer in this Commonwealth on or after the effective date of this act except as hereinafter provided and shall be computed thereon at the following rates

On distilled spirits one dollar ($1.) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On rectified spirits one dollar and thirty cents ($1.30) per proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon

On wines one-half cent ($.005) per unit of proof per wine gallon and a proportionate tax at a like rate on all fractional parts of such wine gallon

Provided however that until the first day of January one thousand nine hundred thirty-four the rate of tax for the privilege of selling or using in this Commonwealth distilled spirits rectified spirits or wines [produced manufactured distilled rectified or compounded without] brought into this Commonwealth shall be two dollars on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon unless a tax shall have been paid upon the privilege of producing manufacturing distilling rectifying or compounding such distilled spirits rectified spirits or wines under clause (a) of this section or unless a floor tax shall have been paid upon such distilled spirits rectified spirits or wines under the provisions of Act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties"

Also provided that the tax imposed by this [clause] section shall not be payable on the privilege of manufacturing or bringing into this Commonwealth any distilled spirits and wines sold to or used by [the] any manufacturer or importer in this Commonwealth [in] for the manufacture or rectified spirits whenever the manufacture of such rectified spirits is exempt from tax under the following provisions of this act

Section 2 That section nineteen of said act is hereby amended to read as follows

Section 19 Exemption from Tax [From and after the date upon which the Commonwealth of Pennsylvania begins to

operate Pennsylvania Liquor Stores no] No taxes shall be imposed or collected under the provisions of this act upon the privilege of producing selling or using such distilled spirits rectified spirits and wines as are sold to or sold or used by the Commonwealth or are sold to the United States or any governmental agency thereof or for the use of any university or college of learning any laboratory for use exclusively in scientific research or any hospital sanatorium or eleemosynary dispensary

Section 3 That section twenty-three of said act is hereby amended to read as follows

Section 23 Effective Date and Effective Period This act shall become effective the day after the day the Twenty-first Amendment to the Constitution of the United States is ratified by conventions in at least three-fourths of the several states

This act shall cease to be effective upon the effective date of any act of Congress providing for participation by the states or by those states which do not tax distilled spirits in the proceeds of the tax imposed and collected by the United States upon distilled spirits

Section 4 This act shall be effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 182 (House Bill No. 246), entitled:

An act to amend act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" by providing for an extension of time for payment in certain cases.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Mr. ARMSTRONG. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 180 (House Bill No. 137) on third reading, entitled:

An Act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four, by installments and for a discount for prompt payment of such taxes, in cities of the second class

Mr. BELL. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 180 (House Bill No. 137), entitled:

An act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four by installments and for a discount for prompt payment of such taxes in cities of the second class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL DROPPED FROM CALENDAR

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 173 (House Bill No. 66) on second reading, entitled:

An Act for the relief of financially distressed taxpayers providing for the payment in installments of delinquent county city borough incorporated town township school and

poor taxes in certain cases and abating additional penalties and interest thereon

be dropped from today's calendar.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

RESOLUTION URGING UPON CONGRESS ADOPTION OF ANTI-LYNCHING LAW

Mr. SALUS offered the following resolution, which was twice read:

Whereas, A disregard for the proper and orderly procedure of justice appears to be rampant in various parts of our country resulting in unparalleled examples of mob violence; And Whereas, Such subversion of justice is destructive to the very fabric of our civilization and may be regarded as a sign of ominous portent;

And Whereas, The Congress of these United States will convene in a few weeks;

And Whereas, Certain members of Congress have declared and stated it to be their intention to sponsor and introduce a Federal Anti-Lynching Law; therefore be it

Resolved (if the House of Representatives concur), That the Representatives in Congress from Pennsylvania be respectfully urged and requested to actively support such legislation when the same may be introduced;

Resolved, That a copy of this resolution be furnished each Senator and Representative in Congress from Pennsylvania

Mr. SALUS. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be referred to an appropriate committee, be suspended, and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there any objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Dauphin, Mr. Reed, will state his question of personal privilege.

Mr. REED. Mr. President, yesterday, when I arose on a matter of personal privilege, I had concluded that I would not ask any further time of the Senate, but in view of the statement, under a question of personal privilege, made by the Senator from Warren, Mr. Chapman, last night, and in view of the vote taken yesterday, and the proceedings connected therewith, on a motion to discharge the Committee on Executive Nominations, I feel that before this session adjourns something should be said in defense of the majority action.

I want to say that in addressing the Senate at this time I shall not engage in any personalities or question the motives of any Senator. I believe that every Senator who voted yesterday afternoon voted his convictions, and voted what he regarded to be in the interest of the Commonwealth. But during the remarks of the distinguished Senator from Cumberland, Mr. Prince, some legal propositions were set forth with which I cannot agree.

I have before me a clipping from the Philadelphia Ledger of last evening which purports to contain those remarks, and, addressing myself entirely to the legal propositions involved, I desire to call attention to some statements which were made.

The distinguished Senator from Cumberland, Mr. Prince, said "But, Mr. President, in the present instance it is not a Legislative bill which the Committee on Executive Nominations has under consideration. This committee is arresting the processes of administration by withholding legal status from the members of a supremely important division of the State Government."

The last expression of the Courts on that proposition is contained in the case of Commonwealth v. King, 312 Pa-412, and in delivering the opinion of the Court, Chief Justice Frazer said, "Unless compelled by its phraseology, we should not adopt a construction of the statute which might produce relaxation in the honest and fearless performance of the duties of the commission in hope of approval by the Senate or in dread of disapproval. Such mischief, even if improbable, will be avoided by giving the words their ordinary meaning. The Senate has the power to veto an appointment, but, if made when the Senate is not in session, the Senate must act on the appointment 'when convened,' or the right to the office ceases with the adjournment of the Senate."

I therefore disagree, on the authority of the Supreme Court of Pennsylvania, that the Senate was arresting in any way the orderly performance of the duties of the Public Service Commission. The law, as settled in Commonwealth v. King, is very clear. The Committee on Executive Nominations had before it a matter of discretion, viz: whether it was wise to put those nominations to a vote or to allow this session to close without their being acted upon; because by adopting the latter course those commissions automatically expire and the Governor is free to appoint them again or to appoint others, as in his discretion he may choose. I therefore say that the action of the Senate cannot, under the words of the Supreme Court of Pennsylvania, be taken as arresting in any way the work of the commission.

The Senator from Cumberland, Mr. Prince, says, "Appointment is an executive function." I immediately went to my office to see whether I had forgotten what little law I thought I knew. I have before me Corpus Juris, Volume 12, and the statement is made on page 898 that "Under the American system of government the chief executive has no prerogative powers, but is confined to the exercise of those powers conferred upon him by the constitution and statutes." A leading case quoted in the foot note on page 899, happens to be a Tennessee case, but it is so clear on the fundamental principle involved that I wish to quote from it briefly.

It was said, "The chief executive has no prerogative powers, as in monarchical governments, but only such as are vested in him by the fundamental law. The constitutions of the original States, first adopted, vested most of the appointing power in the legislative department, and very little of importance in the chief executive, doubtless guarding against its abuse, from which they had recently suffered under the government of England." And, I might add, as the people of Pennsylvania are suffering at the present time.

The Court concluded, "We think, from a general review of the authorities, that it is now established that under the American form of government the power of election or appointment to office is a political power, not inherently legislative, executive or judicial, but which may be vested with equal propriety in either of them, and that it is so treated and applied in a majority of the states."

Under the uniform decisions of the Supreme Court of Pennsylvania the supreme power in this State is legislative power. I need only to quote from Liken's Appeal, 223 Pa. 456: "The constitution allows the legislature every power which it does

not positively prohibit." Or, as stated in the syllabus, "Whatever the people have not, by their constitution, restrained themselves from doing, they, through their representatives in the legislature, may do. This latter body represents their will just as completely as a constitutional convention in all matters left open by the written constitution."

That has always been the law in Pennsylvania. Now, what does the Constitution of Pennsylvania say? The Constitution is the only limitation upon legislative power. Under the Constitution of Pennsylvania the Governor is delegated the right to make three appointments: the Secretary of the Commonwealth, the Attorney General of the Commonwealth and the Superintendent of Education. All other appointive power now vested in the Chief Executive in this State is but a legislative grant; it can be, at any time, withdrawn from the Governor of the Commonwealth by legislative power. Therefore, this statement of the distinguished Senator from Cumberland, largely circulated in the press, I think should be corrected on the floor of the Senate.

The distinguished Senator from Cumberland also says, "The participation of the Senate is incidental and secondary. The Senate would be within its technical rights in refusing its assent, but unless it had good and sufficient reason it could hardly escape the approbrieum of deliberate obstruction."

We are not here dealing with an ordinary appointment but with an appointment to the Public Service Commission, an arm of the legislative branch, and I think it is well for the Senate to consider what the Supreme Court of Pennsylvania said in Commonwealth v. Benn, 284 Pa-421. I quote from the opinion of the Court: "The chief, primary and predominant work of the Public Service Commission is the determining of questions relating to rates, and almost every other duty performed by that body is either directly or indirectly connected with this primary service. Originally, state legislatures passed statutes fixing prices, or rates, to be charged by public service companies. The courts could decide whether a specific price charged under certain circumstances was reasonable, but they could not prescribe rates for the future. The immemorial and exclusive right of legislatures to fix rates for future application was upheld in Munn v. Illinois, 94 U. S. 113. To meet the demands of the great industrial age in which we are living, the Federal Interstate Commerce Commission arose, and also the public service commissions of the various states of the Union; for it became generally recognized that, for practical reasons, the legislative functions of fixing rates and otherwise supervising public service corporations would have to be exercised by such bodies, and this passing on of authority was sanctioned by the courts as an exception to the general rule that legislative power cannot be delegated."

The same Court, after citing many cases, said "The above cases, to which a host of others, equally strong, might be added, demonstrate that public service commissioners must be viewed as deputies of the general assembly to perform legislative work; and since, in the words of our Superior Court, the commissioners are the 'representatives of the legislature and not of . . . . . the executive,' the legislature might, as before said, have named them directly."

The law as I understand it, in view of repeated decisions of our Courts, is that Public Service Commissioners are servants of the Legislature, and the only function which the Chief Executive possesses is the duty to appoint, and he acts as the agent of the Legislature in making that appointment. And, lest there be any question on that proposition, I again quote from the latest case, that of Commonwealth v. King, wherein the Supreme Court said, speaking through the present Chief Justice, "Having made an appointment in the discharge of his agency, the Governor could do nothing further until the legislature acted on the person he had appointed; . . . . . " Therein, we have a clear expression that the Governor is but the agent of the legislature.

In the course of his remarks the Senator from Cumberland, Mr. Prince, said, "If the committee refuses to act and the Senate ignores the issue, it can scarcely fail to be regarded not only as a discourtesy to the Chief Executive but as a mistake in political strategy."

Mr. President, when I cast my vote I had no thought of political strategy. Other Senators can answer for themselves as to the question of discourtesy to the Chief Executive. But I ask, in all seriousness, is the Senate of Pennsylvania to be bound by the requests or demands of its agent? That is the question which was answered by the vote of yesterday.

As I have said, and I repeat, I do not question the motives or the patriotism of any Senator who cast a vote, but last night the distinguished Senator from Warren arose in his place and charged that he had voted under a threat of punishment from the Chief Executive of this Commonwealth; and there is not a man on the floor of the Senate of Pennsylvania who does not know what a threat of punishment means.

I say, never has the time arisen, in the legislative history of Pennsylvania, when this body should stand more unitedly for its rights under the constitution, as defined by the Supreme Court of the Commonwealth. There must be no coercion or intimidation from the Executive or the Department of Justice. And I want to pay a tribute today to the bravery and the patriotism of the distinguished Senator from Warren, who, under the conditions stated by him and under his oath of office, voted as a Senator of Pennsylvania and not merely as a weakling following executive dictation.

And I also want to say, in closing, that in my judgment the Committee on Executive Nominations, headed, as it is, by the distinguished Senator from Greene, Mr. Parkinson, has functioned well. There is not a harder working committee chairman on the floor of this Senate than the chairman of that committee. The chief function of that committee, as I see it, is to pass upon qualifications of Executive appointees, to find out if there is objection from Senators, or from other sources, to appointments which come from the Executive office; and every member of this Senate knows that with courtesy and efficiency, and with regard for the public welfare, the committee has performed that duty.

The Committee on Executive Nominations, under the Public Service Law, as construed by the Courts, had a discretion, and it was a discretion with which the Governor had no right, and has no right, to interfere. That discretion was with regard to the question of whether or not that committee, following Supreme Court decisions, should hold those nominations so that they should expire and new commissioners be appointed, or put them to a vote.

As a Senator I will not challenge, I dare not challenge, a Senator's motives when he is acting upon a matter which is purely a matter of legislative discretion. However, I believe that that committee, every member of that committee, acted from the highest motives, and in a manner which they regarded to be for the best interests of the Commonwealth.

I want to thank you, gentlemen of the Senate, for permitting me to trespass upon your time. I have asked your indulgence only because I believe that on the records of the Senate there should be entered a defense of the Committee

on Executive Nominations, and of the Senators who, under their oath of office, cast their votes against discharging that committee.

QUESTION OF PERSONAL PRIVILEGE

Mr. FAY. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Mercer, Mr. Fay, will state his question of personal privilege.

Mr. FAY. Mr. President, I would like to explain my vote on the question of confirmation of Executive Nomination yesterday. I have always been very much opposed to His Excellency, and opposed to giving him the hire and fire power; and especially was I opposed to it when he came into my district and wanted to hire and fire.

He said, if only he had the power to hire and fire, this Commonwealth—well, I do not think we would be taxed any more, and everything would be just lovely,—if only he had the power to hire and fire.

Yesterday, under a misapprehension,—and I did not realize what I was doing until later,—I accorded him that privilege. In other words, had we confirmed this nomination, he would have had that hire and fire privilege, because this Public Service Commissioner would have been in office for the next ten years; and under a misapprehension I voted to give His Excellency that power.

I am not apologizing,—because I do not do that very frequently; but I am just explaining how I, under a misapprehension, voted to give him the hire and fire privilege which I am against. I would like to have that on the record.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL NO. 1

The Clerk of the House of Representatives being introduced returned to the Senate, Senate Bill No. 1, entitled:

An Act authorizing the Governor to accept funds from agencies of the Federal Government appropriating such funds for construction of public works for the Commonwealth and providing for repayment to the Federal Government of part of such funds with interest under certain conditions and making an appropriation for such repayment.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 47

He also returned to the Senate, Senate Bill No. 47, entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 73

He also returned to the Senate, Senate Bill No. 73, entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 75

He also returned to the Senate, Senate Bill No. 75, entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of the liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 77

He also returned to the Senate, Senate Bill No. 77, entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 126

He also returned to the Senate, Senate Bill No. 126, entitled:

An act to amend sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession and conducting or liquidating the business and property of corporations, associations and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan associations, providing for the payment of the expenses of the Department of Banking by supervised corporations, associations or persons and appropriating the Banking Department Fund, authorizing the Department of Banking under certain circumstances to examine corporations, associations or persons affiliated or having business transactions with supervised corporations, associations or persons, authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions and officers, authorizing certain local public officers and State departments to collect fees for services rendered under this act, providing penalties, and repealing certain acts and parts of acts" by further limiting the exemption of certain private bankers and by modifying the powers of the Secretary of Banking as receiver of corporations and

with the information that the House has passed the same without amendment.

SENATE BILL NO. 124 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 124, entitled:

An Act to further amend sections one, two, three, ten, eighteen, and nineteen, of the act, approved the thirteenth day of January, one thousand eight hundred and seventy-four (Pamphlet Laws thirty-two), entitled "A further supplement to the act regulating elections in this Commonwealth,"

as amended pursuant to Amendment Number Five to the Constitution of the Commonwealth, adopted November seventh, one thousand nine hundred thirty-three, eliminating the tax-paying qualification for voters.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. MANSFIELD. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. EINSTEIN. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 3, line 20, by striking out after the word "Original" the word "registery" and inserting in lieu thereof the word "registry"; also section 2, page 6, line 7, by striking out after the article "the" the word "secular"; also section 3, page 3, line 15, by striking out at the beginning of the line the word "blank" and inserting in lieu thereof the word "blanks"; also section 10, page 9, line 12, by inserting after the word "election" the following: "in any election district in which personal registration is not required"; also page 10, line 17, by striking out after the word "that" the word "is" and inserting in lieu thereof the word "it"; also line 18, by striking out after the word "naturalized" the word "citizens" and inserting in lieu thereof the word "citizen"; also page 11, line 27, by striking out after the word "of" the word "his" and inserting in lieu thereof the word "this"; also section 15, page 12, line 7, by striking out after the figure "15" the word "At" and inserting in lieu thereof the words "That at"; also line 11, by striking out after the word "well" the word "as"; also line 12, by striking out after the word "has" the word "hereofore" and inserting in lieu thereof the word "heretofore"; also line 13, by striking out after the word "officers" the word "appoined" and inserting in lieu thereof the word "appointed"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 143 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 143, entitled:

An Act requiring the Department of Property and Supplies to provide and install appliances to air condition the State Capitol building and the Halls of the Senate and House of Representatives, and to regulate temperatures therein, and making an appropriation.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. REED. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. GRAFF. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, line 3, by inserting after the article "the" the following: "State Capitol building and the"; also section 1, line 6, by striking out after the article "the" the following: "Halls of the Senate and House of Representatives" and inserting in lieu thereof "State Capitol building"; also line 8, by inserting after the word "said" the following: "Capitol building and particularly of the"; also by inserting after the word "Halls" the following: "of the Senate and House of Representatives"; also line 10, by striking out after the word "of" the following: "twenty-five thousand dollars ($25,000)" and inserting in lieu thereof "forty thousand dollars ($40,000)"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Einstein,	Mansfield,	Salus,
Aron,	Ealy,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 125 RETURNED WITH AMENDMENTS

He also returned to the Senate Senate Bill No. 125, entitled:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the busines of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers

and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by providing for establishment maintenance and operation of branch banks branch offices and agencies and by further providing for the powers and limitations upon the facts of corporations and persons authorized to engage in a banking or a fiduciary business or both and of affiliates of such corporations or persons and of officers directors trustees and employes of such corporations and persons.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. SORDONI. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 2, line 8, by striking out after the word "by" the following: "providing for establishment maintenance and operation of branch banks branch offices and agencies and by"; also line 12, by striking out after the article "the" the words "facts" and inserting in lieu thereof the word "acts"; also section 1, page 2, line 4, by striking out after the number "2" the number "204"; also by striking out all of Section 204; also section 808, page 15, line 25, by striking out the light faced strike-out bracket before the word "If"; also line 29, by striking out the light faced strike out bracket after the word "in"; also page 16, by striking out the light faced strike out bracket before the word "approving" also line 7, by striking out the light faced strike out bracket after the word "order"; also line 15, by striking out the light faced strike out bracket before the word "in"; also by striking out the light faced strike out bracket after the word "amendment"; also page 38, line 14, by inserting after the word "corporation" the following: "other than a bank a bank and trust company or a trust company"

On the question,

Will the Senate concur in the amendments?

Mr. SHAPIRO. Mr. President, Senate Bill No. 125, as amended by the House, is now in the same condition, by virtue of these amendments, as it was in before it left the Senate, except that the reference to Section 204, which was originally in that bill, has been striken out by the amendments in the Senate.

That was done because Section 204 had been amended under House Bill No. 212; and therefore this bill, Senate Bill No. 125, meets with the approval of the committee and of the sponsor of the bill, at whose request I am making these statements.

Mr. HARRIS. Mr. President, as a matter of information, I desire to know what this bill is.

Mr. SHAPIRO. Mr. President, Senate Bill No. 125 gives the privilege to banks to join the Federal Deposit Insurance Corporation, removes the restriction of one-third cash capital required; and it makes minor changes with reference to affiliates and mergers and consolidations. Other than that it does nothing to the old law of May 15, 1933.

Mr. SORDONI. Mr. President, further than that, I would like to say that it clarifies the State law to conform to national legislation passed since our last session

And the question recurring,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMISSION TO STUDY METHODS OF PERMAMENT REGISTRATION IN CITIES OF THE FIRST CLASS

He also presented extract from the Journal of the House of Representatives, which was twice read as follows:

In the House of Representatives, December 21, 1933

Whereas Several bills have been introduced during this Extraordinary Session of one thousand nine hundred thirty-three concerning permanent registration in cities of the First Class and

Whereas There is a great confusion as to the best methods for effecting details that will preserve the purity of the ballot and secure to the citizens the right of suffrage

Therefore Be It Resolved (If the Senate Concur) That a Commission shall be appointed composed of three Members of the House of Representatives who shall be appointed by the Speaker and two Members of the Senate to be appointed by the President Pro Tempore to constitute a research body to study the best methods for permanent registration and to prepare a bill to be submitted to the one thousand nine hundred thirty-three Session of the Legislature for enactment into Law Said Commission shall have power to examine into the books and records of the Registration Commission of Philadelphia and shall receive full cooperation from the members of said Registration Commission in order to effectuate the purposes of this Resolution

Be It Further Resolved That all Members of this commission are to serve without compensation

Mr. KRAUSE. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be referred to an appropriate committee, be suspended, and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there any objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL NO. 43 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 43, entitled:

An Act making an appropriation from the General Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of adjusted compensation to veterans as provided by law, and making an appro-

priation out of the Veterans' Compensation Fund to reimburse the General Fund.

Said bill having been recalled from the Governor for the purpose of amendment, the votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 35

He also presented communication from the House of Representatives informing the Senate that the House has adopted the report of Conference on the subject of the differences existing between the two Houses in relation to Senate Bill No. 35, entitled:

An Act relating to milk and the products thereof; declaring an emergency with respect to their production and marketing; creating a Milk Control Board establishing its jurisdiction powers and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery, and sale of milk and the products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring licensees to furnish bonds for the protection of producers; authorizing the examination of the business, papers, and affairs of, and requiring the filing of reports by, licensees other milk dealers, and producers, and permitting with limitations the dissemination of information obtained therefrom; authorizing the issuance of subpoenas by the Board or its agents, and conferring jurisdiction upon courts to punish contempts; or to prohibit violations of orders of the Board providing for appeals to the courts from decisions the Milk Control Board; imposing penalties; and making an appropriation.

RECONSIDERATION OF VOTE

ON RESOLUTION RELATIVE TO COMMISSION TO STUDY METHODS OF PERMANENT REGISTRATION IN CITIES OF THE FIRST CLASS

Mr. KRAUSE. Mr. President, I move to reconsider the vote by which House Resolution No. 27, relative to the appointment of a commission to study methods of permanent registration in cities of the first class, be considered.

Mr. ARMSRONG. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the resolution?

Mr. KRAUSE. Mr. President, I move to amend the resolution by striking out in line 8 after the word "thirty-" the word "three," and inserting in lieu thereof the word "five."

Mr. ARMSTRONG. Mr. President, I second the motion.

The motion was agreed to.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the resolution as amended?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

The PRESIDENT PRO TEMPORE (Mr. Harry B. Scott) in the Chair.

RESOLUTION OF THANKS TO LIEUTENANT-GOVERNOR EDWARD C. SHANNON

Mr. PIERSON offered the following resolution, which was twice read, considered and agreed to:

In the Senate, December 21, 1933.

Resolved, That the thanks of the Senate be hereby tendered to Lieutenant-Governor Edward C. Shannon, President of the Senate, for the able and impartial manner in which he has performed the duties of his office during the session of this body now about to close.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

RESOLUTION OF THANKS TO HONORABLE HARRY B. SCOTT, PRESIDENT PRO TEMPORE

Mr. BAUMER offered the following resolution, which was twice read, considered and agreed to:

In the Senate, December 21, 1933.

Resolved, That the thanks of the Senate be tendered to the Honorable Harry B. Scott, President Pro Tempore of the Senate, for the fair, and efficient manner in which he has performed the duties of his office during the Extraordinary Session now about to close.

RESOLUTION OF THANKS TO OFFICERS AND EMPLOYES OF THE SENATE.

Mr. CLARK offered the following resolution, which was twice read, considered and agreed to:

In the Senate, December 21, 1933.

Resolved, That the thanks of the Senate be extended to the Secretary, the Chief Clerk, the librarian and the Chaplain of the Senate, and to the other officers and employes of the Senate for the courteous and efficient manner in which they have performed the duties of their respective offices during the Extraordinary Session of one thousand nine hundred and thirty-three.

RESOLUTION OF THANKS TO THE PRESS.

Mr. BELL offered the following resolution, which was twice read, considered and agreed to:

In the Senate, December 21, 1933.

Resolved, That the thanks of the Senate are hereby tendered to the Press for the fair and comprehensive manner in which the proceedings of the Extraordinary Session have been covered.

CONCURRENT RESOLUTION CONCERNING THE PRINTING OF THE JOURNALS OF THE TWO HOUSES.

Mr. STAUDENMEIER offered the following resolution, which was twice read, considered and agreed to:

In the Senate, December 21, 1933.

Resolved, (If the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be directed to have the copy of the Journals of the two Houses of this session prepared and placed in the hands of the Director of the Bureau of Publications within thirty days after the close of session, and the Director of the Bureau of Publications is hereby directed to have the said Journals printed, bound and delivered to the Chief Clerks of the Senate and House of Representatives within ninety days after the receipt of the copy therefor.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION TO DISCHARGE STANDING COMMITTEES OF THE SENATE.

Mr. GRAFF offered the following resolution, which was twice read, considered and agreed to:

In the Senate, December 21, 1933.

Resolved, That at the close of today's session the standing committees of the Senate be discharged from the consideration of all bills in their custody, and that the Chairman of each Committee return the bills to the Chief Clerk of the Senate.

CONCURRENT RESOLUTION TO APPOINT COMMITTEE OF THE HOUSE AND SENATE TO INFORM THE GOVERNOR THAT THE GENERAL ASSEMBLY IS READY TO ADJOURN SINE DIE AT 12 O'CLOCK NOON.

Mr. HOMSHER offered the following resolution, which was twice read, considered and agreed to:

In the Senate, December 21, 1933.

Resolved (if the House of Representatives concur), That a committee of three members of the Senate and three members of the House of Representatives be appointed to wait upon the Governor and inform him that the General Assembly will be ready to adjourn sine die this day at twelve o'clock noon.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMITTEE TO NOTIFY THE HOUSE THAT THE SENATE IS READY TO ADJOURN SINE DIE.

Mr. CHAPMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, December 21, 1933.

Resolved, That the Senate appoint a committee of three to inform the House of Representatives that the Senate is ready to adjourn sine die, at twelve o'clock noon, this day.

The PRESIDENT. The Chair appoints as such committee the Senator from Warren, Mr. Chapman, the Senator from Dauphin, Mr. Reed, and the Senator from Northampton, Mr. Roberts.

SENATE BILL NO. 118 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 118, entitled.

An Act to protect the owners of mortgaged property during the present emergency by limiting the amount of deficiency judgments during a certain period.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. FRAZIER, Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows: Amend section 1, page 4, line 4, by inserting after the word "plaintiff" the following: "In either case whether the petition is presented by the plaintiff or use plaintiff or by the defendant or other party in interest any party may during the period of notice required by this act demand a jury trial whereupon the fair value of the property shall be determined and fixed by a jury trial as in other cases."

On the question,

Will the Senate concur in the amendments,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Geiger,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Executive Nominations reported with favorable recommendation the following:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 18, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF STATE ART COMMISSION

Dr. R. Tait McKenzie, of Philadelphia, Philadelphia County, as a member of the State Art Commission, vice Morris Knowles, deceased, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

J. L. Marshall, of Erie, Erie County, as a member of the Board of Trustees of the Pennsylvania Soldiers' and Sailors' Home, vice Dr. James E. Silliman, deceased, for the term of four years, and until his successor is qualified.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

MEMBERS OF THE BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF YORK COUNTY

(Mrs.) Gertrude D. Hogue, York, from August 3, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary S. Kurtz, York, from August 8, 1933, until June 1, 1939, and until her successor is duly appointed and and qualified.

(Mrs.) Agnes R. Stair Smith, York, from August 23, 1933, until June 1, 1937, and until her successor is duly appointed qualified.

MEMBERS OF THE MOTHERS' ASSISTANCE FUND OF CENTRE COUNTY

(Mrs.) Rose McGirk, Philipsburg, from August 2, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Sara S. Raines, Philipsburg, from August 2, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF NORTHUMBERLAND COUNTY

(Mrs.) Mary Derr Rockefeller, Sunbury, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Rebe S. Miles, Milton, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Mary B. Gable, Shamokin, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Cora B. Simmons, Shamokin, from May 6, 1933, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Anna Schneider, Mt. Carmel, from May 6, 1933, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Gertrude T. Strouss, Mt. Carmel, from August 18, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Anna M. Schabo, Shamokin, from August 22, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 21, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

F. E. Angerer, Wilkinsburg.

BERKS COUNTY

M. Louis Rudolph, Reading.

BUCKS COUNTY

Howard W. Good, Ottsville.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN.

That rule 38, which requires reports from committees on nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN.

That the Senate do advise and consent to the nominations reported.

On the question.

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Fay,	Owlett,	Snyder,
Bell,	Frazier,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. EALY. Mr. President, I move that the Executive Session do now rise.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 43 entitled:

An Act making an appropriation to the Department of Military Affairs

Senate Bill No. 1 entitled:

An Act authorizing the Governor to accept funds from agencies of the Federal Government appropriating such funds for construction of public works for the Commonwealth and providing for repayment to the Federal Government of part of such funds with interest upon certain conditions and making an appropriation for such repayment.

Senate Bill No. 47 entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

Senate Bill No. 73 entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board.

Senate Bill No. 124 entitled:

An Act to further amend sections one, two, three, ten eighteen and nineteen, of the act, approved the thirteenth day of January, one thousand eight hundred and seventy-four (Pamphlet Laws thirty-two), entitled "A further supplement to the act regulating elections in this Commonwealth", as amended, pursuant to Amendment Number Five to the Constitution of the Commonwealth, adopted November seventh, one thousand nine hundred thirty-three, eliminating the tax-paying qualification for voters.

Senate Bill No. 125 entitled:

An Act to amend the act approved the fifteenth day of May, One Thousand Nine Hundred and Thirty-three (Pamphlet Laws six hundred twenty-four), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons, restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State

departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts" by providing for establishment, maintenance, and operation of branch banks, branch offices and agencies and by further providing for the powers and limitations upon the facts of corporations and persons authorized to engage in the banking or a fiduciary business, or both, and of affiliates of such corporations or persons, and of officers, directors, trustees, and employees of such corporations and persons.

Senate Bill No. 143 entitled:

An Act requiring the Department of Property and Supplies to provide and install appliances to air condition the Halls of the Senate and House of Representatives, and to regulate temperatures therein, and making an appropriation.

Senate Bill No. 49, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors ,registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, and boards of school directors; and imposing penalties.

Senate Bill No. 93 entitled:

An Act to amend section ten of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eighty-four), entitled "An act imposing a State tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties;" regulating the refund of taxes paid on malt liquors.

Senate Bill No. 123 entitled:

An Act to amend the title and section one of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1019), entitled "An act relating to seated lands purchased by county commissions at county treasurer's sale of seated lands for collection of taxes; authorizing the county commissioners to sell the same at private sale under the circumstances," by extending the provisions thereof to unseated lands.

Senate Bill 118 entitled:

An Act to protect the owners of mortgaged property during the present emergency restricting the right to proceed on mortgage bonds and the amounts recoverable thereon during a certain period.

Senate Bill No. 75 entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

Senate Bill No. 77 entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the action of the board.

Senate Bill No. 126 entitled,

An Act to amend sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and presicribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" by further limiting the exemption of certain private bankers and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Executive Nominations reported with favorable recommendation the following:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF ARMSTRONG COUNTY

(Mrs.) Edythe Feicht, Parkers Landing, from August 4, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Martha B. Allen, Ford City, from August 11, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

MEMBERS OF BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF BUTLER COUNTY

(Mrs.) Zillah J. Shremp, Slippery Rock, from August 3, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary B. Foringer, Butler, from August 8, 1933, until June 1, 1939, and until her successor is duly appointed and qualified.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires reports of committees on nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Mansfield,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Clarkman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. MANSFIELD. Mr. President, I second the motion.

The motion was agreed to.

BILL SIGNED

The President (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 35 entitled:

An Act relating to milk and the products thereof; declaring an emergency with respect to their production and marketing; creating a Milk Control Board establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery, and sale of milk and the products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring licensees to furnish bond for the protection of producers; authorizing the examination of the business, papers, and affairs of, and requiring the filing of reports by, licensees other milk dealers and producers and permitting with limitations the dissemination of information obtained therefrom; authorizing the issuance of subpoenas by the Board or its agents, and conferring jurisdiction upon courts to punish contempts; providing for appeals to the courts from decisions of the Milk Control Board; imposing penalties; and making an appropriation.

Whereupon,

The President (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having lapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE CONCURS IN RESOLUTION TO APPOINT COMMITTEE TO INFORM THE GOVERNOR THAT THE GENERAL ASSEMBLY IS READY TO ADJOURN SINE DIE.

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, December 21, 1933.

Resolved (if the House of Representatives concur), That a committee of three members of the Senate and three members of the House of Representatives be appointed to wait upon the Governor and inform him that the General Assembly will be ready to adjourn sine die this day at twelve o'clock noon.

The PRESIDENT. The President Pro Tempore appoints as such committee on the part of the Senate the Senator from Lancaster, Mr. Homsher, the Senator from Indiana, Mr. Bennett, and the Senator from Lycoming, Mr. Sones.

HOUSE CONCURS IN RESOLUTION RELATING TO THE PRINTING OF THE JOURNALS OF THE TWO HOUSES

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, December 21, 1933.

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be directed to have the copy of the Journals of the two Houses of this session prepared and placed in the hands of the Director of the Bureau of Publications within thirty days after the close of session, and the Director of the Bureau of Publications is hereby directed to have the said Journals printed, bound and delivered to the Chief Clerks of the Senate and House of Representatives within ninety days after the receipt of the copy therefor.

HOUSE CONCURS IN RESOLUTION URGING UPON CONGRESS ADOPTION OF ANTI-LYNCHING LAW.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolutions from the Senate as follows:

In the Senate, December 21, 1933.

Whereas, A disregard for the proper and orderly procedure of justice appears to be rampant in various parts of our country resulting in unparalleled examples of mob violence; and

Whereas, Such subversion of justice is destructive to the very fabric of our civilization and may be regarded as a sign of ominous portent; and

Whereas, The Congress of these United States will convene in a few weeks; and

Whereas, Certain members of Congress have declared and stated it to be their intention to sponsor and introduce a Federal Anti-Lynching Law;

Therefore Be It Resolved (if the House of Representatives concur), That the Representatives in Congress from Pennsylvania be respectfully urged and requested to actively support such legislation when the same may be introduced;

Resolved, That a copy of this resolution be furnished each Senator and Representative in Congress from Pennsylvania.

HOUSE CONCURS IN RESOLUTION RELATIVE TO COMMISSION TO STUDY METHODS OF PERMANENT REGISTRATION IN CITIES OF THE FIRST CLASS.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments to resolution from the Senate as follows:

In the House of Representatives, December 21, 1933.

Whereas Several bills have been introduced during this Extraordinary Session of one thousand nine hundred thirty-three concerning permanent registration in cities of the First Class and

Whereas There is a great confusion as to the best methods for effecting details that will preserve the purity of the ballot and secure to the citizens the right of suffrage

Therefore Be It Resolved (If the Senate Concur) That a Commission shall be appointed composed of three Members of the House of Representatives who shall be appointed by the Speaker and two Members of the Senate to be appointed by the President Pro Tempore to constitute a research body to study the best methods for permanent registration and to prepare a bill to be submitted to the one thousand nine hundred thirty-five Session of the Legislature for enactment into Law Said Commission shall have power to examine into the books and records of the Registration Commission of Philadelphia and shall receive full cooperation from the members of said Registration Commission in order to effectuate the purposes of this Resolution

Be It Further Resolved That all Members of this commission are to serve without compensation

NOTIFICATION THAT THE HOUSE IS READY TO ADJOURN.

Messrs. Heffernan, Andrews and David R. Perry, a committee of the House of Representatives, being introduced informed the Senate that the House of Representatives will be ready to adjourn sine die at 12 o'clock noon, and were extended the thanks of the Senate.

REPORT OF COMMITTEE TO NOTIFY HOUSE THAT SENATE IS READY TO ADJOURN.

Mr. CHAPMAN. Mr. President, the committee appointed to notify the House of Representatives that the Senate is ready to adjourn sine die desires to report to the Senate that they have fulfilled the duties of their appointment.

The PRESIDENT. The committee is discharged with the thanks of the Senate.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 191

The Clerk of the House of Representatives being introduced. presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 191, entitled:

An Act to amend section one of the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred thirty-seven) entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two and validating the liens of such taxes" further extending the period for such returns and providing for returns for the year one thousand nine hundred and thirty-three

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 120

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 120, entitled:

An Act in aid of unemployment relief for the citizens of this Commonwealth by providing for preference to citizens of this Commonwealth in employment upon public works of this Commonwealth conferring certain duties on the Department of Labor and Industry and providing penalties

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 62

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 62, entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judical Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," by making additional appropriations to certain administrative departments.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 16

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 16, entitled:

An Act to amend title Whereas clauses and sections one and four of the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred and twenty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs"

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 193

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 193, entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities pensions for and the burial of certain blind persons and the administration of this act by the Department of Welfare providing penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 212

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 212, entitled:

An Act to amend section two hundred and four of the act approved the fifteenth day of May one thousand nine hundred

and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" regulating the establishment and maintenance of branch banks offices and agencies

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 245

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 245, entitled:

An Act to amend section three clause (b) and sections nineteen and twenty-three of the act approved the fifth day of December one thousand nine hundred thirty-three (Act Number Six) entitled: "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spitituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties"

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 97

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 97, entitled:

An Act authorizing officers, departments, boards, and commissions of any political subdivision of the Commonwealth, and cities, counties, boroughs, incorporated towns, townships, school districts, to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances.

REPORT OF COMMITTEE TO WAIT UPON THE GOVERNOR

Mr. HOMSHER. The committee appointed to act with a like committee from the House of Representatives to wait upon His Excellency the Governor of the Commonwealth desires to report that they have communicated with the Governor by telephone at the hospital in New York, and he said he thanked the Senate and the House for its courtesy, and that he had no further communication to make.

The PRESIDENT. The committee is discharged with the thanks of the Senate.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 73 entitled:

An Act to regulate the sale and delivery of coal coke petroleum coke briquettes and other solid fuels providing for appointment of public weighmasters prescribing their powers and duties imposing certain duties on the Department of Internal Affairs and providing penalties

House Bill No. 190 entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "Sproul State Highway Law" as amended, by providing for payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement.

House Bill No. 16 entitled:

An Act to amend title Whereas clauses and sections and and four of the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred twenty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs"

House Bill No. 41 entitled:

An Act making an appropriation for the payment of preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three.

House Bill No. 55 entitled:

An Act making an appropriation out the State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments.

House Bill No. 62 entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," by making additional appropriations to certain administrative departments.

House Bill No. 86 entitled:

An Act to prohibit discrimination and intimidation on account of race or color in employment under contracts for public buildings or public works, and fixing penalties therefor.

House Bill No. 97 entitled:

An Act authorizing officers, departments, boards and commissions of any political subdivision of the Commonwealth, and cities, counties, boroughs, incorporated towns, townships, school districts, to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances.

House Bill No. 109 entitled:

An Act to amend section one of the act, approved the twenty-sixth day of August, one thousand nine hundred and thirty two (P. L. 100), entitled "An act authorizing the abate-

ment of penalties on local taxes," as amended by providing for the extension of time during which such abatements may be allowed.

House Bill No. 120 entitled:

An Act in aid of unemployment relief for the citizens of this Commonwealth by providing for preference to citizens of this Commonwealth in employment upon public works of this Commonwealth, conferring certain duties on the Department of Labor and Industry, and providing penalties.

House Bill No. 137 entitled:

An Act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four by installments and for a discount for prompt payment of such taxes in cities of the second class and in school districts of the first class

House Bill No. 138 entitled:

An Act to further amend clause (e) of section three hundred and six of the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled "Workmen's Compensation Act of 1915," by permitting the extension of time for hospitalization to ninety days at the option of the employer or insurer; and fixing the date when this act becomes effective.

House Bill No. 153 entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

House Bill No. 191 entitled:

An Act to amend section one of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 237), entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two, and validating the liens of such taxes," further extending the period for such returns and providing for returns for the year one thousand nine hundred and thirty-three.

House Bill No. 193 entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities pensions for and the burial af certain blind persons and the administration of this act by the Department of Welfare providing penalties.

House Bill No. 197 entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "Workmen's Compensation Act of 1915," as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board.

House Bill No. 199 entitled:

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six), entitled "Workmen's Compensation Act of 1915," as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made.

House Bill No. 200 entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six), entitled "Workmen's Compensation Act of 1915," as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

House Bill No. 212 entitled:

An Act to amend section two hundred and four of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" regulating the establishment and maintenance of branch banks offices and agencies

House Bill No. 245, entitled:

An act to amend section three clause (b) and sections nineteen and twenty-three of the act approved the fifth day of December one thousand nine hundred thirty-three (Act Number six) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties".

House Bill No. 246, entitled:

An Act to amend act number one approved the twenty-second day of November, one thousand nine hundred and thirty-three, entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals, firms and corporations and imposing penalties" by providing for an extension of time for payment in certain cases.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

REPORT OF CHIEF CLERK ON COMPARING BILLS

Mr. HOMSHER. Mr. President, on behalf of the Chief Clerk, I desire to report having compared and found correct bills numbered and entitled as follows, as having passed both branches of the Legislature and signed by the presiding officers thereof:

Senate Bill No. 1, entitled:

An Act authorizing the Governor to accept funds from agencies of the Federal Government appropriating such funds for construction of public works for the Commonwealth and providing for repayment to the Federal Government of part of such funds with interest under certain conditions and making an appropriation for such repayment

Senate Bill No. 3, entitled:

An Act to amend sections one, four and five of the act, approved the sixteenth day of March, one thousand nine hundred

thirty-three (Act number ten), entitled "An act authorizing the Department of Highways to arrange with the Reconstruction Finance Corporation for advancement of funds to finance the construction of toll bridges; authorizing the construction and maintenance of such bridges, approaches and connecting roads to State highways, by the Department of Highways; providing for the condemnation of property necessary for the construction thereof, and the assessment and payment of damages therefor; providing for the collection of tolls upon certain terms and conditions, and the deposit thereof in the State Treasury in a special fund; providing for the payment of toll collection, costs, maintenance charges and repayments to the Reconstruction Finance Corporation from said funds; providing for the cessation of tolls, and payment of subsequent maintenance costs from the Motor License Fund; and appropriating certain money in the Motor License Fund to carry out the provisions of said act," by authorizing similar arrangements to be made with other agencies of the Federal Government.

Senate Bill No. 4, entitled:

An Act authorizing officers, departments, boards, and commissions of the Commonwealth, and also cities, counties, boroughs, incorporated towns, townships, school districts and poor districts to cancel certain supply contracts and to relieve contractors of obligations thereunder, under certain circumstances, and validating like cancellations made heretofore

Senate Bill No. 7, entitled:

An Act authorizing the abatement of certain tax penalties and interest on city taxes in cities of the first class

Senate Bill No. 15, entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of the authority of their respective warrants or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

Senate Bill No. 16, entitled:

A supplement to Act No. 300-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts, page one hundred sixty-nine), entitled "An Act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," making an appropriation for the payment of certain expenses of the General Assembly convened in Extraordinary Session of the thirteenth day of November, one thousand nine hundred thirty-three.

Senate Bill No. 17, entitled:

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by excluding interest bearing accounts in any bank or banking institution savings institution or trust company from the provisions thereof.

Senate Bill No. 19, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents and boards of school directors; and imposing penalties.

Senate Bill No. 26, entitled:

An Act accepting the provisions of an Act of Congress for the establishment of a national employment system and authorizing the Department of Labor and Industry to cooperate with the Federal Employment Service under that act, and providing for the custody and disbursement of funds granted to the Commonwealth by the Federal government thereunder.

Senate Bill No. 27, entitled:

An Act providing for the construction of a tunnel or tunnels between the State of New Jersey and the Commonwealth of Pennsylvania under the Delaware River and the issuance of permits therefor.

Senate Bill No. 29, entitled:

An Act to amend paragraph (a) of section nine of article three of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws one thousand three hundred seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative

to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved the twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" by authorizing the commission in special cases to grant relief to common carriers from the long and short haul and the aggregate of intermediate rates provisions

Senate Bill No. 31, entitled:

An Act authorizing the Department of Property and Supplies to act as purchasing agency for certain Federal agencies and making an appropriation of moneys received to reimburse the department for the cost of so acting.

Senate Bill No. 33, entitled:

An Act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board.

Senate Bill No. 34, entitled:

An Act authorizing the State Treasurer to act as custodian of moneys and securities contributed to or deposited with the Commonwealth or officers, departments, boards, or commissions of the Commonwealth, prescribing the manner in which such moneys or securities shall be held and disbursed or delivered up, and making an appropriation to the Treasury Department for the cost of administering such moneys and securities.

Senate Bill No. 35, entitled:

An Act relating to milk and the products thereof declaring an emergency with respect to their production and marketing creating a Milk Control Board in the Department of Agriculture defining its jurisdiction powers and duties regulating the production transportation manufacture processing storage distribution delivery and sale of milk and the products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring licensees to furnish bonds for the protection or producers authorizing the examination of the business papers and affairs of and requiring the filing of reports by licensees and other milk dealers and permitting with limitations the dissemination of information obtained therefrom authorizing the issuance of subpoenas by the Board or its agents and conferring jurisdiction upon courts to punish contempts providing for appeals to the courts from decisions of the Milk Control Board imposing penalties and making an appropriation

Senate Bill No. 41, entitled:

An Act to amend paragraph (a) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" by appropriating such fund to the Board of Finance and Revenue for redemption of bonds issued to acquire toll bridges

Senate Bill No. 42, entitled:

A Joint Resolution creating a Liquor Control Investigation Commission, defining the powers and duties of said Commission; and making an appropriation.

Senate Bill No. 43, entitled:

An Act making an appropriation from the General Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of adpusted compensation to veterans as provided by law and making an appropriation out of the Veterans' Compensation Fund to reimburse the General Fund

Senate Bill No. 44, entitled:

An Act making an appropriation to the Department of Military Affairs for the purchase of supplies materials and equipment to improve the Military Reservation at Indiantown Gap.

Senate Bill No. 47, entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

Senate Bill No. 49, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties

Senate Bill No. 52, entitled:

An Act to amend the title and sections one, two, and three of the act approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand two hundred twenty-nine), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," as amended, by extending its provisions to all milk and by making acceptance of municipal permits optional with the Secretary of Health.

Senate Bill No. 53, entitled:

An Act providing for the creation of public "Authorities" in counties of the second class; authorizing such "Authorities" to enter into agreements with the Government of the United States, particularly as they relate to the National Industrial Recovery Act and any amendments and supplements thereto, the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others; defining and providing for the organization and dissolution of such "Authorities"; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions upon which such "Authorities" may exercise their powers; endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds; authorizing such "Authorities" to make and receive appropriations; repealing certain acts and parts of acts inconsistent herewith; and for other purposes.

Senate Bill No. 55, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction, and providing for the repayment of such moneys from the General Fund.

Senate Bill No. 56, entitled:

An Act authorizing counties, poor districts, boroughs, towns, townships and school districts having money borrowed for one purpose to use the same for other purposes which will aid recovery from existing economic depression; and requiring in certain such cases the assent of the electors.

Senate Bill No. 62, entitled:

An Act reducing to five days the period during which municipal subdivisions of the Commonwealth are required to

advertise notice of proposed awards of contracts for articles to be used on projects financially by the Federal Civil Works Administration.

Senate Bill No. 73, entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board

Senate Bill No. 75, entitled:

An act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of the liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe

Senate Bill No. 77, entitled:

An act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the action of the board

Senate Bill No. 89, entitled:

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects; providing for the payment of damages by counties and townships as a result of relocating, widening or constructing said highways or bridges; and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities.

Senate Bill No. 93, entitled:

An Act to amend section ten of the act, approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eighty-four) entitled "An act imposing a State tax, payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penaltics" regulating the refund of taxes paid on malt liquors

Senate Bill No. 100, entitled:

Supplement to an Act approved the Seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An act for the government of cities of the second class" creating the position of Solicitor for the Department of City Controller.

Senate Bill No. 115, entitled:

An Act authorizing counties, cities, boroughs, townships, incorporated towns poor districts and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds, and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding, and limiting any compensation payable therefor.

Senate Bill No. 118, entitled:

An Act to protect the owners of mortgaged property during the present emergency restricting the right to proceed on mortgage bonds and the amounts recoverable thereon during a certain period

Senate Bill No. 123, entitled:

An Act to amend the title and section one of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws one thousand nineteen) entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances" by extending the provisions thereof to unseated lands

Senate Bill No. 124, entitled:

An Act to further amend sections one two three ten eighteen and nineteen of the Act approved the thirteenth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended pursuant to Amendment Number Five to the Constitution of the Commonwealth adopted November seventh one thousand nine hundred thirty-three eliminating the tax-paying qualification for voters

Senate Bill No. 125, entitled:

An Act to amend the act approved the fifteenth day of May, One Thousand nine hundred and Thirty-Three (Pamphlet Laws six hundred and twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers; defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporations association or person and fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by providing for establishment maintenance and operation of branch banks branch offices and agencies and by further providing for the powers and limitations upon the facts of corporations and persons authorized to engage in a banking or a fiduciary business or both and of affiliates of such corporations or persons and of officers directors trustees and employes of such corporations and persons

Senate Bill No. 126, entitled:

An Act to amend sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidiating the business and property of corporations, associations and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan associations, providing for the payment of the expenses of the Department of Banking by supervised corporations, associations or persons and appropriating the Banking Department Fund, authorizing the Department of Banking under certain circumstances to examine corporations, associations or persons affiliated or having busi-

ness transactions with supervised corporations, associations or persons, authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions and officers, authorizing certain local public officers and State departments to collect fees for services rendered under this act, providing penalties, and repealing certain acts and parts of acts" by further limiting the exemption of certain private banks and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision.

Senate Bill No. 143, entitled:

An Act requiring the Department of Property and Supplies to provide and install appliances to air condition in the Halls of the Senate and House of Representatives, and to regulate temperatures therein, and making an appropriation.

House Bill No. 8, entitled:

An Act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing, selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers, importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties.

House Bill No. 9, entitled:

An Act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties

House Bill No. 10, entitled:

An Act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connections with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of license fees and imposing penalties.

House Bill No. 13, entitled:

An Act to amend certain sections of the act approved the fifth day of May one thousand nine hundred thirty-three (Act number one hundred four) entitled "An act imposing a State Tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" by restricting the provisions of the act to malt liquors as defined therein and clarifying certain provisions of the act

House Bill No. 14, entitled:

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled November thirteenth Anno Domini one thousand nine hundred thirty-three in pursuance of the proclamation of the Governor of the Commonwealth dated the ninth day of November Anno Domini one thousand nine hundred thirty-three.

House Bill No. 15, entitled:

An Act to amend the title and certain sections of the act approved the third day of May, one thousand nine hundred and thirty-three (Act No. 91), entitled "An act to regulate and restrain the traffic in malt, brewed, and vinous and fruit juice beverages, as herein defined; providing for the licensing of the sale and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by limiting the provisions of the act to malt liquors, as defined therein and clarifying certain provisions of the act.

House Bill No. 16, entitled:

An Act to amend section four of the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred twenty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs"

House Bill No. 17, entitled:

An Act to amend the title and certain sections of the act approved the nineteenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws'; providing for the registering of federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use and manufacture denaturization authorizing the inspection of the records of permittees and the age by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchaser of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by making the act consistent with the repeal of the Eighteenth Amendment changing definitions and exemptions bringing rectifiers within this act providing for the abatement of nuisances and increasing fees

House Bill No. 39, entitled:

An Act authorizing the sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the Veterans' Compensation fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on the redemption of such bonds

House Bill No. 40, entitled:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War, the war between

the United States and Spain, the China Relief Expedition, or in the Philippines of Guam; imposing certain duties on the Adjutant General; making an appropriation; and repealing inconsistent legislation.

House Bill No. 41, entitled:

An Act making an appropriation for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three

House Bill No. 45, entitled:

An Act making home loan bonds issued by the Federal Home Owners' Loan Corporation legal investments for trust funds and other purposes in certain cases

House Bill No. 55, entitled:

An Act making an appropriation out of The State Stores Fund to the State Emergency Relief Board, for direct relief, work relief and expenses; defining the purposes for which such moneys may be expended; providing for the audit of such expenditures; and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments.

House Bill No. 56, entitled:

An Act to amend sections one thousand seven hundred and seventy-six two thousand one hundred and twelve and two thousand one hundred and forty-one of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" lengthening the time for which assessment bonds for street and sewer improvements may be issued regulating notice where sewer-works are constructed without the limits of a borough

House Bill No. 62, entitled:

A Supplement to act number three hundred A approved the third day of June one thousand nine hundred and thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to certain administrative departments

House Bill No. 73, entitled

An Act to regulate the sale and delivery of coal coke petroleum coke briquettes and other solid fuels providing for appointment of public weighmasters prescribing their powers and duties imposing certain duties on the Department of Internal Affairs and providing penalties

House Bill No. 74, entitled:

A Supplement to act number three hundred-A, approved the third day of June, one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts page one hundred sixty-nine), entitled "An act to provide for the ordinary expenses of the Executive. Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-three; and for the repayment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-three," by making additional appropriations to the Executive and Judicial Departments of the Commonwealth.

House Bill No. 77, entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to and the burial of certain aged indigent persons and the administration of the act by the Department of Welfare the trustees who administer mothers' assistance in the several counties and others making counties liable for certain expenses providing penalties and making an appropriation.

House Bill No. 78, entitled:

An Act amking an appropriation out of The State Stores Fund to the Department of Welfare for old age assistance.

House Bill No. 86, entitled:

An Act to prohibit discrimination and intimidation on account of race or color in employment under contracts for public buildings or public works and fixing penalties therefor

House Bill No. 87, entitled:

An Act appropriating the moneys in The State Stores Fund

House Bill No. 88, entitled:

An Act making an appropriation out of the General Fund to the Pennsylvania Liquor Control Board for the administration and enforcement of the Pennsylvania Liquor Control Act including the establishment operation maintenance and equipment of Pennsylvania Liquor Stores and places for the storing and testing of liquors and providing for the partial reimbursement of the General Fund by making an appropriation from The State Stores Fund to be transferred in installments to the General Fund.

House Bill No. 94, entitled:

An Act to repeal the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in the possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws"

House Bill No. 97, entitled:

An Act authorizing officers departments boards and commissions of any political subdivision of the Commonwealth and cities counties boroughs incorporated towns townships school districts to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances

House Bill No. 102, entitled:

An Act authorizing the issuance and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of the acquisition of toll bridges defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation.

House Bill No. 103, entitled:

An Act to amend sections two nine and eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred ninety-five) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" by providing for the purchase of such toll bridges wholly within the Commonwealth out of the Toll Bridge Fund the construction maintenance and repair of such bridges by the Department of Highways and further

regulating the collection or tolls and reimbursing the Commonwealth for the cost of acquiring such bridges and making an appropriation

House Bill No. 109, entitled:

An Act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled "An act authorizing the abatement of penalties on local taxes" as amended by providing for the extension of time during which such abatements may be allowed

House Bill No. 120, entitled:

An Act in aid of unemployment relief for the citizens of this Commonwealth by providing for preference to citizens of this Commonwealth in employment upon public works of this Commonwealth conferring certain duties on the Department of Labor and Industry and providing penalties

House Bill No. 128, entitled:

An Act to amend section one of article one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as emended empowering mine inspectors to inspect mines employing from two to five persons and to require proper safety measures

House Bill No. 129, entitled:

An Act to amend section three of article twenty-eight of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending the provisions of said act to all bituminous coal mines employing five or more persons and empowering mine inspectors to inspect mnies employing from two to five persons and to require proper safety measures

House Bill No. 137, entitled:

An Act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four by installments and for a discount for prompt payment of such taxes in cities of the second class

House Bill No. 138, entitled:

An Act to further amend clause (e) of section three hundred and six of the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," by permitting the extension of time for hospitalization to ninety days at the option of the employer or insurer; and fixing the date when this act becomes effective.

House Bill No. 153, entitled:

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age

House Bill No. 169, entitled:

An Act authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium placing the sanatorium upon completion under the jurisdiction and control of the Department of Health and making an appropriation

House Bill No. 177, entitled:

An Act providing that one-third of the cost of the board of revision of taxes and of the assessors other than personal property assessors in counties of the first class, shall be paid by the school district co-extensive therewith.

House Bill No. 190, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highway wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and precedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of townships or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement

House Bill No. 191, entitled:

An Act to amend section one of the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred thirty-seven) entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two and validating the liens of such taxes" further extending the period for such returns and providing for returns for the year one thousand nine hundred and thirty and for the year one thousand nine hundred and thirty-three

House Bill No. 192, entitled:

An Act making appropriations to the Department of Welfare for pensions for the blind and for the administration of the distribution of such pensions.

House Bill No. 193, entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities pensions for certain blind persons and the administration of this act by the Department

of Welfare the trustees who administer mothers' assistance in the several counties or by other trustees in certain cases, authorizing appointment of trustees for the pensions payable to certain individuals and providing penalties

House Bill No. 197, entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder", as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board

House Bill No. 199, entitled:

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made.

House Bill No. 200, entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

House Bill No. 209, entitled:

An Act appropriating certain accumulations in the Insurance Tax Fund to cities townships and boroughs for payment to firemen's relief pension and retirement funds

House Bill No. 212, entitled:

An Act to amend section two hundred and four of the act approved the fifteenth day of May, one thousand nine hundred and thirty-three, (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations, authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothontaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts;" regulating the establishment and maintenance of branch banks, offices and agencies.

House Bill No. 245, entitled:

An Act to amend section three, clause (b) and sections nineteen and twenty-three of the act approved the fifth day of December, one thousand nine hundred thirty-three (Act Number six), entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing, selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers, importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties."

House Bill No. 246, entitled:

An Act to amend act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" by providing for an extension of time for payment in certain cases.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn sine die.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The motion having been made, seconded and duly carried that the Senate adjourn sine die, by virtue of the authority vested in me by the Constitution and laws of the Commonwealth, I declare this session of the Senate of Pennsylvania adjourned sine die.

HOUSE OF REPRESENTATIVES

THURSDAY, December 21, 1933.

The House met at 9:30 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

Prayer was offered by the Reverend Frank W. Ruth, member of the House from Berks County.

Our Father, again we have gathered to do the work which Thou hast appointed us and we pray that Thy Spirit will guide us in these closing hours. We pray that as we go back to our homes we may go with a feeling that we have done the best that we could under the circumstances wherein Thou hast placed us. We ask Thee to guide us in the days to come that we realize that Thou hast put us into this world and placed us in peculiar positions in this world to carry out Thy will for our fellow man.

We ask Thy forgiveness for all we have done. Guide us in the future that we may endeavor more fully to do Thy will. We commit all things into Thy hands knowing that Thy divine will, which has always guided the affairs of the world, will make all things turn out for Thy glory and for the good of Thy children. We ask it all in the Master's name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. DeFrehn, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

AMENDED SENATE BILLS NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 35.

An Act relating to milk and the products thereof declaring an emergency with respect to their production and marketing creating a Milk Control Board establishing its jurisdiction powers and duties regulating the production transportation manufacture processing storage distribution delivery and sale of milk and the products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring licensees to furnish bonds for the protection of producers authorizing the examination of the business papers and affairs of and requiring the filing of reports by licensees other milk dealers and producers and permitting with limitations the dissemination of information obtained therefrom authorizing the issuance of subpoenas by the Board or its agents and conferring jurisdiction upon courts to punish contempts or to prohibit violations of orders of the Board providing for appeals to the courts from decisions of the Milk Control Board imposing penalties and making an appropriation

Mr. HAINES. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 73

An Act to regulate the sale and delivery of coal coke petroleum coke briquettes and other solid fuels providing for appointment of public weighmasters prescribing their powers and duties imposing certain duties on the Department of Internal Affairs and providing penalties

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 89.

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects providing for the payment of damages by counties and political subdivisions as a result of relocating widening or constructing said highways or bridges and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, December 13, 1933.

Whereas, There have been various allegations of wanton waste in the distribution of clothing, fuel and other necessaries of life by the Allegheny County Relief Board functioning under the direction of the State Emergency Relief Board; therefore be it

Resolved (if the Senate concur), That the General Assembly hereby requests the State Emergency Relief Board to investigate the affairs of the Allegheny County Relief Board, expending State and Federal relief moneys, to ascertain whether or not its affairs are administered economically, and whether or not relief orders, clothing or fuel are being distributed only to those in need as contemplated by law, and to make public the result of its investigations;

Resolved, That a copy of this resolution be transmitted to the State Emergency Relief Board by the acting Chief Clerk of the House.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION No. 10.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 4, 1933.

Urging that a suitable part of public employment be given to physically handicapped persons

Whereas The employment of crippled and other physically handicapped Persons in tasks which they are competent to perform is in accord with a wise social economy and was so recognized by the State of Pennsylvania in 1919 when it led other States of the Union in establishing a Division for the Vocational rehabilitation and placement of Disabled Persons and

Whereas In recent years the tendency to discriminate against the employment of physically handicapped persons has been increasing as a result of certain general industrial policies rather than diminishing as a social good requires and

Whereas A greater recognition of the physically handicapped in public employment would be beneficial both as an equitable course in itself and as setting an example for private industry and business

Now Therefore Be It Resolved By the House of Representatives of the State of Pennsylvania the Senate concurring that the appointing authorities in every State department and in every county city and town be urged to give consideration to the suitable employment of crippled and other physically handicapped persons to the end that a fair proportion shall be represented in public employment and that all rules and policies in conflict therewith be revised

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION No. 24.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 18, 1933.

Whereas The rapid improvement of the highways of the Commonwealth and the greatly increased traffic thereon has resulted in a deplorable number of accidents and a consequent loss of life and property and

Whereas This loss to the Commonwealth could be made less by a more thorough and continuous supervision of traffic on the highways by the Motor Patrol which within its means has in the past prevented many accidents and afforded valuable aid to those injured in collisions and

Whereas Many members of the Motor Patrol have been assigned to tasks other than those for which they were originally intended thereby reducing the number available for patrol duty on the highways and

Whereas The necessary thorough and continuous patroling of the highways by these capable employes of the Commonwealth can only be secured by increasing the number of men to be assigned to this duty and

Whereas The unprecedented increase in mileage of improved highways during the past few years makes necessary such an increase therefor be it

Resolved (if the Senate concur) That it is the opinion of this General Assembly that consideration should be given by

His Excellency the Governor during the next budget period to allowing a substantial increase in the appropriation to be made by the Commonwealth for this purpose to the end that a sufficient number of men can be assigned for patroling the highways in order to prevent accidents and the loss of life and property attendant thereon and be it further

Resolved That a copy of this resolution be handed to the Governor of the Commonwealth as the recommendation of the General Assembly

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows, viz:

SENATE BILL No. 53.

An Act providing for the creation of public "Authorities" in counties of the second class authorizing such "Authorities" to enter into agreements with the Government of the United States particularly as they relate to the National Industrial Recovery Act and any amendment and supplements thereto the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others defining and providing for the organization and dissolution of such "Authorities" conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions upon which such "Authorities" may exercies their powers endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds authorizing such "Authorities" to make and receive appropriations repealing certain acts and parts of acts inconsistent herewith and for other purposes.

LEAVES OF ABSENCE

Mr. BECHTEL asked and obtained leave of absence for Mr. Scott on account of illness.

Mr. BRENNAN asked and obtained leave of absence for Mr. Lose on account of illness.

Mr. SARIG. Mr. Speaker, I want to report back for today and am sorry that I had to be reported off.

The SPEAKER. The Chair welcomes the gentleman back to the body on the closing day.

BILLS ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 55, as follows:

An Act making appropriations out of The State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That out of the moneys in The State Stores Fund which represent net profits from the operation of Pennsylvania Liquor Stores the sum of forty million dollars ($40,000,000) is hereby specifically appropriated to the State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinafter provided Such appropriation shall be paid over to the board during the period beginning April first one thousand nine hundred thirty-four and ending May thirty-first one thousand nine hundred and thirty-five but the moneys hereby appropriated may be used for the payment of bills contracted by or with the authority of the State Emergency Relief Board for work relief or direct relief prior to April first one thousand nine hundred thirty-four

The moneys appropriated shall be available from time to time as the Pennsylvania Liquor Control Board shall certify that profits are available and upon requisition of the State Emergency Relief Board

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the moneys appropriated to it among the several counties of this Commonwealth on the basis of need

Section 3 The moneys so allocated to a county shall be available for expenditure in that county for relief as the State Emergency Relief Board shall determine Whenever the State Emergency Relief Board has determined to expend any part of a county's allocation for work relief on State highways and bridges thereon it shall pay such part of the county's allocation into the Motor License Fund and it shall thereafter be expended in accordance with existing laws by the Department of Highways in such county in the construction and improvement of such State highways and bridges thereon as shall be designated by the State Emergency Relief Board and the labor employed by the department (other than that required for supervision engineering and in the operation of road machinery) in such construction work shall be furnished by residents of such county in need of employment to be selected in accordance with the rules and regulations of the State Emergency Relief Board

The Department of Highways may cumulate the respective amounts in the Motor License Fund credited to a county until such funds are available to undertake the construction work authorized by this section

Section 4 The amount available in any county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure for the purchase of food clothing fuel and shelter for the unemployed in such county through such public and private agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 5 Out of the appropriation made by this act the State Emergency Relief Board may allocate the sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary for printing the payment of the compensation and expenses of clerical and other assistants required for supervising the expenditure of the appropriation made by this act postage traveling expenses and all other incidental and necessary expenses incurred by the board in administering this act

Section 6 Out of the appropriation made by this act the State Emergency Relief Board may from time to time allocate to the State Veterans' Commission sums not exceeding an aggregate of three hundred thousand dollars ($300,000) for providing food clothing fuel or shelter for unemployed veterans who are without means of support

Section 7 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for investigation of applications for relief the cost of distributing food clothing fuel or shelter and the maintenance of proper records of receipts expenditures and other transactions of local relief distributing agencies

Section 8 Out of the moneys in The State Stores Fund which represent net profits from the operation of Pennsylvania Liquor Stores an additional sum of two hundred fifty thousand dollars ($250,000) is hereby specifically appropriated to the State Emergency Relief Board for the purpose of reimbursing counties cities boroughs incorporated towns townships school districts and poor districts for such sums as they have paid or which they have become obligated to pay and shall hereafter pay as premiums on workmen's compensation insurance covering persons engaged between January first one thousand nine hundred and thirty-three and June third one thousand nine hundred and thirty-three on work relief projects carried on with the approval of the State Emergency Relief Board or a County Emergency Relief Board and on which the employes were paid by cash or food orders distributed by the State Emergency Relief Board No payment shall be made from this appropriation to any municipal subdivision except upon sworn statement of an executive officer of the subdivision and also sworn receipt from the insurance carrier stating the amount of insurance premium paid by the subdivision and the period covered and that only work relief

employes were included in the insurance for which such premiums were paid

Section 9 This act shall become effective upon the first day of April one thousand nine hundred thirty-four

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188

Andrews,	Griffith,	McElwee,	Sheffer,
Baker,	Habbyshaw,	McGinnis,	Shellenberger,
Baldi,	Haines,	McGrail,	Shettel,
Barnhardt,	Hamilton,	McGregor,	Shortz,
Bechtel,	Harmuth,	McHenry,	Shugarts,
Beech,	Harris,	McKay,	Simon,
Bennett,	Hart,	Melchiorre,	Sinwell,
Bernhard,	Hartman,	Meredith,	Snyder,
Blumberg,	Heffernan,	Merrell,	Sowers,
Boyd,	Hefferon,	Mohn,	Spann,
Brennan,	Heffner,	Moore,	Stank,
Brown, J. E.,	Hermansen,	Mumford,	Steedle,
Brown, W. L.,	Hester,	Munley,	Sterling, P.,
Brownfield,	Hewitt,	Murphy,	Sterling, R. B.,
Cannon,	Himes, H. E.,	Myers,	Stevens,
Caputo,	Himes, L. R.,	Negley,	Stevenson,
Carey,	Hoffman,	Nothnagle,	Stiteler,
Carson,	Holmes, J. B.,	O'Connor,	Stone,
Chervenak,	Holmes, J. L.,	O'Keefe,	Stott,
Cohen,	Hoopes,	O'Neill,	Terry,
Conner,	Horst,	O'Rourke,	Trout,
Cordier,	Hough,	Patterson,	Turner,
Craig,	Howard,	Peelor,	Wade,
Cramer,	Hutton,	Pennock,	Wagner,
Dane,	Jaffe,	Perry, D. R.,	Walker, G. E.,
Davies,	Kane, J. J.,	Perry, J. J.,	Walker, W. A.,
DeFrehn,	Kane, L. P.,	Peters,	Wall,
Denning,	King,	Powell,	Wasserman,
Downey, G. E.,	Kinney,	Powers,	Way,
Downey, J. J.,	Labar,	Quinn,	Weidemann,
Dunmire,	Lane,	Raub,	Welsh,
Ederer,	Laubach,	Rectenwald,	Westrick,
Emhardt,	Lenahan,	Reed,	White,
Eroe,	Lewis,	Reilly,	Wike,
Evans,	Long,	Roan,	Williams, G. W.,
Fitzgerald,	Lovett, J. E.,	Root,	Williams, J. J.,
Flanagan,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Flynn, J. M.,	Lynch, M.,	Ruth,	Witkin,
Flynn, J. W.,	Male,	Sarig,	Wood,
Forrest,	Malina,	Sautter,	Woodside,
Furman,	Maloney,	Schrock,	Wright,
Gallagher, T. J.,	Marcks,	Schrope,	Yeakel,
Gallagher, W. J.,	Mason,	Schwab,	Yourishin,
Gartner,	McBride,	Schwartz,	Zimmerman,
Gillette,	McCandless,	Scorza,	Talbot,
Gorman,	McClure,	Scott,	Speaker.
Green,	McCreary,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 41, as follows:

An Act making an appropriation from the General Fund for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three and making an appropriation out of the Veteran's Compensation Fund to reimburse the General Fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated for the purpose of providing bonds necessary for the borrowing of fifty million dollars ($50,000,000) on the credit of the Commonwealth of Pennsylvania in conformity with the provisions of Constitutional Amendment Number Four adopted by the people at the Municipal Election in November one thousand nine hundred and thirty-three and the statutes enacted to carry out the provisions of said Constitutional Amendment for the payment of the cost of advertising the same and for all other costs and expenses in connection with the issue of said sale and registration of said bonds Payments from said appropriation shall be made by requisition of the Auditor General after approval of vouchers by the Governor Auditor General and State Treasurer.

Section 2 The amount that shall be necessarily expended from said appropriation for the purposes stated shall be repaid from the Veterans' Compensation Fund into the General Fund in the State Treasury from the first receipts of the sale of said bonds As much of the money in the Veterans' Compensation Fund as may be necessary is hereby appropriated for this purpose

Section 3 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181

Andrews,	Green,	McCreary,	Sheffer,
Baker,	Griffith,	McElwee,	Shellenberger,
Baldi,	Habbyshaw,	McGinnis,	Shettel,
Barnhardt,	Haines,	McGrail,	Shortz,
Bechtel,	Hamilton,	McGregor,	Shreiner,
Beech,	Harmuth,	McHenry,	Shugarts,
Bennett,	Harris,	McKay,	Simon,
Bernhard,	Hart,	Melchiorre,	Snyder,
Blumberg,	Hartman,	Meredith,	Sowers,
Boyd,	Heffernan,	Merrell,	Spann,
Brancato,	Hefferon,	Mohn,	Stank,
Brennan,	Heffner,	Moore,	Steedle,
Brown, J. E.,	Hermansen,	Mumford,	Sterling, P.,
Brown, W. L.,	Hester,	Munley,	Sterling, R. B.,
Brownfield,	Himes, H. E.,	Murphy,	Stevens,
Cannon,	Himes, L. R.,	Myers,	Stevenson,
Caputo,	Hoffman,	Negley,	Stiteler,
Carey,	Holmes, J. B.,	O'Connor,	Stone,
Carson,	Holmes, J. L.,	O'Keefe,	Tahl,
Chervenak,	Hoopes,	O'Neill,	Terry,
Cohen,	Horst,	O'Rourke,	Trout,
Connor,	Howard,	Patterson,	Turner,
Cooke,	Hutton,	Pennock,	Wade,
Cordier,	Jaffe,	Perry, D. R.,	Wagner,
Craig,	Jones,	Perry, J. J.,	Walker, W. A.
Cramer,	Kane, J. J.,	Peters,	Wall,
Davies,	Kane, L. P.,	Powell,	Wasserman,
DeFrehn,	King,	Powers,	Way,
Denning,	Kinney,	Quinn,	Weidemann,
Downey, G. E.,	Labar,	Raub,	Welsh,
Downey, J. J.,	Lane,	Rectenwald,	Westrick,
Duffy,	Laubach,	Reed,	White,
Dunmire,	Lenahan,	Reilly,	Wike,
Ederer,	Lewis,	Roan,	Williams, G. W.,
Eroe,	Lord,	Roth,	Williams, J. J.,
Evans,	Lovett, J. E.,	Royle,	Wilson, L. M.,
Fitzgerald,	Lovett, W. S.,	Ruby,	Wilson, T. B.,
Flanagan,	Lynch, J. R.,	Ruth,	Witkin,
Flinchbaugh,	Lynch, M.,	Sarig,	Wood,
Flynn, J. M.,	Male,	Sautter,	Woodside,
Flynn, J. W.,	Malina,	Schrock,	Wright,
Forrest,	Maloney,	Schrope,	Yeakel,
Furman,	Marcks,	Schwab,	Yourishin,
Gallagher, T. J.,	Mason,	Schwartz,	Zimmerman,
Gallagher, W. J.,	McBride,	Scorza,	Talbot,
Gartner,	McCandless,	Scott,	Speaker.
Gillette,	McClure,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 236, (Senate Bill No. 93), as follows:

An Act to amend section ten of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eighty-four) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" as amended regulating the refund of taxes paid on malt liquors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eighty-four) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" as amended by Act Number seven approved the fifth day of December one thousand nine hundred and thirty-three is hereby further amended to read as follows:

Section 10 In case any malt liquors upon which stamps or crowns have been placed by a manufacturer or distributor have been sold and shipped by him to a licensed or regular dealer in malt liquors in another state such manufacturer or distributor in this Commonwealth shall be entitled to a refund of the actual amount of tax paid by him upon condition that the seller in this Commonwealth shall make affidavit that the malt liquors were so sold and shipped and that he shall furnish from the purchaser an affidavit that he has received such malt liquors for sale or consumption outside the Commonwealth and the amount of stamps or crowns thereon together with the name and address of the purchaser whereupon the department shall with the approval of the Board of Finance and Revenue issue to the seller in this Commonwealth stamps or crowns of sufficient value to cover the refund

The procedure for refund in any case shall be completed by the Department of Revenue and the Board of Finance and Revenue within sixty days after the proper affidavits have been filed with the department.

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191

Baker,	Green,	McGinnis,	Shettel,
Baldi,	Greenstein,	McGregor,	Shortz,
Barnhardt,	Griffith,	McHenry,	Shreiner,
Bechtel,	Habbyshaw,	McKay,	Shugarts,
Beech,	Haines,	McKinney,	Simon,
Bennett,	Harmuth,	Melchiorre,	Sinwell,
Bernhard,	Harris,	Meredith,	Snyder,
Blumberg,	Hart,	Merrell,	Sowers,
Boyd,	Hartman,	Mohn,	Spann,
Brancato,	Hefferman,	Moore,	Stank,
Brennan,	Hefferon,	Mumford,	Steedle,
Brown, J. E.,	Heffner,	Munley,	Sterling, P.,
Brown, W. L.,	Hermansen,	Murphy,	Sterling, R. B.,
Brownfield,	Hester,	Myers,	Stevens,
Cannon,	Hewitt,	Negley,	Stevenson,
Caputo,	Himes, H. E.,	Nothnagle,	Stiteler,
Carey,	Himes, L. R.,	O'Connor,	Stone,
Carson,	Hoffman,	O'Keefe,	Tahl,
Chervenak,	Holmes, J. B.,	O'Neill,	Terry,
Cohen,	Holmes, J. L.,	O'Rourke,	Trout,
Conner,	Hoopes,	Patterson,	Turner,
Cordier,	Horst,	Peelor,	Wade,
Craig,	Hough,	Pennock,	Wagner,
Cramer,	Howard,	Perry, D. R.,	Walker, G. E.,
Dane,	Hutton,	Perry, J. J.,	Walker, W. A.,
Davies,	Jaffe,	Peters,	Wall,
DeFrehn,	Kane, J. J.,	Powell,	Wasserman,
Denning,	Kane, L. P.,	Powers,	Way,
Downey, G. E.,	King,	Price,	Weidemann,
Downey, J. J.,	Kinney,	Quinn,	Welsh,
Duffy,	Labar,	Raub,	Westrick,
Dunmire,	Lane,	Rectenwald,	White,
Ederer,	Laubach,	Reed,	Wike,
Emhardt,	Lenahan,	Reilly,	Williams, G. W.,
Eroe,	Lewis,	Roan,	Williams, J. J.,
Evans,	Long,	Roth,	Wilson, L. M.,
Fitzgerald,	Lovett, J. E.,	Royle,	Wilson, T. B.,
Flanagan,	Lovett, W. S.,	Ruby,	Witkin,
Fleisher,	Lynch, J. R.,	Ruth,	Wood,
Flinchbaugh,	Lynch, M.,	Sarig,	Woodside,
Flynn, J. M.,	Male,	Sautter,	Wright,
Flynn, J. W.,	Malina,	Schrock,	Yeakel,
Forrest,	Marcks,	Schrope,	Yourishin,
Furman,	Mason,	Schwab,	Zimmerman,
Gallagher, T. J.,	McBride,	Schwartz,	Talbot,
Gallagher, W. J.,	McCandless,	Scorza,	Speaker.
Gartner,	McClure,	Scott,	
Gillette,	McCreary,	Sheffer,	
Gorman,	McElwee,	Shellenberger,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 237, (Senate Bill No. 49), as follows:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers court judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics and boards of school directors and imposing penalties

Section 1 Short Title Citation Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Permanent Registration Act in Cities of the Second Class"

Section 2 DEFINITONS (a) The word "commission" shall mean any registration commission having jurisdiction in any city of the second class

(b) "Commissioner" shall mean a member of a registration commission

(c) "Oath" shall include affirmation and "swear" shall include affirm

(d) "Election" shall mean any general special primary or municipal election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any political party or body of electors one of whose candidates either at the last general or at the last municipal election shall have polled at least five per centum of the largest entire vote cast for any elected candidate in any city of the second class although such percentage of said vote may not have been attained in any particular election district thereof

(j) "Body of electors" shall mean any political body not recognized as a political party but entitled to make nominations of candidates for any public office by nomination papers on whose behalf proper affidavits shall have been filed with the prothonotary or elsewhere as required by law to obtain the exclusive right to use a party name or appellation for any election or primary

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commission as hereinafter provided

(m) "County" shall mean any county of this Commonwealth within which is located a city of the second class

(n) "City" shall mean only a city of the second class

(o) All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the second class or to those of any county within which such city is located or to any school district with which it is coextensive

(p) "Public office" shall mean and include any national state judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(q) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

(r) "District" shall mean any election district of the city

Section 3 REGISTRATION COMMISSIONS MEMBERSHIP BIPARTISAN TERM OF OFFICE VACANCIES REMOVAL COMPENSATION OATH OF OFFICE ORGANIZATION CHAIRMAN SECRETARY ACTIONS BY VOTE OF MAJORITY OF MEMBERS RECORD OF PROCEEDINGS ANNUAL REPORT (a) There shall be a registration commission in and for each city of the second class which commission shall have jurisdiction over the registration of electors of such city under the provisions of this act

(b) The registration commission shall consist of two commissioners who shall be qualified electors of the city not more than one of whom shall be an enrolled member of the same political party who shall be appointed by the Governor with the advice and consent of the Senate and shall hold office for terms of four years or until their successors qualify unless sooner removed or otherwise disqualified Provided however That the term of office of the commissioners first appointed by the Governor under this act shall commence on the first day of January one thousand nine hundred thirty-four and shall expire on the first Monday of January one thousand nine hundred thirty-eight Upon the appointment by the Governor of the registration commission for any such city the terms of office of the existing registration commission or commissioners of any such city shall terminate

(c) The Governor shall fill any vacancy in any such commission within ten days after the vacancy shall occur by appointing a qualified elector of the city to hold office during the remainder of the term of the commissioner whose place shall have become vacant

(d) The Governor may at any time remove any commissioner for cause and may appoint a duly qualified elector of the city as his successor for the remainder of his term

(e) Each commissioner shall receive compensation at the rate of three thousand dollars per annum

(f) As soon after their appointment as may be the members of each commission shall take the oath of office required by the Constitution of this Commonwealth and shall organize by selecting from their number a chairman and a secretary who shall not be members of the same party

(g) All actions of a commission shall be decided by a majority of vote of all members except as may be otherwise provided herein

(h) Each commission shall keep a record in permanent form of all its proceedings and shall make an annual written report to the Governor

Section 4 POWERS OF COMMISSIONS REGULATIONS ENFORCEMENT CORRECTION OF ERRORS OR IRREGULARITIES CANCELLATION OF REGISTRATION POWERS OF COMMISSIONERS (a) The commisison may make regulations not inconsistent with this act or the laws of this Commonwealth (1) To govern the public sessions of such commission and (2) for the performance of the duties imposed by this act and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the court of common pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

(b) The commission shall have power to correct any error or any irregularity in registration and to cancel the registration of any person whom it may find to be improperly registered subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration is cancelled

(c) The commission and any commissioner shall have power on its or his own motion (1) To summon and interrogate any person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses (4) to require the production of any relevant books and papers

(d) Each commissioner shall have power to administer oaths and affirmations Each person testifying before a commission shall be first duly sworn or affirmed

Section 5 EMPLOYES REGISTRARS INSPECTORS OF REGISTRATION DUTIES APPOINTMENT INCOMPATIBLE OFFICES (a) The commission shall have power to appoint such assistants and employes as from time to time it may deem necessary to carry out the provisions of this act and may at any time remove the same The commission may with the consent of the county commissioners appoint employes of the county commissioners to act as such for the registration commission without any additional compensation as such

(b) The employes to be appointed by the commission shall include (1) Registrars who shall be empowered to register the qualified electors of such cities and in so doing to administer oaths and affirmations and (2) inspectors of registration who shall have and may exercise the powers conferred upon them by this act

(c) Registrars shall be qualified electors of the election district No person who holds or is a candidate for public or party office shall be appointed to or hold any office or employment under any commission except as otherwise provided by this act Registrars and inspectors of registration shall receive such compensation either on a per diem basis for time actually employed or on the basis of work actually done by them as shall be fixed by the commission

(d) No registrar or inspector of registration shall exercise any power of his office until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and address the date of his appointment and the length of time for which he shall have been appointed

(e) Each commission may appoint a chief clerk at a compensation not exceeding three thousand dollars per annum who shall have authority to administer oaths and to sign vouchers

(f) Any inspector of registration when directed by the commission shall

(1) Investigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling building inn lodging-house or hotel within such city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment

(2) Inspect in like manner and copy any register of lodgers in any lodginghouse inn or hotel relating to or affecting the right of any person to vote or to be registered in such city

(3) Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

(4) Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest

Section 6 COUNSEL COMPENSATION DUTIES The commission may evploy special counsel at a compensation not exceeding two thousand dollars per annum Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent the commission on all appeals taken from its decisions or orders to a court of common pleas as herein provided

Section 7 APPROPRIATIONS BY COUNTY COMMISSIONERS UNEXPENDED BALANCES OF APPROPRIATIONS HERETOFORE MADE ADDITIONAL APPROPRIATIONS (a) The county commissioners shall appropriate annually and from time to time the funds that shall be necessary for the maintenance and operation of the commission and the carrying out of the provisions of this act therein including the payment of the compensation of the commissioners counsel a sufficient number of registrars inspectors of registration and other assistanst and employes and the fees of witnesses as herein defined and likewise for preparing in accordance with the direction of the commission securing and distributing or receiving and preserving all street lists registration cards affidavits vouchers notices account books stationery and other supplies which the commission shall consider necessary for the purpose of this act and for all other necessary expenses

(b) The county commisisoners shall provide the commissions with suitable and adequate offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties

(c) Any unexpended balances of any appropriations heretofore made by the county commissioners for the purpose of carrying out any provision of any existing registration act or the amendments thereto shall be transferred to and made available for the commission hereby created or constituted for the expenses of carrying out the provisions of this act immediately after the effective date of this act All moneys required in addition to any original appropriation in the current year or any other year shall be appropriated from time to time as soon as it shall appear what extra sums are needed

Section 8 ACTS OF EMPLOYES Any insertion or removal of names or other information in registers or the amending of any records done by any employe of the commission by order of the commission shall be construed to have been done by the commission itself which shall likewise be responsible for the correction of any errors in the doing thereof

Section 9 COMMISSIONERS MAY ACT AS REGISTRARS AND INSPECTORS A commissioner or the chief clerk may act at any time as registrar or inspector of registration and when so acting shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with law upon registrars and inspectors of registration respectively

Section 10 IMMUNITY FROM ARREST Commissioners registrars and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrant of a court of record or judge thereof for felony for wanton breach of the peace or for a criminal violation of this act

Section 11 ACTS TO BE DONE ON LEGAL HOLIDAYS AND SUNDAYS No part of any day fixed for the performance of any duties by any person or official under this act shall be deemed a Sunday or a legal holiday so as to affect the legality of any work done for the purpose of carrying out the provisions hereof or the right of any person to any compensation herein provided for rendering any service required hereby or so as to relieve any person from doing on such day whatever is necesasry for such purposes and such services are hereby declared to be necessary public services

Section 12 RECORDS AND DOCUMENTS TO BE OPEN TO PUBLIC INSPECTION The records of each commission and all district registers street lists voting check lists voter's certificates affidavits petitions appeals witness lists accounts contracts reports and other documents in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the city during ordinary business hours at any time when they are not necessarily being used by the commission or its employes having duties to perform in reference thereto Such public inspection thereof shall only be in the presence of a commissioner or authorized employe of a commission and shall be subject to proper regulation for safekeeping of the records and documents and subject to the further provisions of this act

Section 13 WATCHERS AT PLACES OF REGISTRATION PRIVILEGES (a) Any party or body of electors which now is or hereafter may be entitled to have watchers at any election as well as any organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds may recommend not more than three electors to act as watchers without expense to the county at any place of registration during the time when it shall remain open for the registration of electors The commission shall appoint all such persons as watchers and shall provide them with proper certificates stating their names and the party or policy or citizens' organization which they represent respectively unless any be shown to have previously been convicted of any crime

(b) Any watcher shall be entitled to remain at any place of registration during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registration and to interrogate or challenge any person regarding his right to be registered and to inspect any papers produced by such persons The registrars commissions and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided That a registrar commission or commissioner may at any time require any watcher to show his certificate of appointment And provided That not more than one watcher for any party or body of electors or citizens' organization represented shall be allowed in a place of registration at any one time

Section 14 WATCHERS OR ATTORNEYS AT SESSIONS OF COMMISSION Any party or body of electors or body of citizens which now is or hereafter may be entitled to have watchers at any place of registration or at any election shall also be entitled to appoint any watchers who are qualified electors of the city or attorneys to represent such party or body of electors or body of citizens at any public session or sessions of the commission Such watchers or attorneys may exercise the same rights as watchers at places of registration but the number who may be present at any one time may be limited by the commission to not less than three for any party or body of electors

Section 15 CANDIDATES MAY BE PRESENT AT PROCEEDINGS Every candidate for nomination or election to any office shall be entitled to be present in person or by attorney in fact duly authorized and to participate in any proceeding before any commission whenever any matters may affect his candidacy are being heard

Section 16 DAYS AND HOURS OF REGISTRATION PLACES OF REGISTRATION USE OF POLLING PLACES PAYMENTS OF RENTALS USE OF SCHOOL BUILDINGS PUBLIC NOTICE (a) From and after the first day of January one thousand nine hundred and thirty-four each commission or any commissioner or a registrar or clerk ap-

pointed by the Commission shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sundays holidays the day of each election and each primary the thirty days next preceding each election and each primary and the five days next following each election and each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration Provided however that in the year one thousand nine hundred and thirty-four applications for personal registration may be received up to and including the fifth day of May anything in this section to the contrary notwithstanding And provided further That in the year one thousand nine hundred and thirty four each commission shall arrange to have two registrar present to receive applications for the personal registration of electors at the poling place or some other suitable place in each election district of the city on at least three separate days prior to May fifth (one of them being in March and another in May) and one day in the period beginning September twenty-fourth and ending October sixth

(b) The County commissioners shall cause any polling place to be open in proper order for use as a place of registration on each day when such polling place may be desired by the registration commission for use as a place of registration and the said county commissioners shall provide for the payment of all rentals for such polling places upon proper vouchers by the treasurer of the county

(c) The board of public education or school directors of each school district shall furnish a room or rooms in any public school building under its jurisdiction or control and shall cause the room or rooms to be open and in proper order for use as a place of registration on each day when such room or rooms may be desired by the registration commission for use as a place of registration Provided That such use shall not interfere with instruction for the conduct of which such board of school directors shall be responsible

(d) The proper city authorities shall furnish a room or rooms in the city hall or other municipal building under their jurisdiction or control and shall cause the room or rooms to be opened and in proper order for use as a place of registration on each day when such room or rooms may be desired by the commission for use as a place of registration Provided That such use shall not interfere with the use for which such room or rooms is primarily designed

(e) The commission shall publicly announce the address of each place of registration other than the office of the commission and the days and hours when the place shall be open for the registration of electors by posting a notice thereof at its office and at least five placards or notices thereof in conspicuous places in the neighborhood of such place of registration at least three days prior to the date when the place shall be so open and by such newspapers publication as it deems desirable

Section 17 REGISTRATION CARDS PREPARATION AND DISTRIBUTION (a) For the purpose of registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section eighteen of this act and the following affidavit

REGISTRATION AFFIDAVIT

State of Pennsylvania }
County of } ss

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before
me this day of 19

.....
Signature of Voter

.....
Signature of Registrar

(b) Subject to the foregoing provisions of this section the secretary of the Commonwealth shall prescribe the form of such registration cards

(c) Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate for each applicant for registration The commission shall provide suitable binders for filing and indexing the registration cards which binders can be locked The keys of all such binders shall at all times be retained by the commission

(d) The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar

(e) Before ten o'clock ante meridian on the day following the last day for registration before an election or primary and at such other times as the commission may prescribe each registrar shall return to the commission at its office all registration cards used or unused in his possession and shall account fully in writing for each missing card

(f) Unused registration cards may be reissued by the commission but the commission shall preserve all other papers records and memoranda as a part of its record

Section 18 MANNER OF REGISTRATION (a) Every person claiming the right to be registered as an elector must appear in person before the commission or a commissioner or a registrar at the office of the commission or at such other place as the commission shall have designated and answer the questions required to be asked in accordance with this act

(b) He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with the other information herein required shall be recorded in his presence by the registrar or commissioner in permanent writing or typewiting in duplicate in the proper spaces on the registration cards as follows

(c) (1) The surname of the applicant (2) his Christian name or names (3) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the rooms apartment flat or floor which he occupies (6) the date his residence in the district began (7) his residence address when he last registered and the year of such registration (8) the sex of the applicant (9) the color of the applicant (10) the state or territory of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of naturalization certificate (12) if not naturalized personally the name of father or husband through whom naturalized (13) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance at the ensuing election and if so his declaration of that fact and his statement of the exact nature of such disability (14) the designation of the political party of the elector for the purpose of voting at primaries (15) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar and dated by him If the elector is unable to sign his name there shall also be recorded on the registration card (16) his height in feet and inches (17) the color of his hair (18) the color of his eyes and (19) the date of his birth Each registration card shall also have a sufficient number of spaces thereon for the insertion of (20) the ward and election district in which the elector resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal (21) the date of each election and primary at which the elector votes and (22) the signature or initials of the election officer who enters the record of voting on the card

(d) The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration

card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed for the whole city the registration affidavits will be known as the General Registers when filed by election districts as the District Registers

(e) If the applicant shall allege inability to sign his name the registrar shall require him to present the affidavits subscribed in person before a registrar or commissioner or two electors who are personally acquainted with the applicant and who know his qualifications as an elector Each of said two electors shall state in his affidavit the applicant's residence his own residence his knowledge of the statements made by the applicant under oath or affirmation in applying for registration and his belief that they are true Upon the filing thereof the applicant shall be permitted to subscribe to his oath or affirmation by making his mark except that if the applicant's inability to sign his name is not due to some apparent physical infirmity he shall first also be required to make and file with the registrar an affidavit of his inability to sign his name Every affidavit required because of an applicant's inability to sign his name shall be filed with the duplicate registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

(f) When the registration of an elector has been completed the registrar or commissioner shall deliver to the registered elector upon his request a written statement signed by such registrar or commissioner setting forth the name and address of the elector the fact of registration and the date thereof

Section 19 WHO MAY REGISTER WHO MAY VOTE ELECTORS NEED REGISTER ONLY ONCE EXCEPTION Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered as herein provided From and after the fifth day of May one thousand nine hundred and thirty-four no person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered except by order of a court of common pleas as hereinafter provided and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address unless his registration is cancelled by reason of his failure to vote during a period of two years as hereinafter povided

Section 20 APPLICANTS TO REGISTER MAY BE CHALLENGED PROCEDURE CHALLENGE AFFIDAVIT (a) Any person claiming the right to register may be challenged by a registrar or by any commissioner or by a qualified elector of the city Any person so challenged shall answer the questions of the challenge affidavit as herein specified and after his answers have been recorded he shall subscribe to them his signature or mark and swear to their truth

(b) The affidavits of all persons so registered shall be filed with the duplicate registration affidavits and shall be returned with them to the office of the registration commission

(c) The challenge affidavit shall be in form prescribed by the Secretary of the Commonwealth and shall contain spaces for the following information (1) serial numbers (2) place and date of execution (3) full name of challenged applicant (4) whether he is married or single (5) if married where his family resides (6) if single where his parents reside (7) where applicant actually resided immediately before he took up his present residence (8) his residence for the four months immediately preceding date of execution (9) the name of his present employer (10) the city street and number of his place of business (11) the name of his last employer and the year in which he left his employ (12) the city street and number of said last employer's place of business (13) sex of the applicant (14) his color (15) the date of his birth and (16) such distinguishing marks peculiarities and further information for identification as the commission shall prescribe

(d) The challenged applicant shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his residence in the election district and shall produce such other evidence as may be required to satisfy the registrar or commissioner as to his qualifications as an elector If such challenged applicant shall establish his right to be registered as required by this act to the satisfaction of the registrar or commissioner he shall be permitted to be registered

(e) Any person making application to be enrolled as a member of a political party for the purpose of voting at primaries may be challenged by any qualified elector of the city Any person so challenged shall be enrolled as a member of such party if he shall make and subscribe an affidavit that at the last election at which he voted he voted for a majority of the candidates of such party all of the candidates of a party for presidential elector being counted as two candidates but if he is unable or unwilling to make such affidavit he shall be denied enrollment as a member of such party but he shall not be deemed to be guilty of any violation or attempted violation of any law by reason thereof

Section 21 NATURALIZED APPLICANTS APPLICANTS WHOSE FATHERS OR HUSBANDS WERE NATURALIZED Any person claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certificate under the seal of the court in which his naturalization was effected before he shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father may be registered either by the production of his father's original papers or a certified copy thereof or by making affidavit as to the court in which and time when his father was naturalized and that he the applicant was then less than twenty-one years of age and that he is unable to produce his father's paper or a certified copy thereof And provided further That any woman claiming citizenship by reason of her marriage prior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturlized prior to their marriage stating therein the time when and court in which such nturalization took place and that she is unable to produce his original naturalization papers or a certified copy thereof or (b) by the production of evidence that her husband was a native born citizen of the United States Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

Section 22 INCOMPLETE OR REJECTED APPLICATIONS TO BE RECORDED The registrar or commissioner shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar or commissioner shall note thereon the reason for the rejection and shall sign his name thereto All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 23 APPEAL OF REJECTED APPLICANT Any person whose application to be registered has been denied by a registrar or by a commissioner may file a petition with the commission not later than the fifteenth day prior to an election or primary setting forth the ground of his complaint under oath and praying to be registered The commission shall fix a time for a public hearing thereof at its office not later than the tenth day prior to the election or primary At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar or commissioner who rejected the petitioner's application for registration The commission if satisfied that the petitioner is entitled to be registered shall direct a registrar or commissioner to register him in the usual manner and shall amend accordingly the records affected but any registrar or inspector of registration or qualfied elector of the city may appear and show cause why the petitioner should not be registered

Section 24 GENERAL REGISTER The duplicate registration affidavits for the entire city shall be placed in exact alphabetical order and shall be indexed and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded. These affidavits shall constitute the General Register of such city and shall not be removed from the office of the commission except upon order o the court of common pleas of the county

Section 25 DISTRICT REGISTERS The original registration affidavits shall be filed by election districts and within

each election district in exact alphabetical order and indexed The affidavits so filed for each election district shall constitute the District Register for such district The district register shall be kept at the office of the commission except as herein provided and shall be open to public inspection at all times subject to reasonable safeguards rules and regulations

Section 26 REMOVAL NOTICES The commission shall provide removal notices which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room apartment flat or floor if his residence is a portion only of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present address and (4) space wherein the elector shall sign his name The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring sixty days or more after the receipt of the notice at the office of the commission Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission with the elector's signature in the general and district register.

Section 27 TRANSFER OF REGISTRATION (a) Upon receipt of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration affidavit of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the general and district registers and if the removal shall have been from one election district to another in the same city shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence.

(b) When a request for transfer believed authentic by the commission is received at the office of the commission and shows thereon a removal within the period of two months next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary In any case the commission shall advise the elector promptly in writing of its action

(b) If the commission shall doubt that the request for transfer is authentic it shall without transferring the registration of the elector notify the elector promptly that it will be necessary for him to apply in person at the office of the commission for the transfer of his registration

(c) No elector who is unable to write his name shall be permitted to apply for transfer of registration by use of a written removal notice but each such elector must apply in person at the office of the commission establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar or a commissioner who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice

Section 28 CHANGE OF ENROLLMENT OF POLITICAL PARTY CANCELLATION OF PARTY ENROLLMENT PERSONS SUFFERING DISABILITY AFTER REGISTRATION TO HAVE FACT RECORDED CANCELLATION (a) At any time prior to the fifteenth day next preceding a primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar or commissioner and state in writing over his signature the political party in which he desires to be enrolled and the registrar or commissioner shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made

(b) At any time not later than the tenth day preceding any primary any qualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is no longer a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at least twenty-four hours prior to presentation of the same by delivering a copy of the petition to him personally or by leaving it with an adult member of the family with which he resides If at the hearing of any such petition the elector against whom the petition is filed appears and swears or affirms that at the last election at which he voted he voted for a majority of the candidates of the party with which he was then enrolled all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise upon the presentation under oath by the person making the challenge of a prima facie case which satisfies the commission the party enrollment of such elector shall be forthwith cancelled

(c) Any elector who has since the time of registration suffered a physical disability which renders him unable to see or mark the ballot or prepare the voting machine or to enter the voting compartment or voting machine booth without assistance shall at least ten days prior to the next succeeding primary or election personally make application under oath to the commission or a registrar to have such fact entered on his registration affidavit together with the exact nature of his physical disability which entry shall be made accordingly

(d) When the commission shall ascertain that any elector who has declared his need for assistance no longer suffers from the disability stated by him or has voted without assistance it shall forthwith cancel on his registration affidavit the entry relating to physical disability which authorized him to have assistance

Section 29 REPORTS OF DEATHS FROM REGISTRARS OF VITAL STATISTICS CANCELLING REGISTRATION CORRECTION IF PERSON IS FALSELY REPORTED DECEASED NOTICE (a) The registrar of vital statistics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the deaths of residents of the city except residents less than twenty years of age. The commission shall forthwith cancel the registration of each registered elector so reported

(b) Any person falsely reported deceased may appear in person before a registrar or commissioner at the office of the commission in such city and prove his identity and the commission thereupon shall correct its records accordingly

Section 30 MAIL CHECK-UP OF REGISTERS (a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon At least once each four years the commission shall send such notices by mail to each registered elector in the city

(b) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found then the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-one of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector

Section 31 CANVASS OF REGISTERED VOTERS (a) The commission may at any time by individual commissioners or by inspectors of registration verify the registration in any election district of the city by visiting each building from which an elector is registered and such other buildings as the commission may deem necessary and shall make a record of the name and address of each person registered who shall not be found to reside at the address from which he is registered or who for any other reason shall appear to be not qualified to vote in the election district from which he is registered and shall leave at the address of each such person a notice requiring him to appear personally at the office of the commission on or before a date and hour which the notice shall appoint and which shall be not later than the tenth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector and the commission shall cause a confirmation of each such notice to be sent by mail promptly to such person at the address from which he is registered

(b) At the expiration of the time specified in the notice the commission shall cancel the registration of each such person who has not personally appeared and proved his qualifications as an elector

(c) For the purpose of facilitating any such canvass the commission may when necessary appoint special inspectors of registration in number not exceeding double the number of election districts which the commission shall determine to canvass

(d) Such special inspectors shall have and may exercise the powers conferred by this act upon inspectors of registration They shall be qualified electors of the city and shall be appointed without reference to residence in election districts or to their political affiliations or beliefs

(e) The commission shall instruct each special inspector in his duties

Section 32 COMPARISON AND CORRECTION OF REGISTERS PRELIMINARY STREETS LISTS (a) Commencing thirty days prior to each election or primary the commission shall compare and correct the general and district registers

(b) Three months after each municipal election and seven months after each general election the commission shall prepare for each election district a preliminary street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers

(c) The commission shall cause to be made a sufficient number of exact copies of each such list and as soon as possible and not later than the first day of March in each even-numbered year and the first day of July in each odd-numbered year shall distribute the same among the inspectors and special inspectors of registration and the officials concerned with the conduct of primaries and elections and among the parties bodies of electors candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the city committee of each political party or body of electors upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 33 CORRECTED STREET LISTS POSTING Commencing not later than the thirtieth day prior to each primary and election the commission shall prepare for each election district a corrected street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers The commission shall cause to be made a sufficient number of exact copies of each such list which may be made by correcting and supplementing exact copies of the preliminary street lists A copy of the corrected street list of each election district shall forthwith be publicly posted at the polling place of such district Two complete sets of such lists shall be kept on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 34 PETITIONS TO STRIKE OFF NAMES At any time not later than the tenth day preceding any election or primary any qualified elector of the city including any watcher and any registrar or inspector of registration may petition the commission to cancel the registration of any registered elector of such city setting forth under oath supported by the affidavits of at least two adult persons sufficient grounds for such cancellation and also setting forth that due notice of the time and place when said petition would be presented and heard had been given to the person so registered personally at least twenty-four hours prior to the presentation of the same or that he could not be found at the place given in the district register as his residence and that the person in charge thereof to be mentioned by name in said petition had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them or that no person is residing at the address given whereupon the commission may forthwith cancel the registration of such elector and amend accordingly the general and district registers and the other records affected unless the person so registered shall appear and show cause why the same should not be done

Section 35 DELIVERY OF DISTRICT REGISTERS TO COUNTY COMMISSIONERS (a) Not later than noon of the second day preceding an election or primary the commission shall deliver to the county commissioners of the proper county the district register accurately corrected to date for each election district in order that the same may be delivered to the election officers with other election materials for use on election day in the manner in which the county commissioners now are or hereafter may be required to deliver the same Provided That the registration commission shall not deliver to the county commissioners the registration card for use at the polls on election day of any person who has removed from one election district to another within two months of any general municipal primary or special election The registration commission shall withdraw from the district registers the cards of all such persons before the registers are delivered to the county commissioners

(b) District registers when so delivered to the county commissioners shall be contained in suitable binders so constructed and locked that the name address voting record and other data on each card may be visible and that entries may be made on each card but that the cards cannot be removed by the election officers Said binders shall have printed or written thereon the words "District Register of Voters" and the name of the district

Section 36 ENTRY OF INFORMATION IN GENERAL REGISTERS FOLLOWING ELECTIONS AND PRIMARIES REPORT OF INDICATIONS OF FRAUD TO DISTRICT ATTORNEY (a) Immediately following each election or primary the commission shall cause each district register to be examined and shall enter the date of the election or primary in the proper space on the registration affidavits in the general register of each elector whom the district register indicates as having voted

(b) In the case of any elector whom the election officers shall have recorded as removed deceased or challenged and prevented from voting the commission shall ascertain the facts and shall correct the general and district registers in accordance therewith

(c) The commission specifically shall compare the signature of each elector on each voter's certificate with his signature in the district register and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of voter's certificates and registers hereby prescribed.

(d) Whenever the registration affidavits of any registered elector shall have been entirely filled up so that the entries required to be made thereon by this Act can no longer be made the Commission shall have prepared and attached to such registration affidavits in each register a supplemental card Each supplemental card shall be printed in a color different from the registration affidavits It shall have the same serial number as the registration affidavit followed by the letter "A" "B" etc according to the number of supplemental cards attached to each registration affidavit Each supplemental card shall have space thereon for the entry of the surname of the registered

elector his Christian name or names the street and number of his residence the ward and election district in which he resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal the date of each election and primary at which the elector votes and the signature or initials of the election officer who enters the record of voting on the card Each supplemental card shall be attached to the registration affidavit to which it relates by permanent fasteners in such a manner that the contents of the registration affidavit may be examined and the entries required by this Act may be made on the supplemental card Whenever supplemental cards are attached to the registration affidavit of any elector the registration affidavit shall be stamped with the words "Supplemental cards attached" together with the date thereof

Section 37 CANCELLATION OF REGISTRATION UPON FAILURE TO VOTE WITHIN TWO YEARS REQUEST FOR REINSTATEMENT Within three months after the municipal election held in the year one thousand nine hundred and thirty-five and within three months after each general and municipal election thereafter the registration commission shall cause all of the district registers to be examined and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of two years immediately preceding the commission shall send to such elector by mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has not voted within a period of two years and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration setting forth his place of residence and signed by him At the expiration of the time specified in the notice and after publication of the information contained in the notice mailed as aforesaid at least one time in at least one newspaper of general circulation published in the city the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote within a period of two years shall not affect the right of any such elector to subsequently re-register by personal application to the commission or a commissioner or a registrar in the manner provided by this act

Section 38 CANCELLATION REMOVAL AND PRESERVATION OF REGISTRATION AFFIDAVITS Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration affidavits of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such affidavit shall be kept for five years after which the commission may destroy it

Section 39 APPEALS TO COURT TIME OF TIME OF HEARING NOTICE POSTPONEMENT HEARING DECISION OF COURT COSTS AND FEES (a) Any person whose claim for registration has been denied by the commission or whose name although previously registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of the city whose rights are impaired by any general order made by the commission not including registration of particular names by the commission on personal application made to it as aforesaid or refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper court of common pleas not later than the fourth day preceding any election or primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief Thereupon any judge of the court may fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the counsel for the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court Proof of notice or the waiver thereof must be filed therein

(b) Any judge of the court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary At the time so fixed the court or any judge thereof assigned for the purpose shall hear all the witnesses and other evidence that may be offered unless the issue can be decided in some other manner by agreement of the parties concerned

(c) If after any such public hearing the court shall find that an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed

(d) The court may compel the appellant or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner

Section 40 PRODUCTION OF DOCUMENTS ET CETERA AT APPEALS At the written request of any person taking an appeal from any action or order of a commission as aforesaid the commission shall produce at the hearing thereof any petition register or other record in its custody relevant to the issue involved but the commission shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so

Section 41 SUBPOENAS AND WITNESS FESS (a) Any person filing any petition of any kind with a commission or opposing same shall have the privilege of having subpoenas issued by the commission to compel the attendance of witnesses upon condition that all witnesses so subpoenaed shall be paid two dollars and fifty cents each per day as witness fees in the manner herein provided

(b) The commission on its own motion may subpoena witnesses including registrars each of whom shall also be entitled to daily witness fees at the rate aforesaid to be paid out of any money to be provided for the purpose to the commission by the county commissioners in the same manner as other necessary expenses of such commission are to be provided for

(c) All subpoenas shall be in substantially the same form and shall have the same force and effect as subpoenas now issued by a court of common pleas The commission shall have the benefit of the process of said courts if necessary to enforce any subpoena issued by such commission.

(d) No subpoena shall be issued for the benefit of any person other than the commission until he shall have paid the commission a fee of twenty-five cents for issuing the same and deposited with said commission one day's witness fees for each witness to be summoned thereby whose names shall be given to the commission and entered by it in such subpoena and among the records of the commission No such subpoena shall be of any virtue to require the further attendance of any witness after the day mentioned therein unless the hearing be postponed or continued by the commission and unless before four o'clock post meridian of said day the person for whose benefit it is issued shall have deposited with the commission an additional day's witness fees for each witness whose further attendance is desired As soon as convenient after any hearing is concluded (or postponed or continued) on any day the commission shall disburse the fees deposited with it by any person among those witnesses who have appeared in response to subpoenas issued and shall return to the person who deposited the same any fees deposited for others who did not attend and shall also pay like fees to any summoned by the commission taking their receipts therefor so long as there are sufficient funds available for such payments

(e) The commission shall pay over to the county treasurer all fees received for subpoenas The accounts of such commission respecting disbursements of witness fees out of appropriations made to such commission by the county commissioners shall be subject to audit from time to time by the county controller

Section 42 CRIMES AND PENALTIES (a) Any person who wilfully disobeys a lawful order of the commission or refuses to obey its subpoena duly issued and served under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars

(b) Any wilful false statement made under oath or in writing stating that it is so made although such oath may not have actually been made by any person regarding any material matter or thing relating to any subject being investigated heard or acted upon by any registrar commissioner judge

watcher inspector of registration court or commission by virtue of this act shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars or undergo an imprisonment of not less than three (3) months nor more than two (2) years

(c) Any registrar or commissioner who knowingly registers or permits to be registered a person not lawfully entitled to be registered or who without reasonable cause refuses to register a person entitled to be registered or knowingly assists in preventing such person from being registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars or to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(d) Any person who applies for registration knowing or having reason to know that he is not entitled to be registered or who falsely personates another in an application for registration or who knowingly offers false naturalization papers to establish his claim to be registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars or to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(e) Any registrar commissioner or assistant or employe of a commission who inserts or intentionally permits to be inserted a name or other entries in any registration card without a proper application in person on the part of the person registered or without requiring the proper evidence of the right of the applicant to be registered or who materially alters any registration card after the entries have been made except upon an order of the court of common pleas or of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars or to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(f) Any election officer who knowingly refuses the vote of a duly registered and qualified elector or who knowingly accepts the vote of a person not registered in accordance with the provisions of this act (except that of a person in actual military or naval service as aforesaid or a person having an order of court) as aforesaid or who knowingly receives a vote from a person falsely claiming to be a registered voter shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand (1,000) dollars or to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(g) Any commissioner registrar inspector of registration or other officer assistant or employe upon whom a duty is laid by this act who shall wilfully neglect or refuse to perform such duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(h) Any person who inserts or intentionally permits to be inserted any name or material entry in any registration card street list affidavit petition subpoena certificate report or other record authorized or required by this act to be made or prepared for any purpose herein mentioned except in accordance herewith or who materially alters or destroys an entry which has been duly made therein except as herein provided or who takes and removes any such book paper card or other record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspected or copied as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars or undergo an imprisonment of not less than three (3) months nor more than three (3) years

(i) Any person who neglects or refuses to furnish to any commissioner or to any inspector of registration any information which he is herein authorized to obtain or to exhibit any records papers or documents herein authorized to be inspected by him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars or to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(j) Any constable policeman sheriff or other peace or police officer or deputy or subordinate thereof who shall fail upon demand of any commissioner or inspector of registration to render such aid and assistance to him as he shall demand in the maintenance of peace and in the making of arrests without warrant as herein provided or who shall wilfully hinder or delay or attempt to hinder or delay any commissioner or inspector of registration in the performance of any duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars or to undergo an imprisonment of not less than three (3) months nor more than two (2) years.

(k) Any person who intentionally interferes with hinders or delays any other person in the performance of any act or duty authorized or imposed herein shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500) dollars

Section 43 EFFECTIVE DATE PARTIAL INVALIDITY LEGISLATIVE INTENT (a) Except as otherwise provided herein this act shall be in force and take effect from and after the first day of January one thousand nine hundred thirty-four

(b) It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 45 REPEAL OF PRIOR LAWS PROVISO (a) The following acts of Assembly and parts of acts and any amendments and supplements thereto are hereby repealed absolutely in so far as they affect the personal registration and enrollment of voters in cities of the second class

(1) Section fifty-nine of an act entitled "An act relating to the Elections of this Commonwealth" approved July second one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred nineteen)

(2) Sections one two three fifteen and nineteen of an act entitled "A further supplement to the act regulating elections in this Commonwealth" approved January thirtieth one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one)

(3) Section one of an act entitled "An act declaratory of and amending the act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four" approved February thirteenth one thousand eight hundred and seventy-four (Pamphlet Laws forty-four)

(4) An act entitled "An act to amend sections one two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four changing the time and manner of making the registry of voters and the duties of registry assessors" approved May twenty-ninth one thousand eight hundred and ninety-one (Pamphlet Laws one hundred thirty-four)

(5) An act entitled "An act to authorize the election of assistant assessor for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" approved June sixteenth one thousand eight hundred and ninety-one (Pamphlet Laws two hundred ninety-eight)

(6) An act entitled "An act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four as amended by the act of May twenty-ninth one thousand eight hundred and ninety-one fixing the place at which the assessors shall sit to perform the duties imposed upon them by the second section of the said supplement of May twenty-ninth one thousand eight hundred and ninety-one in all voting districts or precincts in this Commonwealth where temporary voting places are or may be established" approved June twelfth one thousand eight hundred and ninety-three (Pamphlet Laws four hundred fifty-five)

(7) An act entitled "An act to amend sections two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the twenty-ninth day of May one thousand eight hundred and ninety-one changing the time and manner of making the reg-

istry of voters and duties of registry assessors" approved May sixteenth one thousand eight hundred and ninety-five (Pamphlet Laws seventy-five)

(8) An act entitled "An act supplementary to an act entitled 'An act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violations of its provisions' approved the seventeenth day of February Anno Domini one thousand nine hundred and six providing for the continuance in office of the registration commissioners of consolidated cities" approved June third one thousand nine hundred and seven (Pamphlet Laws three hundred ninety-four)

(9) An act entitled "An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" approved July twenty-fourth one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven)

(10) An act entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of assessors and registry asssors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers wilfully permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket" approved July twenty-fifth one thousand nine hundred and thirteen (Pamphlet Laws one thousand forty-three)

(11) An Act entitled "An act to amend section six of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July one thousand nine hundred and thirteen" approved May twenty-eight one thousand nine hundred and fifteen (Pamphlet Laws five hundred seventy-six)

(12) An act entitled "An act to amend sections fifteen and eighteen of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July one thousand nine hundred and thirteen by providing for attendance of witnesses fees for subpoenas witness fees and the manner of payment of same and providing a penalty for disobedience to the lawful order of the commissioners or refusal to obey their subpoenas and by repealing inconsistent legislation" approved June eighteenth one thousand nine hundred and fifteen (Pamphlet Laws one thousand twenty-seven)

(13) An act entitled "An act to amend the third section of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) by regulating the compensation of the registration commissioners" approved July nineteenth one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred eight)

(14) An act entitled "A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" approved July twenty-first one thousand nine hundred and nineteen (Pamphlet Laws one thousand sixty-five)

(15) An act entitled "An act amending section sixteen of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved July twenty-four one thousand nine hundred and thirteen providing for a change in salaries of the employes of the registration commissioners" approved April twenty-first one thousand nine hundred and twenty-one (Pamphlet Laws two hundred thirty-nine)

(16) An act entitled "An act to amend section one of an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand sixty-five) entitled 'A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as member of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith'" approved June seventh one thousand nine hundred and twenty-three (Pamphlet Laws six hundred eighty)

(17) An act entitled "An act to amend part of section seven of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith'" approved April twenty-third one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred seventy)

(b) All other acts or parts of acts of Assembly in conflict or inconsistent with this act or any part hereof are hereby repealed so far as they are inconsistent herewith

(c) The provisions of this act shall not affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such acts so repealed respecting any act done or omitted prior to such repeal

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188

Andrews,	Green,	McClure,	Schrock,
Baker,	Greenstein,	McCreary,	Schrope,
Baldi,	Griffith,	McElwee,	Schwarb,
Barnhardt,	Habbyshaw,	McGinnis,	Schwartz,
Bechtel,	Haines,	McGrail,	Scott,
Beech,	Hamilton,	McGregor,	Sheffer,
Bennett,	Harmuth,	McHenry,	Shettel,
Blumberg,	Hart,	McKay,	Shortz,
Boyd,	Hartman,	McKinney,	Shreiner,
Brancato,	Heffernan,	Melchiorre,	Shugarts,
Brennan,	Hefferon,	Meredith,	Simon,
Brown, J. E.,	Heffner,	Merrell,	Sinwell,
Brown, W. L.,	Hermansen,	Mohn,	Snyder,
Brownfield,	Hester,	Moore,	Sowers,
Cannon,	Hewitt,	Mumford,	Spann,
Caputo,	Himes, H. E.,	Munley,	Stank,
Carey,	Himes, L. R.,	Murphy,	Steedle,
Carson,	Hoffman,	Myers,	Sterling, P.,
Chervenak,	Holmes, J. B.,	Negley,	Stevens,
Cohen,	Holmes, J. L.,	Nothnagle,	Stevenson,
Conner,	Hoopes,	O'Connor,	Stiteler,
Cordier,	Horst,	O'Keefe,	Tahl,
Craig,	Hough,	O'Neill,	Terry,
Cramer,	Howard,	O'Rourke,	Turner,
Dane,	Hutton,	Patterson,	Wade,
Davies,	Jaffe,	Peelor,	Wagner,
DeFrehn,	Jones,	Pennock,	Walker, W. A.,
Denning,	Kane, J. J.,	Perry, D. R.,	Wall,
Downey, G. E.,	Kane, L. P.,	Perry, J. J.,	Way,
Downey, J. J.,	King,	Peters,	Weidemann,
Duffy,	Kinney,	Powell,	Welsh,
Dunmire,	Labar,	Powers,	Westrick,
Ederer,	Lane,	Price,	White,
Emhardt,	Laubach,	Quinn,	Wike,
Eroe,	Lenahan,	Raub,	Williams, G. W.,
Evans,	Lewis,	Rectenwald,	Williams, J. J.,
Fitzgerald,	Long,	Reed,	Wilson, L. M.,
Flinchbaugh,	Lovett, J. E.,	Reilly,	Wilson, T. B.,
Flynn, J. M.,	Lovett, W. S.,	Rhodes,	Witkin,
Flynn, J. W.,	Lynch, J. R.,	Roan,	Wood,
Forrest,	Lynch, M.,	Root,	Woodside,
Furman,	Male,	Roth,	Wright,
Gallagher, T. J.,	Maloney,	Royle,	Yeakel,
Gallagher, W. J.,	Marcks,	Ruby,	Yourishin,
Gartner,	Mason,	Ruth,	Zimmerman,
Gillette,	McBride,	Sarig,	Talbot,
Gorman,	McCandless,	Sautter,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Mr. ANDREWS. Mr. Speaker, I ask that House Bill No. 260, Senate Bill No. 143, Printer's No. 96, be passed over in order for the present.

The SPEAKER. The Chair has received a request at the desk that the next bill, House Bill No. 257, Senate Bill No. 1, Printer's No. 87, be passed over in order.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 243, (Senate Bill No. 123), as follows:

An Act to amend the title and sections one and two of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws one thousand nineteen) entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances" by extending the provisions thereof to unseated lands

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title, and sections one and two of the act proved the twenty-fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws one thousand nineteen) entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances" are hereby amended to read as follows

AN ACT

Relating to seated and unseated lands purchased by county commissioners at county treasurer's [sale of seated] sales of such lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act county commissioners be and they are hereby authorized to sell at private sale any and all seated and unseated lands purchased by them pursuant to existing law at any county treasurer's sale of seated or unseated lands for the collection of taxes and not redeemed within two years from the date of such sale to the county commissioners upon first procuring the approval of such sale by the court of common pleas of the county in which such lands are situated

Section 2 Upon petition of the county commissioners to the proper court of common pleas setting forth the date of sale of such lands to the county commissioners the date when the right of redemption expired and that the right of redemption was not exercised prior to its expiration a description of the lands sought to be sold the name of the proposed purchaser and the terms of the proposed sale and the amount of taxes and costs accrued against the said lands the court shall fix a time for hearing upon said petition and require ten days' notice thereof to be given by publication in one newspaper of general circulation published in the county wherein such lands are located In the case of seated lands the court may also require such additional notice as to it appears proper

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187

Andrews,	Greenstein,	McGinnis,	Sheffer,
Baker,	Griffith,	McGrail,	Shellenberger,
Baldi,	Habbyshaw,	McGregor,	Shettel,
Barnhardt,	Haines,	McHenry,	Shortz,
Bechtel,	Hamilton,	McKay,	Shreiner,
Beech,	Harmuth,	McKinney,	Shugarts,
Bennett,	Hartman,	Melchiorre,	Simon,
Bernhard,	Heffernan,	Meredith,	Sinwell,
Blumberg,	Hefferon,	Merrell,	Snyder,
Boyd,	Heffner,	Mohn,	Sowers,
Brancato,	Hermansen,	Moore,	Spann,
Brown, J. E.,	Hester,	Mumford,	Stank,
Brown, W. L.,	Hewitt,	Munley,	Steedle,
Brownfield,	Himes, H. E.,	Murphy,	Sterling, P.,
Cannon,	Himes, L. R.,	Myers,	Sterling, R. B.,
Caputo,	Hoffman,	Negley,	Stevens,
Carey,	Holmes, J. B.,	Nothnagle,	Stevenson,
Carson,	Holmes, J. L.,	O'Connor,	Stiteler,
Chervenak,	Hoopes,	O'Keefe,	Stone,
Cohen,	Horst,	O'Neill,	Tahl,
Cooke,	Hough,	O'Rourke,	Terry,
Cordier,	Howard,	Patterson,	Trout,
Craig,	Hutton,	Peelor,	Turner,
Cramer,	Jaffe,	Pennock,	Wade,
Dane,	Jones,	Perry, D. R.,	Wagner,
Davies,	Kane, J. J.,	Perry, J. J.,	Walker, G. E.,
DeFrehn,	Kane, L. P.,	Peters,	Walker, W. A.,
Denning,	King,	Powell,	Wall,
Downey, G. E.,	Kinney,	Powers,	Wasserman,
Downey, J. J.,	Labar,	Price,	Way,
Duffy,	Lane,	Quinn,	Weidemann,
Dunmire,	Laubach,	Raub,	Welsh,
Ederer,	Lenahan,	Rectenwald,	Westrick,
Emhardt,	Long,	Reed,	White,

Eroe,	Lord,	Reilly,	Wike,
Evans,	Lovett, J. E.,	Roan,	Williams, G. W.,
Fitzgerald,	Lovett, W. S.,	Roth,	Williams, J. J.,
Flanagan,	Lynch, J. R.,	Royle,	Wilson, L. M.,
Flinchbaugh,	Lynch, M.,	Ruby,	Wilson, T. B.,
Flynn, J. M.,	Male,	Ruth,	Witkin,
Flynn, J. W.,	Malina,	Sarig,	Wood,
Forrest,	Maloney,	Sautter,	Woodside,
Furman,	Marcks,	Schrock,	Wright,
Gallagher, T. J.,	Mason,	Schrope,	Yeakel,
Gallagher, W. J.,	McBride,	Schwab,	Yourishin,
Gartner,	McCandless,	Schwartz,	Zimmerman,
Gillette,	McClure,	Scorza,	Talbot,
Gorman,	McCreary,	Scott,	Speaker.
Green,	McElwee,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 35

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 35, entitled:

An Act relating to milk and the products thereof declaring an emergency with respect to their production and marketing creating a Milk Control Board establishing its jurisdiction powers and duties regulating the production transportation manufacture processing storage distribution delivery and sale of milk and the products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring licensees to furnish bonds for the protection of producers authorizing the examination of the business papers and affairs of and requiring the filing of reports by licensees other milk dealers and producers and permitting with limitations the dissemination of information obtained therefrom authorizing the issuance of subpoenas by the Board or its agents and conferring jurisdiction upon courts to punish contempts or to prohibit violations of orders of the Board providing for appeals to the courts from decisions of the Milk Control Board imposing penalties and making an appropriation

And has appointed Messrs. Buckman, Owlett and Clark a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. HUTTON. Mr. Speaker, I move that a Committee of Conference be appointed to confer with a similar Committee on the part of the Senate.

On the question,

Will the House agree to the motion?

Mr. SOWERS. Mr. Speaker, I desire to interrogate the gentleman from Franklin, Mr. Hutton.

The SPEAKER. Will the gentleman from Franklin, Mr. Hutton, permit himself to be interrogated?

Mr. HUTTON. I will, Mr. Speaker.

Mr. SOWERS. Mr. Speaker, I desire to ask the gentleman if the Senate eliminated the amendments that he offered to the bill.

Mr. HUTTON. Mr. Speaker, in answering the interrogation of the gentleman from Philadelphia, Mr. Sowers, I would state that Senate Bill No. 35 went over from the House to the Senate with certain amendments and the Senate refused to concur in those amendments.

Mr. SOWERS. Mr. Speaker, in the opinion of the gentleman from Franklin, Mr. Hutton, would it not be better to be without a bill than concur with what the Senate did.

Mr. HUTTON. Mr. Speaker, in answering the interrogation of the gentleman from Philadelphia, I would say that in my opinion, it would be much better to have a joint committee of conference which would confer for the purpose of ascertaining whether the differences between the two chambers could not be adjusted.

Mr. SOWERS. Mr. Speaker, would not that committee delay this session probably all night.

Mr. HUTTON. Mr. Speaker, answering the interrogation of the gentleman from Philadelphia, I will state that in my opinion there will be very little delay. I think we can get together very shortly.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 35

The SPEAKER. The Chair appoints as a Committee of Conference Messrs. Haines, Hutton and Horst.

Ordered, That the clerk inform the Senate accordingly.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 244 (Senate Bill No. 124), as follows:

An Act to further amend sections one two three ten eighteen and nineteen of the act approved the thirteenth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended pursuant to Amendment Number Five to the Constitution of the Commonwealth adopted November seventh one thousand nine hundred thirty-three eliminating the tax-paying qualification for voters

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended by section one of the act approved the twenty-ninth day of May one thousand eight hundred and ninety-one (Pamphlet Laws one hundred thirty-four) entitled "An act to amend sections one two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four changing the time and manner of making the registry of voters and the duties of registry assessors" is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that for the purpose of making the original annual [assessment and] registration of voters in each of the election districts in which personal registration of voters is not required under the laws of this Commonwealth it shall be the duty of each of the assessors who are required to perform any of the duties incident to the holding of elections and the registration of voters in [the different] such election districts of this Commonwealth to visit in person each and every dwelling house in his district on the first Monday in May [and on the first Monday in December] of each year or as soon thereafter as may be possible and practicable when all of said dwelling houses cannot be personally visited by him on the said first Monday of May [and on the first Monday in December] and to make a list in a book prepared for that purpose by the county commissioners of all the qualified

electors that he shall find upon careful and diligent inquiry to be bona fide residents of his district together with the date when such dwelling house was visited by the assessor entering them in such book in the order in which such dwelling houses are visited and the qualified electors in each dwelling house being grouped together and if in a city or town the names of the qualified electors shall be grouped together by streets alleys or courts and the persons so found to be legally qualified electors shall forthwith be registered [assessed] the assessor shall in all cases personally ascertain by careful and diligent inquiry of the voter or some known resident of the election district in which the voter claims the right to vote upon what ground each person so registered [assessed] claims to be a legally qualified voter The list thus prepared shall be designated and known as the "Original registry list" It shall be the duty of said assessor to enter in said "Original registry list" the names of the [male] citizens twenty-one years of age and upwards claiming to be qualified voters in the election district of which he is the assessor and opposite each of said names state whether said citizen is or is not a housekeeper and if he is the number of his residence in cities or towns where the same are numbered with ths street alley or court in which situated and if in a city or town where there are no numbers the name of the street alley or court on which said house fronts also the occupation of the person at the date of such registration [assessment] and where he is not a housekeeper the occupation place of boarding and with whom at the date of his registration [assessment] and if working for another the name of the employer and write opposite each of said names the word "voter" Where any person claims to vote by reason of naturalization he shall exhibit his certificate thereof to the assessor unless he has been for two consecutive years next preceding a voter in said district and in all cases where the person has been naturalized the name shall be marked with the letter "N" where the person has merely declared his intentions to become a citizen and designs to be naturalized before the next election he shall exhibit the certificate of his declaration of intention and the name shall be marked "D I" and where the person shall be entitled by existing laws to be naturalized without making a declaration of his intentions to be naturalized and intends to be naturalized at least one month before the next general election the name of such person shall be marked "I N" [where the claim is to vote by reason of being of the age of twenty-one years and under twenty-two as provided by law the word 'age' shall be entered and] if the person has moved into the election district to reside since the last general election the letter "R" shall be placed opposite the name

Section 2 That section two of the said act as amended by the act approved the twenty-second day of May one thousand nine hundred and thirty-three (Pamphlet Laws nine hundred eight) entitled "An act to amend section two of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled 'A further supplement to the act regulating elections in this Commonwealth' as amended eliminating one of the days required of registry assessors sitting at the polling places" is hereby further amended to read as follows

Section 2 It shall be the duty of the said assessor to forthwith make a copy of the said original list with the observations and explanations required to be noted as aforesaid to be made out as soon as practicable It shall be his duty on or prior to the fourth Monday of May [and on or prior to the second Monday of December] in each year to place a copy on the door of or on the house where the election of the respective district is required to be held and retain the original list in his possession for the inspection free of charge of any person resident in the said election district who shall desire to see the same and it shall be the duty of the said assessor to register [assess] from time to time on the personal application of any one claiming the right to vote the name of such claimant and mark opposite the name "C V" and immediately register [assess] him noting as in all other cases his occupation residence the date of his registration [assessment] whether a boarder or housekeeper if a boarder with whom he boards and whether naturalized or designing to be marking in all cases opposite the name the letter "N" "D" or "I N" as the case may be if the person claiming to be registered [assessed] be naturalized he shall exhibit to the assessor his certificate of naturalization and if he claims that he designs to be naturalized before the next ensuing election he shall exhibit the certificate of his declaration of intention if such previous declaration is required by the laws of the United States It shall be the duty of the said assessor to be present at the election house of the said election district during the day next preceding the day fixed by the third section of this act for returning the lists to the county commissioners from ten ante meridian to three post meridian and from six post meridian to nine post meridian for the purpose of hearing and acting upon application to be made under the provisions of this section or relating to names upon said list or that are sought to be placed thereon or struck therefrom and it shall be his duty to correct said original list by adding thereto upon personal application the names of persons entitled to vote not already thereon and by striking therefrom fictitious names or names of persons who may have died or removed from said district and in all cases it shall be the duty of the said assessor to enter in his book opposite the name of each voter the name or names of the person or persons together with the residence of the same who shall furnish information as to the residence and qualifications of each voter who has been registered [assessed] or as to the persons whose names shall be stricken from said original list and the said original list shall be open for inspection by any qualified elector of the county or ward in which the election district is situated as well as by the person claiming to be registered [and the] The court of common pleas of the proper county or any law judge thereof at chambers on the application of any qualified elector of the ward or county under oath which oath may be made at any time before the day of election shall call the assessor and the complainant before it or him by citation or rule to show cause and shall hear the parties and dispose of the subject in a summary manner as to law and justice shall belong and shall if need be order the assessor to correct the registry accordingly and the said court or judge may enforce such order by attachment as in proceedings for contempt [Provided That nothing contained in this amendment shall be construed as applying to cities of the first and second class but in such cities the said assessor shall be present at the election house of said election district during the two secular days next preceding the day fixed by the third section of this act and perform the duties herein specified]

Section 3 That section three of the said act as amended by the act approved this sixteenth day of May one thousand eight hundred and ninety-five (Pamphlet Laws seventy-five) entitled "An act to amend sections two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the twenty-ninth day of May one thousand eight hundred and ninety-one changing the time and manner of making the registry of voters and the duties of registry assessors" is hereby further amended to read as follows

Section 3 After the [assessments have] registration has been completed [on the sixty-second day before the third Tuesday of February and] on the sixty-second day before the Tuesday next following the first Monday of November in each year and on the sixty-second day before the spring primary in even-numbered years the assessor shall on the following day make a return to the county commissioners of the "Original Registry List" thus revised and completed and the county commissioners shall thereupon proceed to make out [a complete list] duplicate lists in alphabetical order of all persons so returned as registered [taxables] in said election district to be known as the "Ballot Check List" and "Voting Check List" respectively and furnish the same together with the necessary election blanks to the officers of the election in such election district on or before seven o'clock in the morning of the election and no [man] one shall be permitted to vote at the election on that day in districts in which personal registration of voters is not required whose name is not on said [list] lists unless he shall make proof of his right to vote as [hereinbefore] required by law "The Original Registry List" as returned to the county commissioners preceding the November election shall be returned by the county commissioners to the assessor before the [first Monday of December which shall be used by said assessor to make his original registry list for December as heretofore provided] sixty-second day before the spring primary in even-numbered years to be revised by him on the sixty-second day before the spring primary and returned as above provided

Section 4 That section ten of the said act as amended by the act approved the sixth day of May one thousand eight hundred and ninety-nine (Pamphlet Laws two hundred fifty-four) entitled "An act to amend the tenth section of an act entitled 'A further supplement to the act regulating elecions in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four" is hereby further amended to read as follows

Section 10 On the day of election in any election district in which personal registration is not required any person whose name shall not appear on the registry of voters and who claims the right to vote at said election shall produce at least one qualified voter of the district as a witness to the residence of the claimant in the district in which he claims to be a voter for the period of at least two months immediately preceding said election which witness shall be sworn or affirmed and subscribe a written or partly written and partly printed affidavit to the facts stated by him which affidavit shall define clearly where the residence is of the person so claiming to be a voter and the person so claiming the right to vote shall also take and subscribe a written or partly written and partly printed affidavit stating to the best of his knowledge and belief when and where he was born that he has been a citizen of the United States for one month and of the Commonwealth of Pennsylvania that he has resided in the Commonwealth one year or if formerly a qualified elector or a native born citizen thereof and has removed therefrom and returned that he hase resided therein six months next preceding said election that he has resided in the district in which he claims to be a voter for the period of at least two months immediately preceding said election that he has not moved into the district for the purpose of voting therein [that he has if twenty-two years of age or upwards paid a state or county tax within two years which was assessed at least two months and paid at least one month before the election] The [said affidavit shall also state when and where the tax claimed to be paid by the affiant was assessed and when and where and to whom paid and the tax receipt therefor shall be produced for examination unless the] affiant shall state in his affidavit [that it has been lost or destroyed or that he never received any and] if a naturalized citizen [shall also state] when where and by what court he was naturalized and shall also produce his certificate of naturalization for examination [But if the person so claiming the right to vote shall take and subscribe an affidavit that he is a native born citizen of the United States or if born elsewhere shall state the fact in his affidavit and shall produce evidence that he has been naturalized or that he is entitled to citizenship by reason of his father's naturalization and shall further state in his affidavit that he is at the time of making the affidavit of the age of twenty-one and under twenty-two years that he has been a citizen of the United States one month and has resided in the state one year or if a native born citizen of the state and removed therefrom and returned that he has resided there in six months next preceding said election and in the election district two months immediately preceding such election and he shall be entitled to vote although he shall not have paid taxes] The said affidavits of all persons making such claims and the affidavits of the witnesses to their residence shall be preserved by the election board and at the close of the election they shall be enclosed with the list of voters tally lists and other papers required by law to be filed by the return judge with the prothonotary and shall remain on file therewith in the prothonotary's office subject to examination as other election papers are If the election officers shall find that the applicant possesses all the legal qualifications of a voter he shall be permitted to vote and his name shall be added to the ballot check list [of taxables] and voting check list by the election officers the [word "tax"] words "nonregistered voter" being added [where the claimant claims to vote on tax and the word "age" where he claims to vote on age] the same words being added by the clerks in each case respectively on the lists of persons voting at such election Provided That in case any person is allowed to vote at an election who is not registered but makes an affidavit which by reason of the failure to fully observe the requirements of this section is insufficient in any contest growing out of said election it shall be lawful to correct any mistakes or supply any deficiencies in such affidavit so as to show that the said person was in fact a qualified voter but this shall not apply to non-registered voters who make no affidavit or one which makes no attempt to comply with the law

Section 5 That section fifteen of the said act is hereby amended to read as follows

Section 15 That at the municipal election to be held [on the third Tuesday of February next] in the year one thousand nine hundred and thirty-five and at the municipal election [annually] biennially thereafter there shall be elected in each election district in the state [as well in those wherein the registration of voters has heretofore been made by officers appointed and not chosen by the people to perform the duty as in all others] one person as judge and two inspectors in conformity with the general laws of the Commonwealth to conduct the elections for [one year] two years and also [an] at the municipal election to be held in the year one thousand nine hundred and thirty-seven and at the municipal election every four years thereafter there shall be elected in each election district in which personal registration of electors is not required except in townships boroughs and wards of boroughs composing but one election district and in which an assessor for valuation of taxable property is required by law to be elected a registry assessor who shall perform the duties incident to elections as required by the provisions of this act

Section 6 That section eighteen of the said act is hereby amended to read as follows

Section 18 The assessors shall each receive the same compensation for the time necessarily spent in performing the duties hereby enjoined as is provided by law to assessors making valuations to be paid by the county commissioners as in other cases [and it shall not be lawful for any assessor to assess a tax against any person whatever within sixty-one days next preceding the annual election in November any violation of this provision shall be a misdemeanor and subject the officer so offending to a fine on conviction not exceeding one hundred dollars or to imprisonment not exceeding three months or both at the discretion of the court]

Section 7 That section nineteen of the said act is hereby amended to read as follows

Section 19 Any assessor election officer or person appointed as an overseer who shall neglect or refuse to perform any duty enjoined by this act without reasonable or legal cause shall be subject to a penalty of one hundred dollars and if any assessor shall knowingly [assess] register any person as a voter who is not qualified or shall wilfully refuse to [assess] register any one who is qualified he shall be guilty of a misdemeanor in office and on conviction be punished by a fine not exceeding one thousand dollars or imprisonment not exceeding two years or both at the discretion of the court and also be subject to an action for damages by the party aggrieved and if any person shall fraudulently alter add to deface or destroy any list of voters made out as directed by this act or tear down or remove the same from the place where it has been fixed with fraudulent or mischievous intent or for any improper purpose the person so offending shall be guilty of a misdemeanor and on conviction shall be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding two two years or both at the discretion of the court and if any person shall by violence or intimidation drive or attempt to drive from the polls any person or persons appointed by the court to act as overseers of an election or in any way wilfully prevent said overseers from performing the duties enjoined upon them by this act such person shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding two years or both at the discretion of the court Any person who shall on the day of any election visit a polling place in any election district at which he is not entitled to vote and shall use any intimidation or violence for the purpose of preventing any officer of election from performing the duties required of him by law or for the purpose of preventing any qualified voter of such district exercising his right to vote or from exercising his right to challenge any person offering to vote such person shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding two years or both at the discretion of the court [Any clerk overseer or election officer who shall disclose how any elector shall have voted unless required to] [do so as a witness in a judicial proceeding shall be guilty of a misdemeanor and upon conviction thereof

shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding two years or both in the discretion of the court]

Section 8 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCREARY. Mr. Speaker and members of the House, I wish to voice a protest against the enactment of this bill. I have voted against the amendments, and now I am going to vote against this bill. I know that you will say that any amendment to the Constitution which was carried by a mandate of the people should become a law. I have heard that word "mandate" so many times in this session, and every time I heard it I wanted to ask someone in authority who knew what that word meant. How many people make a mandate, or how many people does it take to make a mandate. I have asked that question again and again and have had no answer to my question.

I know how many men it takes in this House to make a mandate, one more than a majority. If that were to be true in the State, then for the last five years the people of this State have never given anybody a mandate to do anything, for never in that time has there been a majority of one vote on any question, so that I feel that this statement that this is a mandate of the people of the State is a mistake, and therefore I have no reason to obey it. This bill changes a principle that has been in effect for one hundred and fifty years, or ever since the inauguration of government in this nation, and now you are going to scrap it. You know and I know that the reason for the greatness and the prosperity and the wonders of this nation is because of the earnest, hard-working intelligent people. They put this requirement in their early law. They organized a representative government and established this system of representative government "Of, by and for the people." The very first principle of democratic government is that of majority rule, and we find out that majority rule by the counted vote. They established a system of voting and they called you to the polls to do two things, to be counted automatically, and to express an opinion "yes" or "no" on the question at issue, and for that privilege they charged you a small fee, a county tax or a poll tax, or whatever you wanted to call it. You have paid it for the last one hundred and fifty years with no objection. It is so small that you don't take it into account. Why should you scrap that? Why don't you continue to pay this small fee for American citizenship? Every man in this House belongs to one or more clubs. You know that these clubs are sustained by the dues you pay, and if you don't pay your dues, your name is cancelled and you become a discredited club member. You don't have to stretch your imagination very far to see that you are a club member of American citizenship.

You have always had a small charge or dues, and you paid it. If you didn't pay it, you could not vote, and therefore you were a discredited citizen. Some were so small that you could easily sacrifice a few cigars or a gallon of gasoline to pay these dues, and there is no reason under Heaven why these dues should not be paid. We are all charter members of the grand club of American citizenship. You who are old enough to have gone to the country school remember that picture that hung on the wall of that group of American citizens dressed as Indians who went on board ship in Boston harbor and who launched that principle, "Taxation without representation is tyranny." You all know that that was the first articulate cry of the American Nation, and you know that this Nation has grown strong and sturdy because of this very principle. Now, do you want to change your slogan and say that we shall have representation without taxation. I say to you that that means bankruptcy, and I think it is a shame and a disgrace that the people of this State have voted to revoke that one hundred and fifty year old mandate, that a member in good standing of the club of American citizenship should pay his annual dues. Is it not worth that much to be a member of this club? I say "yes." Gentlemen, I am going to vote "no" and I hope you do the same thing.

Mr. McCLURE. Mr. Speaker and members of the House, I don't think it is necessary to speak for this bill. I think a casual reading of the bill is all that is necessary to answer the question raised by the gentleman from Erie County. On November 7th of this year the electors of this Commonwealth decided on a Constitutional Amendment eliminating the tax paying qualifications for voting. The purpose of this act is to amend the Act of 1874, in order to clear up the election laws which are printed in the different pamphlets handed out to the Judges of Elections and the Election Boards. We are not doing anything more in this Act than to clarify the election laws of Pennsylvania pursuant to the mandate of the people of this Commonwealth when they voted to amend the Constitution on November 7th of this year, eliminating the payment of taxes as a qualification for voters.

I ask you members to support this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167

Andrews,	Harris,	Meredith,	Shortz,
Baker,	Hart,	Merrell,	Shreiner,
Baldi,	Hartman,	Mohn,	Shugarts,
Barnhardt,	Heffernan,	Moore,	Simon,
Bechtel,	Hefferon,	Mumford,	Sinwell,
Beech,	Heffner,	Munley,	Snyder,
Bennett,	Hermansen,	Murphy,	Sowers,
Bernhard,	Hester,	Myers,	Spann,
Blumberg,	Hewitt,	Negley,	Steedle,
Boyd,	Himes, H. E.,	O'Connor,	Sterling, P.,
Brancato,	Himes, L. R.,	O'Keefe,	Sterling, R. B.,
Brown, J. E.,	Hoffman,	O'Neill,	Stevens,
Brown, W. L.,	Holmes, J. B.,	O'Rourke,	Stevenson,
Brownfield,	Hough,	Patterson,	Stiteler,
Cannon,	Howard,	Peelor,	Stone,
Caputo,	Jaffe,	Pennock,	Stott,
Carey,	Kane, J. J.,	Perry, D. R.,	Terry,
Carson,	Kane, L. P.,	Perry, J. J.,	Turner,
Cohen,	King,	Peters,	Wade,
Conner,	Kinney,	Powell,	Wagner,
Cordier,	Labar,	Powers,	Walker, G. E.,
Craig,	Laubach,	Price,	Walker, W. A.,
Davies,	Lenahan,	Raub,	Wall,
Downey, G. E.,	Lewis,	Rectenwald,	Wasserman,
Downey, J. J.,	Long,	Reed,	Way,
Dunmire,	Lord,	Reilly,	Weidemann,
Ederer,	Lose,	Roan,	Welsh,
Emhardt,	Lovett, J. E.,	Root,	Westrick,
Eroe,	Lovett, W. S.,	Roth,	White,
Evans,	Male,	Royle,	Wike,
Fitzgerald,	Maloney,	Ruby,	Williams, G. W.
Flinchbaugh,	Marcks,	Ruth,	Williams, J. J.,
Flynn, J. W.,	Mason,	Sarig,	Wilson, L. M.,
Furman,	McBride,	Sautter,	Wilson, T. B.,
Gallagher, T. J.,	McCandless,	Schrock,	Witkin,
Gallagher, W. J.,	McClure,	Schrope,	Wood,
Gartner,	McElwee,	Schwab,	Woodside,
Gorman,	McGinnis,	Schwartz,	Wright,
Green,	McGrail,	Scorza,	Yeakel,
Griffith,	McGregor,	Sheffer,	Yourishin,

Habbyshaw,	McHenry,	Shellenberger,	Zimmerman,
Hamilton,	McKay,	Shenkel,	Talbot,
Harmuth,	McKinney,	Shettel,	Speaker.

NAYS—2

Dane,	Flanagan,	Lynch, M.,	McCreary,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 254, (Senate Bill No. 47), entitled:

A Joint Resolution approving the proposing amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175

Andrews,	Gallagher, W. J.,	McGregor,	Shortz,
Baker,	Gartner,	McKay,	Shreiner,
Baldi,	Gillette,	McKinney,	Shugarts,
Barnhardt,	Gorman,	Melchiorre,	Simon,
Bechtel,	Griffith,	Meredith,	Sinwell,
Beech,	Habbyshaw,	Mumford,	Snyder,
Bennett,	Hamilton,	Munley,	Sowers,
Bernhard,	Harmuth,	Murphy,	Spann,
Blumberg,	Harris,	Myers,	Stank,
Boyd,	Hartman,	Negley,	Steedle,
Brancato,	Heffernan,	Nothnagle,	Sterling, P.,
Brennan,	Hefferon,	O'Connor,	Sterling, R. B.,
Brown, J. E.,	Heffner,	O'Keefe,	Stevens,
Brown, W. L.,	Hermansen,	O'Neill,	Stiteler,
Brownfield,	Hester,	O'Rourke,	Stone,
Cannon,	Hewitt,	Patterson,	Stott,
Caputo,	Himes, H. E.,	Peelor,	Tahl,
Carey,	Himes, L. R.,	Pennock,	Terry,
Carson,	Hoffman,	Perry, D. R.,	Turner,
Chervenak,	Holmes, J. B.,	Perry, J. J.,	Wade,
Cohen,	Holmes, J. L.,	Peters,	Wagner,
Conner,	Hoopes,	Powell,	Walker, G. E.,
Cooke,	Hough,	Powers,	Walker, W. A.,
Cordier,	Howard,	Quinn,	Wall,
Craig,	Jaffe,	Raub,	Wasserman,
Cramer,	Jones,	Rectenwald,	Way,
Davies,	Kane, J. J.,	Reed,	Weidemann,
DeFrehn,	Kane, L. P.,	Reilly,	Welsh,
Denning,	King,	Rhodes,	Westrick,
Downey, G. E.,	Kinney,	Roan,	White,
Downey, J. J.,	Laubach,	Root,	Wike,
Duffy,	Lenahan,	Roth,	Williams, G. W.,
Dunmire,	Lord,	Royle,	Williams, J. J.,
Ederer,	Lose,	Ruby,	Wilson, L. M.,
Emhardt,	Lovett, J. E.,	Ruth,	Wilson, T. B.,
Eroe,	Lovett, W. S.,	Sarig,	Witkin,
Evans,	Lynch, J. R.,	Sautter,	Wood,
Fitzgerald,	Maloney,	Schrope,	Woodside,
Flanagan,	Marcks,	Schwab,	Wright,
Fleisher,	Mason,	Schwartz,	Yeakel,
Flinchbaugh,	McCandless,	Sheffer,	Yourishin,
Flynn, J. W.,	McClure,	Shellenberger,	Zimmerman,
Forrest,	McElwee,	Shenkel,	Talbot,
Furman,	McGinnis,	Shettel,	Speaker.
Gallagher, T. J.,	McGrail,		

NAYS—6

Green,	McCreary,	Price,	Scorza,
Long,	Moore,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

REASONS FOR VOTE

Mr. MOORE. Mr. Speaker, I vote "no" and file the following reasons:

My reason for voting against the Senate Bill No. 47 known as so called Child Labor Amendment:

If Congress should decide to adopt the maximum 18 year age limit of the amendment for all kinds of employment, it would inflict a totally unjustified hardship on thousands of families in my district who have children employed between 16 and 18 years of age who are the only support of their families. If the age was 16 years I would be glad to support this Child Labor Amendment and would vote for its adoption.

MEMBER REPORTED PRESENT

The SPEAKER. The Chair is glad to welcome the return of the gentleman from Lycoming, Mr. Lose, and trusts he is in better health. The records will be changed to note his presence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 263, (Senate Bill No. 126), entitled

An Act to amend sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations, associations and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan asociations, providing for the payment of the expenses of the Department of Banking by supervised corporations, associations or persons and appropriating the Banking Department Fund, authorizing the Department of Banking under certain circumstances to examine corporations, associations or persons affiliated or having business transactions with supervised corporations, associations or persons, authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions and officers, authorizing certain local public officers and State departments to collect fees for services rendered under this act, providing penalties, and repealing certain acts and parts of acts" by further limiting the exemption of certain private bankers and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Hamilton,	McGrail,	Shenkel,
Baker,	Harmuth,	McGregor,	Shettel,
Baldi,	Harris,	McHenry,	Shortz,
Bechtel,	Hart,	McKay,	Shreiner,
Beech,	Hartman,	McKinney,	Shugarts,
Bernhard,	Heffernan,	Melchiorre,	Simon,

Blumberg,	Hefferon,	Meredith,	Sinwell,
Boyd,	Heffner,	Merrell,	Snyder,
Brancato,	Hermansen,	Mohn,	Sowers,
Brennan,	Hester,	Moore,	Spann,
Brown, J. E.,	Hewitt,	Mumford,	Stank,
Brown, W. L.,	Himes, H. E.,	Munley,	Steedle,
Brownfield,	Himes, L. R.,	Murphy,	Sterling, P.,
Cannon,	Hoffman,	Myers,	Sterling, R. B.,
Caputo,	Holmes, J. B.,	Negley,	Stevens,
Carey,	Holmes, J. L.,	Nothnagle,	Stevenson,
Carson,	Hoopes,	O'Connor,	Stiteler,
Chervenak,	Horst,	O'Keefe,	Stone,
Cohen,	Hough,	O'Neill,	Stott,
Conner,	Jaffe,	O'Rourke,	Tahl,
Cooke,	Jones,	Patterson,	Terry,
Cordier,	Kane, J. J.,	Peelor,	Turner,
Cramer,	Kane, L. P.,	Pennock,	Wade,
Dane,	King,	Perry, D. R.,	Wagner,
DeFrehn,	Kinney,	Perry, J. J.,	Walker, G. E.,
Downey, G. E.,	Labar,	Peters,	Walker, W. A.,
Downey, J. L.,	Lane,	Powell,	Wall,
Duffy,	Laubach,	Powers,	Wasserman,
Dunmire,	Lenahan,	Price,	Way,
Ederer,	Lewis,	Quinn,	Weidemann,
Emhardt,	Long,	Raub,	Welsh,
Eroe,	Lord,	Rectenwald,	Westrick,
Evans,	Lose,	Reed,	White,
Fitzgerald,	Lovett, J. E.,	Reilly,	Wike,
Flanagan,	Lovett, W. S.,	Roan,	Williams, G. W.,
Flinchbaugh,	Lynch, J. R.,	Roth,	Williams, J. J.
Flynn, J. M.,	Lynch, M.,	Royle,	Wilson, L. M.,
Flynn, J. W.,	Male,	Ruby,	Wilson, T. B.,
Forrest,	Malina,	Ruth,	Witkin,
Gallagher, T. J.,	Maloney,	Sarig,	Wood,
Gallagher, W. J.	Marcks,	Sautter,	Woodside,
Gartner,	Mason,	Schrock,	Wright,
Gillette,	McBride,	Schrope,	Yeakel,
Gorman,	McCandless,	Schwab,	Yourishin,
Green,	McClure,	Schwartz,	Zimmerman,
Greenstein,	McCreary,	Scorza,	Talbot,
Griffith,	McElwee,	Sheffer,	Speaker.
Habbyshaw,	McGinnis,	Shellenberger,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk return the same to the Senate with information that the House has passed it without amendment.

BILL SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 53.

An Act providing for the creation of public "Authorities" in communities of the second class authorizing such "Authorities" to enter into agreements with the Government of the United State particularly as they relate to the National Industrial Recovery Act and any amendment and supplements thereto the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others defining and providing for the organization and dissolution of such "Authorities" conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions upon which such "Authorities" may exercise their powers endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds authorizing such "Authorities" to make and receive appropriations repealing certain acts and parts of acts inconsistent herewith and for other purposes

SENATE BILL No. 89.

An Act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects providing for the payment of damages by counties and political subdivisions as a result of relocating widening or constructing said highways or bridges and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 251 (Senate Bill No. 75), entitled:

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of the liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Greenstein,	McElwee,	Shellenberger,
Baker,	Griffith,	McGinnis,	Shenkel,
Baldi,	Habbyshaw,	McGregor,	Shettel,
Barnhardt,	Hamilton,	McHenry,	Shortz,
Bechtel,	Harmuth,	McKay,	Shreiner,
Beech,	Harris,	McKinney,	Shugarts,
Bernhard,	Hart,	Melchiorre,	Simon,
Blumberg,	Hartman,	Meredith,	Sinwell,
Boyd,	Heffernan,	Merrell,	Snyder,
Brancato,	Hefferon,	Mohn,	Sowers,
Brennan,	Heffner,	Moore,	Spann,
Brown, J. E.,	Hermansen,	Mumford,	Stank,
Brown, W. L.,	Hester,	Munley,	Steedle,
Brownfield,	Hewitt,	Murphy,	Sterling, P.,
Cannon,	Himes, H. E.,	Myers,	Sterling, R. B.,
Caputo,	Himes, L. R.,	Negley,	Stevens,
Carey,	Hoffman,	Nothnagle,	Stevenson,
Carson,	Holmes, J. B.,	O'Connor,	Stiteler,
Chervenak,	Holmes, J. L.,	O'Keefe,	Stone,
Cohen,	Hoopes,	O'Neill,	Stott,
Conner,	Horst,	O'Rourke,	Tahl,
Cooke,	Hough,	Patterson,	Terry,
Cordier,	Howard,	Peelor,	Turner,
Craig,	Jaffe,	Pennock,	Wade,
Cramer,	Jones,	Perry, D. R.,	Wagner,
Dane,	Kane, J. L.,	Perry, J. J.,	Walker, G. E.,
Davies,	Kane, L. P.,	Peters,	Walker, W. A.,
DeFrehn,	King,	Powell,	Wall,
Downey, G. E.,	Kinney,	Powers,	Wasserman,
Downey, J. J.,	Labar,	Price,	Way,
Duffy,	Lane,	Quinn,	Weidemann,
Dunmire,	Laubach,	Raub,	Welsh,
Ederer,	Lewis,	Rectenwald,	Westrick,
Emhardt,	Long,	Reed,	White,
Eroe,	Lord,	Reilly,	Wike,
Evans,	Lose,	Rhodes,	Williams, G. W.,
Fitzgerald,	Lovett, J. E.,	Roan,	Williams, J. J.,
Flanagan,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Flynn, J. M.,	Lynch, M.,	Ruby,	Witkin,
Flynn, J. W.,	Male,	Ruth,	Wood,
Forrest,	Malina,	Sarig,	Woodside,
Furman,	Maloney,	Sautter,	Wright,
Gallagher, T. J.,	Marcks,	Schrock,	Yeakel,
Gallagher, W. J.,	Mason,	Schrope,	Yourishin,
Gartner,	McBride,	Schwab,	Zimmerman,
Gillette,	McCandless,	Schwartz,	Talbot,
Gorman,	McClure,	Scorza,	Speaker.
Green,	McCreary,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 249 (Senate Bill No. 73), entitled:

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Griffith,	McCreary,	Scott,
Baker,	Habbyshaw,	McElwee,	Sheffer,
Baldi,	Hamilton,	McGinnis,	Shellenberger,
Barnhardt,	Harmuth,	McGrail,	Shenkel,
Bechtel,	Harris,	McGregor,	Shettel,
Beech,	Hart,	McHenry,	Shortz,
Bennett,	Hartman,	McKay,	Shreiner,
Bernhard,	Heffernan,	McKinney,	Shugarts,
Blumberg,	Hefferon,	Melchiorre,	Simon,
Boyd,	Heffner,	Meredith,	Sinwell,
Brancato,	Hermansen,	Merrell,	Snyder,
Brennan,	Hester,	Mohn,	Sowers,
Brown, J. E.,	Hewitt,	Moore,	Spann,
Brown, W. L.,	Himes, H. E.,	Mumford,	Stank,
Cannon,	Himes, L. R.,	Munley,	Steedle,
Caputo,	Hoffman,	Murphy,	Sterling, P.,
Carey,	Holmes, J. B.,	Myers,	Sterling, R. B.,
Carson,	Holmes, J. L.,	Negley,	Stevens,
Chervenak,	Hoopes,	Nothnagle,	Stevenson,
Conner,	Horst,	O'Connor,	Stiteler,
Cooke,	Hough,	O'Keefe,	Stone,
Cordier,	Howard,	O'Neill,	Stott,
Craig,	Jaffe,	O'Rourke,	Tahl,
Cramer,	Jones,	Patterson,	Terry,
DeFrehn,	Kane, J. J.,	Peelor,	Turner,
Downey, G. E.,	Kane, L. P.,	Pennock,	Wade,
Downey, J. J.,	King,	Perry, D. R.,	Wagner,
Duffy,	Kinney,	Perry, J. J.,	Walker, G. E.,
Dunmire,	Labar,	Peters,	Walker, W. A.,
Ederer,	Lane,	Powell,	Wall,
Emhardt,	Laubach,	Powers,	Wasserman,
Eroe,	Lenahan,	Price,	Way,
Evans,	Lewis,	Raub,	Welsh,
Fitzgerald,	Long,	Rectenwald,	Westrick,
Flanagan,	Lord,	Rhodes,	White,
Fleisher,	Lose,	Roan,	Wike,
Flinchbaugh,	Lovett, J. E.,	Root,	Williams, G. W.,
Flynn, J. M.,	Lovett, W. S.,	Roth,	Williams, J. J.,
Flynn, J. W.,	Lynch, J. R.,	Royle,	Wilson, L. M.,
Forrest,	Lynch, M.,	Ruby,	Wilson, T. B.,
Furman,	Male,	Ruth,	Witkin,
Gallagher, T. J.,	Malina,	Sarig,	Wood,
Gallagher, W. J.,	Maloney,	Sautter,	Woodside,
Gartner,	Marcks,	Schrock,	Wright,
Gillette,	Mason,	Schrope,	Yeakel,
Gorman,	McBride,	Schwab,	Yourishin,
Green,	McCandless,	Schwartz,	Zimmerman,
Greenstein,	McClure,	Scorza,	Talbot,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 252 (Senate Bill No. 77), entitled:

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Andrews,	Green,	McGinnis,	Sheffer,
Baker,	Griffith,	McGrail,	Shellenberger,
Baldi,	Habbyshaw,	McGregor,	Shenkel,
Barnhardt,	Hamilton,	McHenry,	Shettel,
Bechtel,	Harmuth,	McKay,	Shortz,
Beech,	Harris,	McKinney,	Shreiner,
Bennett,	Hart,	Melchiorre,	Shugarts,
Bernhard,	Hartman,	Meredith,	Simon,
Blumberg,	Heffernan,	Merrell,	Sinwell,
Boyd,	Hefferon,	Mohn,	Snyder,
Brancato,	Heffner,	Moore,	Sowers,
Brennan,	Hermansen,	Mumford,	Spann,
Brown, J. E.,	Hester,	Munley,	Stank,
Brown, W. L.,	Hewitt,	Murphy,	Steedle,
Brownfield,	Himes, H. E.,	Myers,	Sterling, P.,
Cannon,	Himes, L. R.,	Negley,	Sterling, R. B.,
Caputo,	Hoffman,	Nothnagle,	Stevens,
Carey,	Holmes, J. B.,	O'Connor,	Stevenson,
Carson,	Holmes, J. L.,	O'Keefe,	Stiteler,
Chervanek,	Hoopes,	O'Neill,	Stone,
Cohen,	Horst,	O'Rourke,	Stott,
Conner,	Hough,	Patterson,	Tahl,
Cooke,	Howard,	Peelor,	Terry,
Cordier,	Jaffe,	Pennock,	Turner,
Craig,	Kane, J. J.,	Perry, D. R.,	Wade,
Cramer,	Kane, L. P.,	Perry, J. J.,	Wagner,
Dane,	King,	Peters,	Walker, G. E.,
DeFrehn,	Kinney,	Powell,	Walker, W. A.,
Downey, G. E.,	Labar,	Powers,	Wall,
Downey, J. J.,	Lane,	Price,	Wasserman,
Duffy,	Laubach,	Quinn,	Way,
Dunmire,	Lenahan,	Raub,	Weidemann,
Ederer,	Lewis,	Rectenwald,	Welsh,
Emhardt,	Long,	Reed,	Westrick,
Eroe,	Lord,	Reilly,	White,
Evans,	Lose,	Rhodes,	Wike,
Fitzgerald,	Lovett, J. E.,	Roan,	Williams, G. W.,
Flanagan,	Lovett, W. S.,	Roth,	Williams, J. J.,
Fleisher,	Lynch, J. R.,	Royle,	Wilson, L. M.,
Flinchbaugh,	Male,	Ruby,	Wilson, T. B.,
Flynn, J. M.,	Malina,	Ruth,	Witkin,
Flynn, J. W.,	Maloney,	Sarig,	Wood,
Forrest,	Marcks,	Sautter,	Woodside,
Furman,	Mason,	Schrock,	Wright,
Gartner,	McBride,	Schrope,	Yeakel,
Gallagher, T. J.,	McCandless,	Schwab,	Yourishin,
Gallagher, W. J.,	McClure,	Schwartz,	Zimmerman,
Gillette,	McCreary,	Scorza,	Talbot,
Gorman,	McElwee,	Scott,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 256, (Senate Bill No. 118), as follows:

An Act to protect the owners of mortgaged property during the present emergency by limiting the amount of deficiency judgments during a certain period

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any real property is sold on any execution on the foreclosure of any mortgage or on a judgment entered on any obligations secured by mortgage and the sum for which such property was sold is not sufficient to satisfy the debt interest and costs the plaintiff or use plaintiff shall within six months after such sale petition the court out of which such writ of execution issued to fix the fair value of the property sold At least ten days' notice of the presentation of such petition shall be given to the defendant or defendants and to all parties whose interest appears on the record Such petition shall be heard by a judge of such court sitting without a jury or may by rule adopted by such court be referred to a master for hearing and determination subject to confirmation by the court Provided That the fee of any such master shall in no case exceed one hundred dollars nor the costs of any proceedings before a master the sum of fifty dollars

At all such hearings any party in interest may introduce in evidence testimony of the fair value of the premises sold at the time of the sale In the event that the fair value so determined is greater than the price for which the property was sold the amount of such fair value shall be deducted from the amount of the judgment interest and costs and a deficiency judgment entered for the balance

If the plaintiff or use plaintiff shall fail to present such petition within six months after such sale the prothonotary shall upon application of the defendant or other party in interest enter satisfaction of such judgment Such satisfaction shall have the effect of terminating as well the liability of all persons bound by any obligation securing the payment of such mortgage debt

The defendant in the foreclosure proceedings or judgment or the real owner of the property sold or any other person or persons bound by any obligation securing the payment of the said mortgage debt or other person in interest may at any time after the sale petition the court in like manner to fix the fair value of the property sold and shall give to the plaintiff and use plaintiff at least ten days' notice of the presentation of such petition whereupon the court shall determine the fair value in the same manner as hereinbefore provided in the case of a petition by the plaintiff or use plaintiff

In either case whether the petition is presented by the plaintiff or use plaintiff or by the defendant or other party in interest any party may during the period of notice required by this act demand a jury trial whereupon the fair value of the property shall be determined and fixed by a jury trial as in other cases.

Section 2 All acts and parts of acts inconsistent herewith are hereby suspended during the period this act shall remain in effect

Section 3 The provisions of this act shall become effective immediately upon its final enactment and shall remain in force only until the first day of July one thousand nine hundred and thirty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—195

Andrews,	Gorman,	McCreary,	Scorza,
Baker,	Green,	McElwee,	Sheffer,
Ball,	Griffith,	McGinnis,	Shellenberger,
Barnhardt,	Habbyshaw,	McGrail,	Shettel,
Bechtel,	Hamilton,	McGregor,	Shortz,
Beech,	Harmuth,	McHenry,	Shreiner,
Bennett,	Harris,	McKay,	Shugarts,
Bernhard,	Hart,	McKinney,	Simon,
Blumberg,	Hartman,	Melchiorre,	Sinwell,
Boyd,	Heffernan,	Meredith,	Sowers,
Brancato,	Hefferon,	Merrell,	Spann,
Brennan,	Heffner,	Mohn,	Snyder,
Brown, J. E.,	Hermausen,	Moore,	Stank,
Brown, W. L	Hester,	Mumford,	Steedle,
Brownfield,	Hewitt,	Munley,	Sterling, P.,
Cannon,	Himes, H. E.,	Murphy,	Sterling, R. B.,
Caputo,	Himes, L. R.,	Myers,	Stevens,
Carey,	Hoffman,	Negley,	Stevenson,
Carson,	Holmes, J. B.,	Nothnagle,	Stiteler,
Chervena	Holmes, J. L.,	O'Connor,	Stone,
Cohen,	Hoopes,	O'Keefe,	Stott,
Conner,	Horst,	O'Neill,	Tahl,
Cooke,	Hough,	O'Rourke,	Terry,
Cordier,	Howard,	Patterson,	Trout,
Craig,	Jaffe,	Peelor,	Turner,
Cramer,	Jones,	Pennock,	Wade,
Dane,	Kane, J. J.,	Perry, D. R.,	Wagner,
Davies,	Kane, L. P.,	Perry, J. J.,	Walker, G. E.,
DeFrehn,	King,	Peters,	Walker, W. A.,
Downey G. E.,	Kinney,	Powell,	Wall,
Downey, J. J.,	Labar,	Powers,	Wasserman,
Duffy,	Lane,	Price,	Way,
Dunmire,	Laubach,	Quinn,	Weidemann,
Ederer,	Lenahan,	Raub,	Welsh,
Emhardt,	Lewis,	Rectenwald,	Westrick,
Eroe,	Long,	Reed,	White,
Evans,	Lord,	Reilly,	Wike,
Fitzgerald,	Lose,	Rhodes,	Williams, G. W.,
Flanagan,	Lovett, J. E.,	Roan,	Williams, J. J.,
Fleisher,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Flynn, J. M.,	Lynch, M.,	Ruby,	Witkin,
Flynn, J. W.,	Male,	Ruth,	Wood,
Forrest,	Maloney,	Sarig,	Wright,
Furman,	Marcks,	Sautter,	Yeakel,
Gallagher, T. J.,	Mason,	Schrock,	Yourishin,
Gallagher, W. J.,	McBride,	Schrope,	Zimmerman,
Gartner,	McCandless,	Schwab,	Talbot,
Gillette,	McClure,	Schwartz,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 262, (Senate Bill No. 125), as follows:

An Act to amend the act approved the fifteenth day of May One Thousand Nine Hundred and Thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferrring powers and imposing duties upon the courts procommissions and officers imposing penalties and repealing thonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations upon the acts of corporations and persons authorized to engage in a banking or a fiduciary business or both and of affiliates of such corporations or persons and of officers directors trustees and employes of such corporations and persons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Sections 2 409 513 808 906 908 1001 1003 1017 1202

1208 and 1506 of the Act approved the fifteenth day of May One Thousand Nine Hundred and Thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts are hereby amended to read as follows.

Section 2 Definintions A The following terms shall be construed in this act to have the following meaning except in those instances where the context clearly indicates otherwise

"Affiliated corporations or persons" means such an affiliate corporation or person as is defined by any Federal law or any regulation issued by any Federal authority pursuant to law to be a corporation or person affiliated with a national banking association or a member of a Federal Reserve Bank or as a holding company affiliate

"Articles" include the original articles of incorporation any or all amendments thereto articles of merger consolidation or conversion and also what have heretofore been designated by law as certificates of incorporation or charters

"Assets" includes all the property and rights of every kind of an institution as herein defined

"Attorney" includes any attorney at law who receives a general retainer as solicitor or as counsel for an institution

"Authorized capital" means the sum of the par value of the shares authorized to be issued in the articles of incorporation or in any amendment thereto

"Bank" includes any bank which does not have the power to act as trustee guardian executor administrator or in other fiduciary capacities incorporated under this act or under the act approved the thirteenth day of May One Thousand Eight Hundred and Seventy-six (Pamphlet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" its amendments and supplements or under any special act of the General Assembly of this Commonwealth

"Bank and Trust Company" includes any bank and trust company incorporated under this act or any bank incorporated under the act approved the thirteenth day of May One Thousand Eight Hundred and Seventy-six (Pamplet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" its amendments and supplements which has acquired the power to act as fiduciary under the act approved the seventeenth day of July One Thousand Nine Hundred and Nineteen (Pamphlet Laws one thousand thirty-two) entitled "An act authorizing banking companies incorporated and organized under the laws of the Commonwealth and having capital stock at least equal to the capital stock which trust companies are required by law to have to act in any fiduciary capacity in which trust companies organized under the laws of the Commonwealth are empowered to act and prescribing the method of acquiring such rights" or any corporation organized "for insurance of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and incumbrances" under the act approved the twenty-ninth day of April One Thousand Eight Hundred and Seventy-four (Pamphlet Laws seventy-three) its amendments and supplements and which has acquired the power to engage in the business of banking and to act as fiduciary under the supplement to that act approved the ninth day of May One Thousand Eight Hundred and Eighty-nine (Pamphlet Laws one hundred fifty-nine) or a corporation organized under any special act of the General Assembly of this Commonwealth which has the power to engage in a banking business and to act as fiduciary

"Banking" means discounting and negotiating promissory notes drafts bills of exchange and other evidences of debt receiving money and commercial paper on deposit or for transmission lending money on real or personal security buying and selling gold and silver bullion foreign exchange coin or bills of exchange

"Capital" means the sum of the par value of the common shares issued and outstanding

"Corporation" means a corporation or a joint stock association organized under the laws of this Commonwealth of the United States or of any other state territory foreign country or dependency

"Department" means the Department of Banking of this Commonwealth

"Director" includes any individual who is a member of a board of directors board of managers or board of trustees of a bank bank and trust company or trust company

"Incorporator" means a signer of the original articles of incorporation

"Incorporated Institution" includes any bank bank and trust company savings bank or trust company

"Institution" includes any bank bank and trust company savings bank trust company or private bank

"Net Worth" means the total of all the assets of every kind employed in the business of a private bank less the total of all the liabilities of every kind of such business

"Person" means an individual or an unincorporated association including a partnership a limited partnership or any other form of incorporated enterprise owned by two or more individuals

"Private Bank" means a banking business other than those specifically exempted by this act owned and operated in this Commonwealth by an individual a partnership or any other unincorporated association but this shall not include clubs and hotels which receive money from members and guests for temporary safe-keeping express steamship or telegraph companies which receive money for transmission attorneys at law real estate agents fiscal agents and attorneys in fact who are not engaged in the business of receiving moneys in this Commonwealth for deposit or for transmission but receive and transmit moneys only as an incident to their general business or profession and brokers licensed under the laws of this Commonwealth holding membership in a lawfully constituted brokerage exchange who do and have authority to do only such banking as is incident to their brokerage business.

"Private Banker" means an individual who by himself or as a member of a partnership or other unincorporated association owns or operates a private bank

"Recognized Stock Exchange" means the stock exchange of any city having a population of more than five hundred thousand according to the latest official census

"Saving Bank" includes any savings bank incorporated under this act or under the act approved the twentieth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred forty-six) entitled "An act to provide for the incorporation and regulation of savings banks and institutions without capital stock established for the encouragement of saving money" or under any special act of the General Assembly of this Commonwealth

"Shares" means the units into which the shareholders' right to participate in the control of an incorporated institution in its undivided profits or in the distribution of its assets are divided

"Shareholder" means a registered owner of shares in an incorporated institution

"Share Certificate" means a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the corporation or person therein named is the registered owner of the shares therein described It also includes the term "certificate of stock" as used in existing laws

"Trust Company" includes any trust company incorporated under this act or any corporation organized for insurance of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and encumbrances under the act approved the twenty-ninth day of April One Thousand Eight Hundred and Seventy-four (Pamphlet Laws seventy-three) its amendments and supplements and which has acquired the power to engage in the business of banking and acting as a fiduciary under the supplement to the act approved the ninth day of May One Thousand Eight Hundred and Eighty-nine (Pamphlet Laws one hundred fifty-nine) or any other bank and trust company which renounces or has renounced its power to transact a banking business or a corporation organized under any special act of the General

Assembly of this Commonwealth which has the power to engage in the banking business and act as a fiduciary but which renounces or has renounced its power to transact a banking business.

"Trustee" includes any individual who is a member of the board of managers or board of trustees of a savings bank

"Written" includes printed typewritten engraved lithographed photographed photostated or telephotographed

B The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 409 Issuance of Fractional Shares or Scrip A bank a bank and trust company or a trust company may in paying a dividend or in pursuance of a plan of merger [or] consolidation or reorganization issue a certificate for a fractional share and by action of its board of directors may issue in lieu thereof scrip or other evidence of ownership which shall entitle the holder to receive a certificate for a full share upon the surrender of such scrip or other evidence of ownership aggregating a full share but for which shall not entitle the holder to exercise any voting right or to receive any dividend However any such holder shall be entitled to participate proportionately in any of the assets of the bank bank and trust company or trust company in the event of liquidation The board of directors may cause such scrip or evidence of ownership to be issued subject to the condition that it shall become void if not exchanged for share certificates before a specified date or subject to the condition that the shares for which such scrip or evidence of ownership is exchangeable may be sold by the bank the bank and trust company or the trust company and the proceeds thereof distributed to the holders of such scrip or other evidence of ownership or subject to any other conditions not prohibited by this act which the board of directors may deem advisable

Section 513 Bonds of Officers and Employees A The officers and employees of every institution as well as any director or trustee of an incorporated institution who is authorized to receive payments of moneys or to handle negotiable securities on behalf of such incorporated institution shall before entering upon the performance of their duties furnish to it bonds in such amount as is specified with such surety as is approved in the case of an incorporated institution by the directors or trustees and in the case of a private bank by the private banker or bankers Such bond shall be conditioned upon the faithful performance of the duties of such officers directors trustees or employees The cost of such bonds may be paid by the institution

B The Departments shall have the power to require any such officer director trustee or employee at any time during his term of office or employment to furnish a bond in an amount greater than that required by the board of directors or trustees of the incorporated institution or by the private banker or bankers as the case may be or it may require new or additional surety

Section 808 Approval of Articles of Amendment by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles of amendment from the Department of State conduct such examination as it may deem necessary to ascertain from the best sources of Information at its command whether such amendment or amendments will be lawful not injurious to the community and in accordance with the purposes of the articles of incorporation The costs of such examination and any other charges of the Department of Banking bearing upon the filing of articles of amendment shall be assessed upon the incorporated institution in the manner provided by law or assessments by the Department of Banking of costs of examinations or other charges

B Within thirty days after the receipt of the articles of amendment from the Department of State the Department of Banking shall upon bases of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action It if shall approve the articles of amendment it shall endorse its approval thereon and shall return them to the Department of State If the purpose of the amendment is to establish a branch bank branch office agency sub-office sub-agency or branch place of business and if the Department of Banking shall approve such amendment any person aggrieved by the action of the Department of Banking in approving the articles of amendment may appeal to the court of common pleas of the county in which it is proposed to establish such branch bank branch office agency sub-office sub-agency or branch place of business The court shall hear such appeal promptly and shall decide the matter upon its merits The court shall send to the Department of Banking a certified copy of its order

C If the Department of Banking disapproves the articles of amendment it shall return them to the Department of State stating in detail its reasons for doing so The Deparment of State shall immediately give notice to the incorporated institution of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The decision of the Department of Banking in disapproving any articles of amendment shall be conclusive and not subject to any review

Section 906 Deposits with Other Corporations or Persons Authorize to Receive Deposits Reserve Agents A Except as otherwise specifically provided in this act any institution may deposit any of its funds in any other institution national banking association or any corporation or person [doing business in another state] authorized by [the laws of such other state] law to receive deposits and subject to the supervision of the banking authorities of [such other state] the United States or the State in which such corporation or person transacts business but an incorporated institution shall not deposit any of its funds in such other institution national banking association or corporation or person unless it has been designated as a depository by a majority of all the members of the board of directors or of the board of trustees as the case may be of the depositing incorporated institution

B An institution shall not have on deposit at any one time with any other institution national banking association or other corporation or person [doing business in another state corporation or person has been duly approved for this purpose and subject to the supervision of the banking authorities of such other state] an amount in excess of ten per centum of the unimpaired capital plus ten per centum of the unimpaired surplus of the depositing institution if a bank or a bank and trust company or an amount in excess of ten per centum of its unimpaired surplus if a savings bank or an amount in excess of ten per centum of its net worth if a private bank unless such other institution national banking association or other authorized by the laws of such other state to receive deposits by the department

C A Director of a bank a bank and trust company or a trust company or a trustee of a savings bank shall not have a vote in designating as a depository any institution national banking association or other corporation or person of which he is an officer or director or if the proposed depository is a private bank of which he is one of the owners or if it is an incorporated institution a national banking association or any other corporation of which he owns five per centum or more of the shares of its capital

D A reserve agent of an institution for the purposes of this act shall be any institution national banking association or corporation or person designated as a depository of such institution in the manner provided by this act and approved by the department as a depository for any moneys of such institution which are part of the reserve fund against deposits and demand liabilities as defined herein which is required by this act to be established and maintained by such institution

Section 908 Reserve Fund against Deposits and Demand Liabilities A Every bank bank and trust company or private bank shall establish and maintain a reserve fund in an amount equal to at least fifteen per centum of the total of its net demand deposits and net demand ialibilities plus seven and one-half per centum of its total net time deposits as herein defined

B Except in the case of a savings bank the term "demand deposits" shall be construed to refer to all deposits payment of which can legally be required on demand or within any period less than thirty days after demand

The term "demand liabilities" shall be construed to refer to all obligations of the institution other than deposits payment of which can legally be required on demand

Except in the case of a savings bank the term "time deposits" shall be construed to refer to all deposits payment of which cannot legally be required within thirty days

C Except in the case of a savings bank the total of such reserve fund may and at least one-third [thereof] of the

reserve fund against demand deposits and demand liabilities shall consist of gold bullion gold coin United States gold or silver certificates notes or bills issued by any national banking association or Federal reserve bank or any other form of currency of the United States and be kept on hand at the place of business of the institution unpledged unassigned and unhypothecated

One-third of such reserve fund may consist of bonds or other interest-bearing obligations of the United States the Commonwealth of Pennsylvania or any political subdivision thereof Such bonds while being carried in the reserve fund shall be computed at their current market value They shall be the absolute property of the institution and shall not be pledged assigned or hypothecated in any manner whatsoever

[The balance of such reserve fund or any] Any part [thereof but] of such reserve fund not [exceeding two-thirds of the total reserve fund] required to consist of gold bullion gold coin or any form of currency kept on hand at the place of business of the institution may consist of an actual net balance of moneys on deposit subject to call without notice in any reserve agent as hereinbefore defined

D Every savings bank shall establish and maintain a reserve fund in an amount equal to at least seven and one-half per centum of the total of its net deposits

E In the case of savings banks the total of such reserve fund may and at least two-thirds thereof shall consist of gold bullion gold coin United States gold or silver certificates notes or bills issued by any national banking association or Federal reserve bank or any other form of currency of the United States kept on hand at the place of business of the institution unpledged unassigned and unhypothecated or an actual net balance of moneys on deposit subject to call without notice in any reserve agent as hereinbefore defined

The balance of such reserve fund may consist of bonds or other interest-bearing obligations of the United States the Commonwealth of Pennsylvania or any political subdivision thereof Such bonds while being carried in the reserve fund shall be computed at their current market value They shall be the absolute property of the institution and shall not be pledged assigned or hypothecated in any manner whatsoever

Section 1001 Powers of Banks Banking and Trust Companies or Trust Companies A In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a bank or a bank and trust company elsewhere in this act a bank or a bank and trust company shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To receive money on deposit and to pay interest thereon

(2) To receive money for transmission either to a foreign country or otherwise

(3) To rediscount and borrow money bonds or other securities and to pledge collateral therefor

(4) To lend money either upon the security of real or person property or otherwise to charge or to receive in advance interest therefor

(5) To discount buy sell negotiate or assign promissory notes drafts bills of exchange trade and bank acceptances stocks bonds or other evidences of debt

(6) To buy and sell exchange coin and bullion

(7) To purchase hold or convey real property

(8) To improve or to lease real property for its accommodation

(9) To accept for payment at a future date drafts or bills of exchange drawn upon it

(10) To issue letters of credit authorizing the holders thereof to draw drafts or bills of exchange upon it or its correspondents

(11) To become a member of a Federal Reserve Bank

(12) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(13) To invest in the shares of an institution engaged in a foreign banking business

(14) To become a member of a clearing house association and to pledge such assets therewith as will qualify it for membership therein

(15) To establish branch banks branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(16) To become a member of the Federal Deposit Insurance Corporation in accordance with the provisions of the Federal "Banking Act of one thousand nine hundred and thirty-three" approved the sixteenth day of June one thousand nine hundred and thirty-three its amendments and supplements or of any other corporation hereafter organized by the United States for the purpose of insuring deposits in banks or bank and trust companies and to purchase and hold so much of the capital of the Federal Deposit Insurance Corporation or of such other corporation as will qualify it for membership therein

B In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a trust company elsewhere in this act a trust company shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To purchase hold or convey real property

(2) To improve or to lease real property for its accommodation

(3) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(4) To establish branch trust companies branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(5) To make any investments subject to the same limitations as in the case of savings banks incorporated hereunder including such investments as are specifically authorized by its articles

Section 1003 Interest on Deposits A A bank or a bank and trust company shall have the power to credit and pay on all deposits such interest as may be established from time to time by agreement or regulation Such interest shall be paid to the respective depositors or credited to their accounts at least annually and in the case of certificates of deposit interest shall be paid or accrued a least annually

B A bank or a bank and trust company shall not credit or pay any interest on any deposit for a longer period than it has been deposited with the bank or bank and trust company except that deposits made not later than the fifth business day of the month or deposits withdrawn upon one of the last three business days of the month ending any annual semi-annual or quarterly interest period may have interest declared upon them for the whole of the period or month in which they were so deposited or withdrawn It shall also be lawful for deposit accounts closed between interest periods to be credited with interest computed from the last interest period to the date when closed

Section 1017 Protection against Loss on Previous Loan or Investment The restrictions imposed by this act shall not be construed to prevent a bank or a bank and trust company in order to protect itself from loss upon a loan or investment previously made lawfully and in good faith from acquiring ownership of or otherwise taking and holding any kind of property or security whether real or personal Except as otherwise provided by this act any property so acquired unless of the character and nature by this act authorized to be purchased or held by such bank or bank and trust company shall be sold by it within five years but the department may upon application of a bank or bank and trust company grant to it in writing the power to hold such property for a longer period

Section 1202 Powers of Savings Banks In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a savings bank elsewhere in this act a savings bank shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To receive money on deposit and pay interest thereon

(2) To receive money for transmission to a foreign country or otherwise and to forward such money through any bank bank and trust company private bank national banking association or any other corporation or person authorized by the laws of any state to receive deposits and subject to the supervision of the banking authorities of such state

(3) To borrow money to repay the demands of depositors and to pledge its assets therefor

(4) To make investments

(5) To lend money upon the security of real or personal property and to charge or to receive in advance interest therefor

(6) To purchase hold or convey real property

(7) To improve or to lease real property for its accommodation

(8) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(9) To establish branch savings banks branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(10) To become a member of a Federal Reserve Bank and for such purpose to purchase and hold so much of the capital of such Federal Reserve Bank as will under any Federal law qualify it for membership therein

(11) To become a member of the Federal Deposit Insurance Corporation in accordance with the provisions of the Federal "Banking Act of one thousand nine hundred thirty-three" approved the sixteenth day of June one thousand nine hundred thirty-three its amendments and supplements or of any other corporation hereafter organized by the United States for the purpose of insuring deposits in savings banks and to purchase and hold so much of the capital of the Federal Deposit Insurance Corporation or of such other corporation as will qualify it for membership therein

Section 1208. Authorized Investments of Savings Banks Not Under Special Charter A Except as otherwise specifically provided in this act a savings bank other than a savings bank organized under a special act of the General Assembly shall not make any investments except as follows

(1) Bonds or other interest-bearing obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged including the bonds or other interest-bearing obligations of the District of Columbia

(2) Farm loan bonds issued by Federal land banks operating under the provisions of the Federal Farm Loan Act approved the seventeenth day of July one thousand nine hundred sixteen its amendments and supplements

[(3)] (3) Bonds or other interest-bearing obligations of the Commonwealth of Pennsylvania or of any state of the United States or those for the payment of the principal and interest on which the faith and credit of this Commonwealth or of such state is pledged provided that it has not at any time within the ten years immediately preceding the date of the purchase of such bonds or other obligations by the savings bank defaulted in the payment of any part of any principal or interest due by it

[(4)] (4) Bonds or other interest-bearing obligations of any county city borough township school district or other political subdivision of the Commonwealth of Pennsylvania or of any city borough township school district or other political subdivision of any state of the United States or those for the payment of the principal and interest on which the faith and credit of such political subdivisions is pledged provided that it has not within the ten years immediately preceding the date of the purchase of such bonds or other obligations by the savings bank defaulted in the payment of any part of any principal or interest due by it

[(5)] (5) Obligations issued assumed or guaranteed as to principal and interest by or equipment bonds of any railroad corporation whether incorporate under the laws of this Commonwealth of any other state or of the Dominion of Canada provided that such railroad corporation has not at any time within the five years immediately preceding the date of the investment in such obligations or bonds by the savings bank failed punctually to pay the matured principal and interest on all of its indebtedness

[(6)] (6) The bonds of any corporation whether incorporated under the laws of the United States of any other state or of the District of Columbia which transacts the business of supplying electrical energy artificial gas or natural gas purchased from another corporation and supplied in substitution for or in mixture with artificial gas for light heat power and other purposes or which transacts any two or all of such businesses but at least seventy-five per centum of the gross operating revenues of such corporation shall be derived from such business and not more than fifteen per centum of the gross operating revenues shall be derived from any one kind of business other than supplying electricity and gas and such corporation shall be subject to regulation by a public service commission a public utility commission or any other similar regulatory body duly established by the laws of the United States or of any state in which such corporation operates subject to the following conditions

(a) Such corporation shall have all the franchises necesary to operate in territory in which at least seventy-five per centum of its gross income is earned which franchises shall either be made indeterminate permits of or agreements with or subject to the jurisdiction of a public service commission or other duly constituted regulatory body or shall extend at least five years beyond the maturity of such bond and such corporation shall file with the department and make public in each year a statement and a report giving the income account covering the previous fiscal year and a balance sheet showing in reasonable detail the assets and liabilities at the end of the year

(b) The outstanding full-paid capital stock of such corporation shall at the time of such investment be equal to at least two-thirds of the total debt secured by mortgage liens on any part or all of its property but in the case of a corporation having non-par value shares the amount of capital which such shares represent shall be the capital as shown by the books of the corporation

(c) Such corporation shall have been in existence for a period of not less than eight fiscal years and at no time within such period of eight fiscal years immediately preceding the date of such investment shall such corporation have failed to pay promptly and regularly the matured principal and interest of all its indebtedness direct assumed or guaranteed but the period of life of the corporation together with the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation merger or purchase shall be considered together in determining such required period

(d) For period of five fiscal years immediately preceding such investment the net earnings of such corporation shall have averaged per year not less than twice the average annual interest charges on its total funded debt applicable to that period and for the last fiscal year preceding such investment such net earnings shall have been not less than twice the interest charges for a full year on its total funded debt outstanding at the time of such investment and for such period the gross operating revenues of any such corporation shall have averaged per year not less than one million dollars and such corporation shall have for each such year either earned an amount available for dividends or paid an amount in dividends equal to four per centum upon a sum equivalent to two-thirds of its funded debt

(e) In determining the qualifications of any bond under this clause where a corporation shall have acquired its property or any substantial part thereof within the five years immediately preceding the date of such investment by consolidation or by merger or by the purchase of all or a substantial portion of the property of any other corporation or corporations the gross operating revenues net earnings and interest charges of the several predecessor or constituent corporations shall be consolidated and adjusted so as to ascertain whether the requirements of the paragraph immediately preceding this one as to net and gross earnings and as to dividends have been complied with

(f) The gross operating revenues and expenses of a corporation for the purpose of this clause shall be respectively the total amount earned from the operation of and the total expense of maintaining and operating all property owned and operated by or leased and operated by such corporation as determined by the system of accounts prescribed by the public service commission or public utility commission or other similar regulatory body having jurisdiction in the matter The gross operating revenue and expenses as defined above of subsidiary companies may be included provided that all the mortgage bonds and a controlling interest in shares of such subsidiary companies are pledged as part of the security for the mortgage debt of the principal company

The net earnings of any corporation for the purpose of this clause shall be the balance obtained by deducting from its gross operating revenues its operating and maintenance expenses taxes other than Federal and State income taxes

rentals and provision for renewals and retirements of the physical assets of the corporation and by adding to such balance its income from securities and miscellaneous sources but not however exceeding fifteen per centum of such balance

(g) Such bonds must be part of an issue of not less than one million dollars and must be mortgage bonds secured by a first or refunding mortgage secured by property owned and operated by the corporation issuing or assuming them or must be underlying mortgage bonds secured by property owned and operated by the corporations issuing or assuming them but such bonds shall be refunded by a junior mortgage providing for their retirement the bonds under such junior mortgage shall comply with the requirements of this section and such underlying mortgage shall be either a closed mortgage or shall remain open solely for the issue of additional bonds which are to be pledged under such junior mortgage The aggregate principal amount of bonds secured by such first or refunding mortgage plus the principal amount of all the underlying outstanding bonds shall not exceed sixty per centum of the value of the physical property owned as shown by the books of the corporation and subject to the lien of such mortgage or mortgages securing the total mortgage debt However if such mortgage is a refunding mortgage it must provide for the retirement on or before the date of their maturity of all bonds secured by prior liens on the property

(h) The term funded debt shall be construed to mean all interest-bearing debts maturing more than one year from date of issue

[(7)] (7) The bonds of any corporation whether incorporated under the laws of the United States of any other state or of the District of Columbia which engages and is authorized to engage in the business of furnishing telephone service in the United States provided that such corporation is subject to regulation by the interstate commerce commission a public service commission a public utility commission or any other similar Federal or State regulatory body duly established by the laws of the United States or by the laws of any state in which such corporation operates subject to the following conditions

(a) Such corporation shall have been in existence for a period of not less than eight fiscal years and at no time within such period of eight fiscal years immediately preceding the date of such investment shall such corporation have failed to pay promptly and regularly the matured principal and interest of all its indebtedness direct assumed or guaranteed but the period of life of the corporation together with the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation merger or purchase shall be considered together in determining the required period of such corporation shall file with the department and make public in each year a statement and a report giving the income account covering the previous fiscal year and a balance sheet showing in reasonable detail the assets and liabilities at the end of the year

(b) The outstanding full-paid capital stock of such corporation shall at the time of such investment be equal to at least two-thirds of the total debt secured by mortgage liens on any part or all of its property

(c) For a period of five fiscal years immediately preceding such investment the net earnings of such corporation shall have averaged per year not less than twice the average annual interest charges on its total funded debt applicable to that period and for the last fiscal year preceding such investment such net earnings shall have been not less than twice the interest charges for a full year on its total funded debt outstanding at the time of such investment and for such period the gross operating revenues of any such corporation shall have averaged per year not less than five million dollars and such corporation shall have for each such year either earned an amount available for dividends or paid an amount in dividends equal to four per centum upon all its outstanding capital stock

(d) Such bonds must be part of an issue of not less than five million dollars and must be secured by a first or refunding mortgage and the aggregate principal amount of bonds secured thereby plus the principal amount of all underlying outstanding bonds shall not exceed sixty per centum of the value of the property real and personal owned absolutely and subject to the lien of such mortgage However if such mortgage is a refunding mortgage it must provide for the retirement of all bonds secured by prior liens on the property Not more than thirty-three and one-third per centum of the property constituting the specific security for such bonds may consist of shares or unsecured obligations of affiliated or other telephone companies or both

(e) In determining the qualifications of any bond under this clause where a corporation shall have acquired its property or any substantial part thereof within five years immediately preceding the date of such investment by consolidation by merger or by the purchase of all or a substantial portions of the property of any other corporation or corporations the gross operating revenues net earnings and interest charges of the several predecessor or constituent corporations shall be consolidated and adjusted so as to ascertain whether the requirements of this clause as to earnings and dividends have been complied with

(f) The gross operating revenues and expenses of a corporation for the purpose of this clause shall be respectively the total amount earned from the operation of and the total expense of maintaining and operating all property owned and operated by or leased and operated by such corporation as determined by the system of accounts prescribed by the interstate commerce commission or the public service commission or the public utility commission or any other similar Federal or State regulatory body having jurisdiction in the matter

(g) The net earnings of any corporation for the purpose of this clause shall be the balance obtained by deducting from its gross operating revenues its operating and maintenance expenses provision for depreciation of the physical assets of the corporation taxes other than Federal and State income taxes rentals and miscellaneous charges and by adding to such balance its income from securities and miscellaneous sources but not however to exceed fifteen per centum of such balance

(h) The term funded debt shall be construed to mean all interest-bearing debts maturing more than one year from date of issue

[(8)] (8) Bonds secured by mortgages which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years unless amortized in equal annual installments over a period not exceeding fifteen years Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of the savings bank by the mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the savings bank making the investment It shall be lawful for a savings bank to renew such policies at the expense of such mortgagor from year to year or for a longer or shorter period not however exceeding the term of the bond in case the mortgagor shall fail to do so All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such mortgagor In the event that the mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so mortgaged All expenses of searchers examinations certificates of titles or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the savings bank.

B A savings bank other than a savings bank organized under a special act of the General Assembly may make such additional investments as are authorized by its articles but it shall not purchase or invest in bonds secured by mortgage upon real property other than such as are expressly authorized by this act nor shall it invest in the shares

of capital of any corporation whatsoever except a Federal Reserve Bank

Section 1506 Prohibition upon Corporations Acting as Fiduciary Penalty A The only corporations organized under the laws of this Commonwealth which shall have authority to act in this Commonwealth as trustees guardians executors administrators or in any similar fiduciary capacity shall be bank and trust companies and trust companies

B A corporation organized under the laws of any state of the United States other than Pennsylvania shall not have authority to act in this Commonwealth as trustee guardian executor administrator or in any other similar fiduciary capacity unless it shall be appointed such fiduciary by any last will and testament or codicil thereto or other testamentary writing or by deed of trust inter vivos or by any court of register of wills of this Commonwealth and unless the laws of such other state confer like powers upon corporations organized under the laws of this Commonwealth but such corporations organized under the laws of another state shall be required to give such bond or other security as shall be deemed adequate by the court or register of wills in the Commonwealth having jurisdiction over the estate of which the corporation is acting as trustee guardian executor administrator or similar fiduciary

C The provisions of this section shall not be construed to permit a corporation organized under the laws of any state other than this Commonwealth to establish in this Commonwealth a place of business for the conducting of the business of acting as fiduciary

D The provisions of this section shall not apply to any nonprofit corporation nor shall they be construed to prevent any court or testator from appointing any corporation as trustee to execute a trust for its own use within the purposes of such corporation or to prevent any corporation from liquidating and winding-up the business and affairs of another corporation for the benefit of the creditors and shareholders of such other corporation

E Any national banking association having authority under the laws of the United States to act as trustee guardian executor administrator or similar fiduciary shall upon the adoption by its board of directors of a resolution agreeing to place its trust department under the supervision of the Department of Banking and upon the transmission of a certified copy of such resolution to the Department of Banking be authorized to act as such fiduciary in this Commonwealth

F Any corporation whether organized under the laws of this Commonwealth or of any other state which violates the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding five thousand dollars

Section 2 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 3 This act shall become effective immediately upon it approval by the Governor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Andrews,	Greenstein,	McCreary,	Sheffer,
Baker,	Griffith,	McElwee,	Shellenberger,
Baldi,	Habbyshaw,	McGinnis,	Shenkel,
Barnhardt,	Hamilton,	McGregor,	Shettel,
Bechtel,	Harmuth,	McHenry,	Shortz,
Beech,	Harris,	McKay,	Shreiner,
Bennett,	Hart,	McKinney,	Shugarts,
Bernhard,	Hartman,	Melchiorre,	Simon,
Blumberg,	Heffernan,	Meredith,	Sinwell,
Boyd,	Hefferon,	Merrell,	Snyder,
Brancato,	Heffner,	Mohn,	Sowers,
Brennan,	Hermansen,	Moore,	Spann,
Brown, J. E.,	Hester,	Mumford,	Stank,
Brown, W. L.,	Hewitt,	Munley,	Steedle,
Brownfield,	Himes, H. E.,	Murphy,	Sterling, P.,
Cannon,	Himes, L. R.,	Myers,	Sterling, R. B.,
Caputo,	Hoffman,	Negley,	Stevens,
Carey,	Holmes, J. B.,	Nothnagle,	Stevenson,
Carson,	Holmes, J. L.,	O'Connor,	Stiteler,
Chervenak,	Hoopes,	O'Keefe,	Stone,
Cohen,	Horst,	O'Neill,	Stott,
Conner	Hough,	O'Rourke,	Tahl,
Cooke,	Howard,	Patterson,	Terry,
Cordier,	Jaffe,	Peelor,	Turner,
Craig,	Jones,	Pennock,	Wade,
Cramer,	Kane, J. J.,	Perry, D. R.,	Wagner,
Dane,	Kane, L. P.,	Perry, J. J.,	Walker, G. E.,
Davies,	King,	Peters,	Walker, W. A.,
DeFrehn,	Kinney,	Powell,	Wall,
Downey, G. E.,	Labar,	Powers,	Wasserman,
Downey, J. J.,	Lane,	Price,	Way,
Duffy,	Laubach,	Quinn,	Weidemann,
Dunmire,	Lenahan,	Raub,	Welsh,
Ederer,	Lewis,	Rectenwald,	Westrick,
Emhardt,	Long,	Reed,	White,
Eroe,	Lord,	Reilly,	Wike,
Evans,	Lose,	Rhodes,	Williams, G. W.,
Fitzgerald,	Lovett, J. E.,	Roan,	Williams, J. J.,
Flanagan,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Flynn, J. M.,	Lynch, M.,	Ruby,	Witkin,
Flynn, J. W.,	Male,	Ruth,	Wood,
Forrest,	Malina,	Sarig,	Woodside,
Furman,	Maloney,	Sautter,	Wright,
Gallagher, T. J.,	Marcks,	Schrock,	Yeakel,
Gallagher, W. J.,	Mason,	Schrope,	Yourishin,
Gartner,	McBride,	Schwab,	Zimmerman,
Gillette,	McCandless,	Schwartz,	Talbot,
Gorman,	McClure,	Scorza,	Speaker.
Green,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

STATEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to lay before the House certain information. During this Extraordinary Session there were introduced in the House 214 bills, and in the Senate 109 bills, making a total of 442 bills. The House considered on the floor 93 of the House bills and 57 of the Senate bills. The number of House bills going to the Governor were 26, and the number of Senate bills were 22, making a total of 48. The number of House bills defeated was 8 and the number of Senate bills defeated was 1. The number of House bills approved by the Governor was 6, and the number of Senate bills approved by the Governor were 4, making a total of 10, and at the present time there are 38 bills in the hands of the Governor.

The Chair at this time desires to pay, what in his opinion, is a just tribute to the members of this House of Representatives. It is my opinion that this Session has made history, because during my time this is the first time that in the first week of the session the members were willing to stay over until Thursday for the sake of considering serious business. It was necessary because legislation governing liquor control had to be enacted before December 5th. The members of this House have labored hours on the floor as well as hours in the Committee Rooms. The public in general, not knowing legislative procedure, believe that the time we spent on this floor is the only time devoted to State business. It is the wish of the Chair that in the days to come the press will realize the time that is given by the members to State business, and will, through their papers, give the people the true picture.

It is the hope of the Chair that as we go our various ways today, that the members may have a joyful Christmas Season and that the affairs of the state and national government will become brighter as the new New Year comes in and that, if it is the wish of these members assembled here today to return to the halls of the House in 1935, then the Chair hopes that the wishes of the members will come true.

The Chair now humbly and gratefully thanks the members of this body for the careful consideration you have given to the Chair. This has been a somewhat turbulent session but you may all go home with the proud thought that we have done the best we could under the conditions under which we labored.

The Chair again thanks the members, first for the honor you have given me, and second, for the support with which you have rewarded me in the session.

BILL ON THIRD READING

Mr. STEEDLE. Mr. Speaker, I desire to call up House Bill No. 257, Senator Bill No. 1, Printer's No. 87, on page 2 of today's calendar, which was temporarily passed over.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 257 (Senate Bill No. 1), entitled:

An Act authorizing the Governor to accept funds from agencies of the Federal Government appropriating such funds for construction of public works for the Commonwealth and providing for repayment to the Federal Government of part of such funds with interest under certain conditions and making an appropriation for such repayment.

On the question,

Will the House agree to the bill on third reading?

Mr. STEEDLE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 2, page 2, line 18, by striking out the heavy-faced bracket appearing before the word "The"

Amend Sec. 2, page 2, line 26, by striking out the heavy-faced bracket appearing after the word "Colleges"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time?

Is there objection?

Mr. PHILIP STERLING. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191

Andrews,	Hamilton,	McGregor,	Shettel,
Baker,	Harmuth,	McHenry	Shortz,
Baldi,	Harris,	McKay,	Shreiner,
Barnhardt,	Hart,	McKinney,	Shugarts,
Bechtel,	Hartman,	Melchiorre,	Simon,
Beech,	Heffernan,	Meredith,	Sinwell,
Bernhard,	Hefferon,	Merrell,	Snyder,
Blumberg,	Heffner,	Mohn,	Sowers,
Boyd,	Hermansen,	Moore,	Spann,
Brancato,	Hester,	Mumford,	Stank,
Brennan,	Hewitt,	Munley,	Steedle,
Brown, J. E.,	Himes, H. E.,	Murphy,	Sterling, P.,
Brown, W. L.,	Himes, L. R.,	Myers,	Sterling, R. B.,
Brownfield,	Hoffman,	Negley,	Stevens,
Cannon,	Holmes, J. B.,	Nothnagle,	Stevenson,
Caputo,	Holmes, J. L.,	O'Connor,	Stiteler,
Carson,	Hoopes,	O'Keefe,	Stone,
Chervenak,	Horst,	O'Neill,	Stott,
Cohen,	Hough,	O'Rourke,	Tahl,
Conner,	Howard,	Patterson,	Terry,
Cordier,	Hutton,	Peelor,	Troup,
Craig,	Jaffe,	Pennock,	Turner,
Cramer,	Jones,	Perry, D. R.,	Wade,
Dane,	Kane, J. J.	Perry, J. J.,	Wagner,
Davies,	Kane, L. P.,	Peters,	Walker, G. E.,
DeFrehn,	King,	Powell,	Walker, W. A.
Downey, G. E.	Kinney,	Powers,	Wall,
Downey, J. J.,	Labar,	Price,	Wasserman,
Dunmire,	Lane,	Quinn,	Way,
Ederer,	Laubach,	Raub,	Weidemann,
Emhardt,	Lenahan,	Rectenwald,	Welsh,
Eroe,	Lewis,	Reed,	Westrick,
Evans,	Long,	Reilly,	White,
Fitzgerald,	Lord,	Rhodes,	Wike,
Flanagan,	Lose,	Roan,	Williams, G. W.,
Fleisher,	Lovett, J. E.	Roth,	Williams, J. J.,
Flinchbaugh,	Lovett, W. S.,	Royle,	Wilson, L. M.,
Flynn, J. M.	Lynch, J. R.,	Ruby,	Wilson, T. B.,
Flynn, J. W.	Lynch, M.,	Ruth,	Witkin,
Furman,	Male,	Sarig,	Wood,
Gallagher, T. J.	Maloney,	Sautter,	Woodside,
Gallagher W. J.,	Marcks,	Schrock,	Wright,
Gartner,	Mason,	Schrope,	Yeakel,
Gillette,	McBride,	Schwab,	Yourishin,
Gorman,	McCandless,	Schwartz,	Zimmerman,
Green,	McClure,	Scorza,	Talbot,
Griffith,	McElwee,	Sheffer,	Speaker.
Habbyshaw,	McGinnis,	Shellenberger,	
Haines,	McGrail,	Shenkel,	

NAYS—1

McCreary.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Mr. ANDREWS. Mr. Speaker, I desire to call up at this time House Bill No. 260, Senate Bill No. 143, Printer's No. 96, on page 2 of today's calendar, which was temporarily passed over.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 260, (Senate Bill No. 143), as follows:

An Act requiring the Department of Property and Supplies to provide and install appliances to air condition the State Capitol building and the Halls of the Senate and House of Representatives and to regulate temperatures therein and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Property and Supplies shall before the next session of the General Assembly provide and have installed in the State Capitol building proper appliances to provide for the efficient air conditioning of said Capitol building and particularly of the Halls of the Senate and House of Representatives during sessions of the General Assembly and the regulation of temperatures therein

The sum of forty thousand dollars ($40,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the purpose of providing and installing the appliances provided for by this act

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188

Andrews,	Gartner,	McBride,	Sheffer,
Baker,	Gillette,	McCandless,	Shellenberger
Baldi,	Gorman,	McClure,	Shenkel,
Barnhardt,	Green,	McGregor,	Shettel,
Bechtel,	Greenstein,	McHenry,	Shortz,
Beech,	Griffith,	McKay,	Shreiner,
Bennett,	Habbyshaw,	McKinney,	Shugarts,
Bernhard,	Haines,	Melchiorre,	Simon,
Blumberg,	Hamilton,	Meredith,	Sinwell,
Boyd,	Harmuth,	Merrell,	Snyder,
Brancato,	Harris,	Mohn,	Sowers,
Brennan,	Hart,	Moore,	Spann,
Brown, J. E.,	Heffernan,	Mumford,	Stank,
Brown, W. L.,	Hefferon,	Munley,	Steedle,
Brownfield,	Hermansen,	Murphy,	Sterling, P.,
Cannon,	Himes, H. E.,	Myers,	Stevens,
Caputo,	Himes, L. R.,	Negley,	Stevenson,
Carey,	Holmes, J. B.,	Nothnagle,	Stiteler,
Carson,	Holmes, J. L.,	O'Connor,	Stone,
Chervenak,	Hoopes,	O'Keefe,	Stott,
Cohen,	Horst,	O'Neill,	Tahl,
Conner,	Hough,	O'Rourke,	Trout,
Cooke,	Howard,	Patterson,	Turner,
Cordier,	Hutton,	Peelor,	Wade,
Craig,	Jaffe,	Pennock,	Wagner,
Cramer,	Jones,	Perry, D. R.,	Walker, G. E.,
Dane,	Kane, J. J.,	Perry, J. J.,	Wall,
Davies,	Kane, L. P.,	Powell,	Wasserman,
DeFrehn,	King,	Powers,	Way,
Denning,	Kinney,	Price,	Weidemann,
Downey, G. E.,	Labar,	Raub,	Welsh,
Downey, J. J.,	Lane,	Rectenwald,	Westrick,
Duffy,	Laubach,	Reed,	White,
Dunmire,	Lenahan,	Rhodes,	Wike,
Emhardt,	Lewis,	Roan,	Williams, G. W.,
Eroe,	Long,	Root,	Williams, J. J.,
Evans,	Lord,	Roth,	Wilson, L. M.,
Fitzgerald,	Lose,	Royle,	Wilson, T. B.,
Flanagan,	Lovett, J. E.,	Ruby,	Witkin,
Fleisher,	Lovett, W. S.,	Ruth,	Wood,
Flinchbaugh,	Lynch, J. R.,	Sarig,	Woodside,
Flynn, J. M.,	Lynch, M.,	Sautter,	Wright,
Flynn, J. W.,	Male,	Schrock,	Yeakel,
Forrest,	Malina,	Schrope,	Yourishin,
Furman,	Maloney,	Schwab,	Zimmerman
Gallagher, T. J.,	Marcks,	Schwartz,	Talbot,
Gallagher, W. J.,	Mason,	Scorza,	Speaker.

NAYS—6

Ederer,	McCreary,	Terry,	Walker, W. A.,
Hewitt,	McGrail,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 73.

An Act to regulate the sale and delivery of coal coke petroleum coke briquettes and other solid fuels providing for appointment of public weighmasters prescribing their powers and duties imposing certain duties on the Department of Internal Affairs and providing penalties

HOUSE BILL No. 190.

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the state line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same; and relieving said Townships or Counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of townships, or county roads and prescribing the contents of township, county, borough, or incorporated town, petitions providing for percentage of cost of improvement or repairs to be paid by state, county, township, borough or incorporated towns and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not effected by provisions of this act." as amended, by providing for payment by the county of damages agreed upon without hearing before court when no exceptions are filed to agreement.

Whereupon,

The SPEAKER, in the presence of the House signed the same.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 35

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 35.

An Act relating to milk and the products thereof declaring an emergency with respect to their production and marketing creating a Milk Control Board establishing its jurisdiction powers and duties regulating the production transportation manufacture processing storage distribution delivery and sale of milk and the products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring licensees to furnish bonds for the protection of producers authorizing the examination of the business papers and affairs of and requiring the filing of reports by licensees other milk dealers and producers and permitting with limitations the dissemination of information obtained therefrom authorizing the issuance of subpoenas by the Board or its agents and con-

ferring jurisdiction upon courts to punish contempts or to prohibit violations of orders of the Board providing for appeals to the courts from decisions of the Milk Control Board imposing penalties and making an appropriation

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 43.

An Act making an appropriation to the Department of Military Affairs.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by inserting after the word "appropriation" the words "from the General Fund"; Also after the word "Affairs" the words "for certain administration expenses necessary for the payment of adjusted compensation to veterans as provided by law and making an appropriation out of the Veterans' Compensation Fund to reimburse the General Fund."

Amend Section 1, page 1, line 15, by inserting after the word "repaid" the words "from the Veterans' Compensation Fund"; Also on page 2, line 4, by inserting after the word "law" the words "As much of the money in the Veterans' Compensation Fund as may be necessary is hereby appropriated for this purpose."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190

Andrews,	Gillette,	McCreary,	Shettel,
Baker,	Gorman,	McElwee,	Shortz,
Baldi,	Green,	McGinnis,	Shreiner,
Barnhardt,	Greenstein,	McGrail,	Shugarts,
Bechtel,	Griffith,	McGregor,	Simon,
Beech,	Habbyshaw,	McKay,	Sinwell,
Bennett,	Haines,	McKinney,	Snyder,
Bernhard,	Hamilton,	Meredith,	Sowers,
Blumberg,	Harris,	Merrell,	Spann,
Boyd,	Hart,	Mohn,	Stank,
Brancato,	Heffernan,	Moore,	Steedle,
Brennan,	Hermansen,	Mumford,	Sterling, P.,
Brown, J. E.,	Hester,	Munley,	Sterling, R. B.,
Brown, W. L.,	Hewitt,	Murphy,	Stevens,
Brownfield,	Himes, H. E.,	Myers,	Stevenson,
Cannon,	Himes, L. R.,	Negley,	Stiteler,
Caputo,	Hoffman,	Nothnagle,	Stone,
Carey,	Holmes, J. B.,	O'Connor,	Stott,
Carson,	Holmes, J. L.,	O'Keefe,	Tahl,
Chervenak,	Hoopes,	O'Neill,	Terry,
Cohen,	Horst,	O'Rourke,	Trout,
Conner,	Hough,	Patterson,	Turner,
Cooke,	Howard,	Peelor,	Wade,
Cordier,	Hutton,	Pennock,	Wagner,
Craig,	Jaffe,	Perry, D. R.,	Walker, G. E.,
Cramer,	Jones,	Perry, J. J.,	Walker, W. A.,
Dane,	Kane, J. J.,	Peters,	Wall,
Davies,	Kane, L. P.,	Powell,	Wasserman,
DeFrehn,	King,	Price,	Way,
Denning,	Kinney,	Raub,	Weidemann,
Downey, G. E.,	Labar,	Rectenwald,	Welsh,
Downey, J. J.,	Lane,	Reed,	Westrick,
Duffy,	Laubach,	Reilly,	White,
Dunmire,	Lenahan,	Rhodes,	Wike,
Ederer,	Long,	Roan,	Williams, G. W.,
Emhardt,	Lord,	Root,	Williams, J. J.,
Eroe,	Lose,	Roth,	Wilson, L. M.,
Evans,	Lovett, J. E.,	Royle,	Wilson, T. B.,
Fitzgerald,	Lovett, W. S.,	Ruby,	Witkin,
Flanagan,	Lynch, J. R.,	Ruth,	Wood,
Fleisher,	Lynch, M.,	Sarig,	Woodside,
Flinchbaugh,	Malina,	Sautter,	Wright,
Flynn, J. M.,	Maloney,	Schrock,	Yeakel,
Flynn, J. W.,	Marcks,	Schrope,	Yourishin,
Forrest,	Mason,	Schwab,	Zimmerman,
Furman,	McBride,	Sheffer,	Talbot,
Gallagher, W. J.,	McCandless,	Shellenberger,	Speaker.
Gartner,	McClure,	Shenkel,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 49.

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics and boards of school directors and imposing penalties

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 93.

An Act to amend section ten of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 284), entitled "An act imposing a State tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties;" as amended regulating the refund of taxes paid on malt liquors.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 123.

An Act to amend the title and sections one and two of the act approved the twenty-fifth day of May one thousand nine

hundred and thirty-three (Pamphlet Laws one thousand nineteen) entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances" by extending the provisions thereof to unseated lands

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 55.

An Act making appropriations out of the State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects defining the purposes for which moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY THE SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 41.

An Act making an appropriation from the General Fund for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three and making an appropriation out of the Veterans' Compensation Fund to reimburse the General Fund

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 35

Mr. HUTTON. Mr. Speaker, on behalf of your Committee on Conference appointed by the Chair to consider with the Senate Committee, Senate Bill No. 35, the committee presents herewith its report.

The SPEAKER. The Clerk will read the report.

The report was read by the Clerk as follows:

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 35

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the Part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 35, entitled: "An act relating to milk and the products thereof; declaring an emergency with respect to their production and marketing; creating a Milk Control Board; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery and sale of milk and the products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring licensees to furnish bonds for the protection of producers; authorizing the examination of the business, paper and affairs of, and requiring the filing of reports by licensees, other milk dealers and producers, and permitting with limitations, the dissemination of information obtained therefrom; authorizing the issuance of subpoenas by the Board or its agents, and conferring jurisdiction upon courts to punish contempts, or to prohibit violations of orders of the Board; providing for appeals to the courts," etc. respectfully submit the following bill as our report:

CLARENCE J. BUCKMAN
WM. H. CLARK
G. MASON OWLETT
Committee on the Part of the Senate.

W. ALBERTSON HAINES
A. J. WHITE HUTTON
MILES HORST
Committee on the Part of the House of Representatives.

An Act relating to milk and the products thereof declaring an emergency with respect to their production and marketing creating a Milk Control Board establishing its jurisdiction powers and duties regulating the production transportation manufacture processing storage distribution delivery and sale of milk and the products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring licensees to furnish bonds for the protection of producers authorizing the examination of the business papers and affairs of and requiring the filing of reports by licensees other milk dealers and producers and permitting with limitations the dissemination of information obtained therefrom authorizing the issuance of subpoenas by the Board or its agents and conferring jurisdiction upon courts to punish contempts or to prohibit violations of orders of the Board providing for appeals to the courts from decisions of the Milk Control Board imposing penalties and making an appropriation

Whereas unhealthful unfair unjust destructive demoralizing and uneconomic trade practices have been and are now carried on in the production sale and distribution of milk and milk products in this Commonwealth whereby the dairy industry in the Commonwealth and the constant supply of pure milk to inhabitants of the Commonwealth are imperiled and

Whereas such conditions constitute a menace to the health welfare and reasonable comfort of the inhabitants of the Commonwealth and

Whereas it is necessary to protect the well-being of the inhabitants of this Commonwealth to promote the public welfare and to preserve the strength and vigor of the race by declaring that the production transportation manufacture processing storage distribution and sale of milk in the Commonwealth of Pennsylvania is a business affecting the public health and affected with a public interest and

Whereas the production and distribution of milk is a paramount industry upon which the prosperity of the Commonwealth in large measure depends and

Whereas the present acute economic emergency being in part the consequence of a severe and increasing disparity between the prices of milk and other commodities which disparity has largely destroyed the purchasing power of milk producers for industrial products has broken down the orderly production and marketing of milk and has seriously impaired the agricultural assets supporting the credit structure of the Commonwealth and its local governmental subdivisions and

Whereas the danger to the public health and welfare is immediate and impending the necessity urgent and such as will not admit of delay in public supervision and control in accord with proper standards of production sanitation and marketing the foregoing statements of fact policy and application of this act are hereby declared to be matters of legislative determination

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the exercise of the police power of the Commonwealth and to protect the public health and public welfare it is hereby declared that the production

transportation manufacture processing storage distribution and sale of milk in the Commonwealth is a business affecting the public health and affected with a public interest and it is hereby declared to be the legislative intent that this act shall be an emergency measure enacted for the purpose of regulating and controlling the milk industry in this Commonwealth for the protection of the health welfare and comfort of the inhabitants thereof

Section 2 Short Title This act shall be known and may be cited as the "Milk Control Board Law"

Section 3 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Board" means the temporary State agency created by this act to be known as the "Milk Control Board"

"Consumer" means any person other than a milk dealer who purchases milk for fluid consumption

"Licensee" means a licensed milk dealer

"Market" includes any city borough incorporated town or township in the Commonwealth or any two or more such cities boroughs incorporated towns or townships or any portions thereof designated by the Board as a natural marketing area

"Milk includes fluid milk and cream fresh sour or storage skimmed milk buttermilk and condensed or concentrated whole or skimmed milk except when contained in hermetically sealed cans.

"Milk Dealer" means any person including any store as hereinafter defined who purchases or handles milk within the Commonwealth for sale shipment storage processing or manufacture within or without the Commonwealth A producer who delivers milk to a milk dealer only shall not be deemed a milk dealer A cooperative agricultural association or corporation of producers of milk organized under the laws of this Commonwealth or of any other state and engaged in making collective sales of milk for producers under contract with it shall not be deemed a milk dealer but shall be deemed a producer provided however that if such association or corporation distributes milk within this Commonwealth to stores as defined in this act or to consumers as defined in this act is shall be deemed to be a milk dealer as to that part of its business and shall be governed by the provisions of this act applicable thereto and further provided that such co-operative agricultural association or corporation shall be governed by the applicable provisions of this act as to the prices at which it sells milk within this Commonwealth.

"Person" includes an individual corporation association partnership limited partnership or other unincorporated enterprise owned by two or more individuals

"Producer" means a person producing milk within the Commonwealth of Pennsylvania

"Store" includes a grocery store hotel restaurant soda fountain dairy products store or any similar mercantile establishment which sells milk

B Any reference to this act to quantity of milk shall be construed to include its whole milk equivalent

C Section headings shall not be construed to affect in any manner the scope or meaning of any section of this act

D The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 4 Creation of Milk Control Board Membership Applicability of Administrative Code A There is hereby created an independent administrative board to be known as the Milk Control Board The Board shall consist of three members who shall be nominated and by and with the consent of the Senate appointed by the Governor Each member shall receive a salary at the rate of six thousand dollars ($6,000) per annum

B Each member of the Board at the time of his appointment and qualification shall be a citizen of the United States and a resident of the Commonwealth of Pennsylvania and shall have been a qualified elector in the Commonwealth for a period of one year next preceding his appointment.

No member of the Board during his period of service as such shall hold any other office under the laws of this Commonwealth or of the United States

The Governor shall designate one of the members of the Board as chairman The chairman shall when present preside at all meetings and in his absence a member designated by the chairman shall preside

Two members of the Board shall constitute a quorum and any action or order of the Board shall require the approval of at least two members

C The Board may appoint a secretary to hold office at its pleasure The secretary if appointed shall have such powers and shall perform such duties not contrary to law as the Board shall prescribe and shall receive such compensation as the Board with the approval of the Governor shall determine The secretary shall have power and authority to designate from time to time one of the clerks appointed by the Board to perform the duties of the secretary during his absence and the clerk so appointed shall exercise for the time so designated the powers of the secretary of the Board

D Except as otherwise specifically provided in this act the Board and its employes shall be subject to all the provisions of The Administrative Code of one thousand nine hundred and twenty-nine approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) its amendments and supplements which apply generally to independent administrative boards or commissions

Section 5 General Powers of Board A The Board is hereby declared to be the instrumentality of the Commonwealth for the purpose of administering the provisions of this act and to execute the legislative intent herein expressed and it is hereby vested with power

(1) To supervise and regulate the entire milk industry of this Commonwealth including the production transportation manufacture processing storage distribution delivery and sale of milk and milk products in this Commonwealth provided however that nothing contained in this act shall be construed to alter amend or repeal The Public Service Company Law or any of the laws of this Commonwealth relating to the public health or to the prevention of fraud or deception

(2) To investigate as the emergency permits and regulate as the emergency requires all matters pertaining to the production manufacture processing storage transportation disposal distribution and sale of milk and milk products in this Commonwealth including the establishment of reasonable trade practices and systems of production control in connection therewith

B The operation and effect of any provision of this act conferring a general power upon the Board shall not be impaired or qualified by the granting to the Board by this act of a specific power or powers

C The Board either itself or through its duly authorized agent may hold such hearings either at the capitol or elsewhere as it deems necessary to carry out the provisions of this act

Section 6 Power of Board to Subpoena Penalty A In order to enable the Board to carry out the provisions of this act it shall have the power to issue subpoenas requiring the attendance of or the production of pertinent books and papers by milk dealers or their employes producers or their employes persons having business dealings with milk dealers or producers or other persons whom the Board believes to have information of importance to it in carrying out the purposes and intent of this act The Board may likewise issue commissions letters rogatory or other appropriate processes outside the Commonwealth

The Board shall likewise have the power to question such witnesses under oath or affirmation and to examine such books and papers

The Board may delegate to any member thereof or any employe designated by it the powers granted to it under this section

B Any witness who refuses to obey a subpoena issued hereunder or to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court For this purpose an application may be made by the Board to the court of common pleas within the territorial jurisdiction of which the offense was committed for which purpose such court is hereby given jurisdiction

C Each witness required to attend before the Board or any member thereof under the provisions of this sec-

tion shall be entitled to the fees and mileage customarily paid to witnesses in the courts of Dauphin County

Section 7 Rules Regulations and Orders A The Board may adopt and enforce all rules regulations and orders necessary or desirable to carry out the provisions of this act and not inconsistent with law Every general rule regulation or order of the Board shall be posted for public inspection in the main office of the Board at least three days before it shall become effective and shall be given such further publicity by advertisement in a newspaper or otherwise as the Board shall deem advisable An order applying only to a particular person or persons named therein shall be served on the person or persons affected

B An order herein required to be served shall be (1) served in the manner now or hereafter established by law for the service of writs of summons except that such service need not be made by the sheriff or (2) mailed charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a corporation formed under the laws of this Commonwealth to its principal office and (c) in the case of a corporation formed under the laws of some other state to the office of its duly authorized agent in Pennsylvania or if there be no duly authorized agent in Pennsylvania to its home office in the state of incorporation or in any other state

C The posting in the main office of the Board of any rule regulation or order not herein required to be served and the giving of such further publicity thereto if any as the Board deems advisable or the proper service of one required to be served shall constitute due and sufficient notice to all persons affected by such rule or order A rule of the Board when duly posted and filed as provided in this section shall have the force and effect of law The Board shall upon request mail to any person any general rule or regulation of the Board It may charge a reasonable fee for such service

Section 8 Entry and Inspection Pursuant to carrying out the purposes of this act any member of the Board or any employe designated for the purpose shall have access to and may enter at all reasonable hours all places where milk or any product thereof is being produced stored bottled processed manufactured sold or otherwise handled Any member of the Board or any designated employe thereof also shall have power at all reasonable hours to inspect all books papers records or documents in any place within the Commonwealth for the purpose of ascertaining facts to enable the Board to administer this act The information obtained by any such inspection or by reports required by this act shall be for the confidential use of the Board and the various departments of the State government and shall not be disclosed by any person except as may be required in the enforcement of law or by order of court The Board however may use such information together with other similar information for compilation and publication of statistics of the industry in this Commonwealth

Section 9 Violations Remedies A Except as otherwise specifically provided in this act any person violating any provision of this act or any rule regulation or order of the Board lawfully made shall be guilty of a misdemeanor and shall upon conviction thereof be subject to a fine not exceeding one hundred dollars or imprisonment not exceeding one year or both For each day during which any such violation shall continue such person shall be deemed to have committed an additional violation

B The Board may institute such action at law or in equity as may appear necessary to enforce compliance with any provision of this act or to enforce compliance with any rule regulation or order of the Board made pursuant to the provisions of this act and in addition to any other remedy may apply to the Court of Common Pleas of Dauphin County for relief by injunction if necessary to protect the public interest without being compelled to allege or prove that an adequate remedy at law does not exist

Section 10 Licenses to Milk Dealers Applications Grant Suspension and Revocation A Except as herein otherwise specifically provided a milk dealer as defined in this act shall not buy milk from producers or others within this Commonwealth for storage manufacture processing distribution or sale within or without this Commonwealth or sell or distribute milk within this Commonwealth unless such dealer be duly licensed as herein provided and it shall be unlawful for a milk dealer to buy milk from or sell milk to a milk dealer who is not either licensed or exempted as herein provided or in any way to deal in or handle milk which he has reason to believe has previously been dealt in or handled in violation of the provisions of this act

B The Board may by official order exempt from the license requirements provided by this act milk dealers who purchase or handle milk in a total quantity not exceeding three thousand pounds in any month and milk dealers selling milk in any quantity only in markets of a population of one thousand or less for local consumption The Board may by official order exempt stores or any class thereof from the license requirements provided by this act However milk dealers exempted by this section from the license requirements of this act shall continue to be subject to all the other provisions of this act relating to milk dealers

C An application for a license to operate as a milk dealer shall be made within thirty days after this act takes effect and annually thereafter on or before April fifteenth by mail or otherwise to the Board upon blanks prepared under authority of the Board and shall be accompanied by the fee required by this act The license year shall commence May first and shall end April thirtieth following The applicant shall state the following

(1) The nature of the business to be conducted

(2) The full name of the person applying for the license If the applicant be a co-partnership or association the full name of each member shall be stated If the applicant be a corporation the names and addresses of all officers and directors shall be stated

(3) The city borough incorporated town or township and the street number if any at which the business is to be conducted

(4) The financial condition of the applicant including a comprehensive financial statement of his affairs

(5) Facts showing that the applicant has adequate technical personnel and adequate technical and physical facilities properly to conduct the business of receiving and handling milk that he has complied with all rules regulations and orders of the Board filed or served as required in this act and such other facts with respect to the license as may be required by the Board pursuant to this act

D The Board shall grant a license to an applicant complying with the provisions of this act and of any rules and regulations issued by the Board pursuant thereto The Board may decline to grant a license to an applicant or may suspend revoke or refuse to transfer a license already granted to a milk dealer or may prohibit a milk dealer exempted from the license requirements of this act from continuing to operate as a milk dealer when satisfied that he has

(1) Rejected without reasonable cause any milk purchased from a producer or has rejected without either reasonable cause or reasonable advance notice milk delivered by or on behalf of a producer in ordinary continuance of a previous course of dealing except where the contract has been lawfully terminated Provided however that in the absence of an express or implied fixing of a longer period in the contract "reasonable advance notice" shall not be construed to mean notice of less than one week nor more than two weeks

(2) Without reasonable cause failed to account and make payment for any milk purchased from a producer

(3) Committed any act injurious to the public health or public welfare or to trade or commerce in demoralization of the price structure of milk to such an extent as to interfere with an ample supply thereof for the inhabitants of the Commonwealth affected by this act It is hereby declared that such demoralization is injurious to the public health public welfare and to trade and commerce and that evidence of a course of conduct on the part of the milk dealer tending to such demoralization shall be construed to be prima facie evidence of a violation of this act

(4) Made a general assignment for the benefit of creditors or has been adjudged a bankrupt or there has been entered against him a judgment upon which an execution has been returned wholly or partly unsatisfied

(5) Been a party to a combination to fix prices contrary to law A co-operative agricultural association organized under the laws of this Commonwealth or a similar association or corporation organized under the laws of any other state and engaged in making collective sales or marketing for its members or shareholders of dairy products produced by its members or shareholders shall not be deemed or construed to be a conspiracy or combination in restraint of trade or an

illegal monopoly nor shall the contracts agreements arrangements or combinations heretofore or hereafter made by such association or corporation or the members officers or directors thereof in making such collective sales and marketing and prescribing the terms and conditions thereof be deemed or construed to be conspiracies or to be injurious to public welfare trade or commerce

(6) Continued in a course of dealing of such nature as to satisfy the Board of an intent of the milk dealer to deceive or defraud producers or consumers

(7) Failed either to keep records or to furnish the statements or information required by the Board

(8) Made any statement upon which the license was issued which statement is found to have been false or misleading in any material particular

(9) Where the milk dealer is a partnership or corporation and any individual holding any position owning any substantial interest therein or having any power of control therein has previously been responsible in whole or in part for any act on account of which a license may be denied suspended or revoked pursuant to the provisions of this act

(10) Where the milk dealer has violated any of the provisions of this act or any of the rules regulations or orders of the Board

E Before refusing to grant or to reissue or before suspending or revoking or before refusing to transfer a license the Board shall afford the applicant or the licensee respectively an opportunity to be heard It shall give to such applicant or licensee by registered mail sent to his last known address at least five days' notice of such hearing

F Licenses issued under this act may not be assigned Licenses may however be transferred from one person to another provided that the prior written approval of the Board to such transfer is obtained but in the case of a receiver or an executor or administrator who succeeds to the business of a licensee he may continue the business for a period of two weeks if otherwise authorized by law without securing the prior approval of the Board Any change in the membership of a partnership or limited partnership either by the withdrawal or the addition of a partner shall be construed to require a transfer of the license

Applications for such transfers shall be filed with the Board at least one week before the transfer is to be made or in the case of a receiver or an executor or administrator within two weeks after he takes possession of the business of the licensee Whenever any license is transferred no license fee shall be required from the person to whom such transfer is made for the balance of the then current license year except the transfer fee of one dollar

Section 11 License Fees A The Board shall charge and collect license fees from milk dealers on a yearly basis as follows

Where a milk dealer received during any of the twelve calendar months immediately preceding the period for which the license is issued a daily average total quantity of milk

(1) Not exceeding twenty pounds a license fee of one dollar

(2) Exceeding twenty pounds but not exceeding one hundred pounds a license fee of three dollars

(3) Exceeding one hundred pounds but not exceeding one thousand pounds a license fee of ten dollars

(4) Exceeding one thousand pounds but not exceeding two thousand five hunderd pounds a license fee of seventeen dollars and fifty cents

(5) Exceeding two thousand five hundred pounds but not exceeding four thousand pounds a license fee of twenty-five dollars

(6) Exceeding four thousand pounds but not exceeding ten thousand pounds a license fee of fifty dollars

(7) Exceeding ten thousand pounds but not exceeding twenty thousand pounds a license fee of seventy-five dollars

(8) Exceeding twenty thousand pounds but not exceeding sixty thousand pounds a license fee of one hundred fifty dollars

(9) Exceeding sixty thousand pounds but not exceeding one hundred thousand pounds a license fee of two hundred dollars

(10) Exceeding one hundred thousand pounds but not exceeding two hundred fifty thousand pounds a license fee of three hundred fifty dollars

(11) Exceeding two hundred fifty thousand pounds but not exceeding five hunderd thousand pounds a license fee of five hundred dollars

(12) Exceeding five hundred thousand pounds but not exceeding seven hundred fifty thousand pounds a license fee of one thousand dollars

(13) Exceeding seven hundred fifty thousand pounds but not exceeding one million pounds a license fee of one thousand seven hundred fifty dollars

(14) Exceeding one million pounds a license fee of two thousand five hunderd dollars

B Expect as otherwise expressly provided by this act the license fees fixed by this section shall be paid before any license or any renewal thereof is issued

C The fee for a license issued on or after

(1) August first but prior to November first shall be three-fourths of the annual fee

(2) November first but prior to February first of the succeeding year shall be one-half of the annual fee

(3) February first but prior to May first shall be one-fourth of the annual fee

D Milk dealers who have not engaged in the milk business during the prior year shall pay the minimum license fee of one dollar and in addition thereto at such time or times as the Board may fix but not more than four months after the granting of the license shall pay an additional sum based upon the daily average total quantity of milk received by such dealer during any of such months

E Milk sold and distributed outside of this Commonwealth in any state which charges a license fee of milk dealers shall not be included in the determination of the amount of the license fee provided that such milk is actually computed in determining the amount of such license fee in such other state Likewise milk utilized for or sold in the form of manufactured products shall not be included in the determination of the amount of the license fee but the fluid milk equivalent of cream and of condensed or concentrated milk sold within this Commonwealth or in any state in which it is not actually computed in the determination of the license fee of a milk dealer shall be included in computing the license fee to be charged by the Board unless in the case of condensed or concentrated whole or skimmed milk it is sold in hermetically sealed cans

F The licenses required by this act shall be in addition to any other licenses which are now or may hereafter be required by law

Section 12 Licensee's Bonds or Securities Exemptions A Except as otherwise specifically provided in this act a license shall not be issued to a milk dealer purchasing milk from producers within this Commonwealth unless the milk dealer shall execute and file with the application a bond approved by the Board Such bond shall be upon a form prescribed by the Board shall be in a sum to be fixed by the Board but not exceeding by more than twenty-five per centum the value of the maximum amount of milk purchased from producers in any one month during the preceding year and in any event not exceeding one hundred thousand dollars shall be executed by a surety company authorized to do business in this Commonwealth and shall be conditioned for the faithful compliance by the licensee with the provisions of this act and for the prompt payment of all amounts due to producers for milk sold by them to such licensee subsequent to the posting of such bond

B In lieu of the bond required of a milk dealer by this section the Board may accept a collateral bond of the milk dealer secured by an actual deposit with the Board or with a bank bank and trust company or national bank within the Commonwealth of money to the full amount of the bond or by securities to such amount consisting of interest-bearing obligations of the United States government of this Commonwealth or of any political subdivision of this Commonwealth or by any other security or securities approved by the Board Such collateral bond shall be conditioned upon the same terms and in the same manner as is provided by this section in the case of a bond given by a surety company and the security or securities deposited therewith shall constitute a trust fund for producers from whom the licensee purchases milk

C The Board may likewise grant to any milk dealer the authority to substitute for any bond or any collateral an-

other bond or other collateral provided that such other bond or collateral meets all the requirements of this act

D A license shall from time to time when required by the Board make and file with the Board a verified statement of his disbursements or of any other facts in connection with his business during a period to be prescribed by the Board which statement shall contain the names of the producers from whom milk was purchased the amount due to producers and any other relevant facts required by the Board If it shall appear from such statement or from facts otherwise ascertained by the Board that the security afforded to producers selling milk to such licensee by the surety bond or by the collateral bonds does not adequately protect such producers the Board may require such licensee to give an additional bond in a sum to be determined by the Board or additional security for the collateral bond but not exceeding by more than twenty-five per centum the value of the maximum amount of milk purchased from producers in any one month during the preceding year and in any event not exceeding one hundred thousand dollars

Likewise the Board may grant a reduction of the surety bond or the collateral bond if it shall appear that owing to a decrease in the business of the licensee or to other causes a bond in a lesser amount will protect producers selling milk to such licensee

E All surety bonds and all collateral bonds together with any moneys security or securities given as collateral therefor received by the Board from milk dealers pursuant to the provisions of this section shall be transmitted by the Board to the State Treasurer for safe-keeping subject to withdrawal in whole or in part at any time by the Board

F The licensee shall be entitled to all moneys received by the State Treasurer as interest or dividends upon any securities deposited by such licensee with the Board and by it transmitted to the State Treasurer for safe-keeping in accordance with the provisions of this act

Provided however that such licensee shall not be entitled to such interest or dividends if there is on file with the Board a valid unpaid claim of a producer against such licensee based on milk sold by such producer to such licensee

G The Board may by reasonable rule or regulation provide the procedure for the payment out of the bonds or security or securities required by this section of the valid claims of producers based on sales by them of milk to the licensee who has posted the bonds or security or securities

Provided however that if the bond or security or securities which have been posted by a milk dealer shall be insufficient to pay in full the just claims of producers who have sold milk to such licensee the moneys available shall be divided pro rata among them

The Board shall have the power in its discretion to sue on the bond on behalf of producers

H A co-operative agricultural association or corporation organized under the laws of this Commonwealth or a similar association organized under the laws of this or any other state shall be deemed a producer within the provisions of this section and shall be entitled to its benefits Such an association or corporation if operated for the benefit of producers under contract with it and not conducted for profit shall not be required to file a bond under the provisions of this section

I If satisfied from an investigation of the financial condition of any applicant for a license under this act that such milk dealer is solvent and possessed of sufficient assets reasonably to assure payment to producers from whom he purchases milk the Board may by official order exempt such applicant from posting the surety bond or bond secured by collateral required by this section In such case the applicant shall post with the Board his personal bond in such form to such amount not greater than the maximum fixed by this section for surety bonds and upon such conditions as shall be prescribed by the Board

The Board may at any time it deems such action advisable rescind any order exempting a milk dealer from posting a surety bond or a bond secured by collateral and may require him to post such bond or bond and collateral

J If any milk dealer is financially unable to post such surety bond or bond secured by collateral as may be required by the Board pursuant to the provisions of this act he may file with the Board under oath or affirmation upon a form to be prescribed by the Board an application for exemption from posting such surety bond or bond secured by collateral on the ground of his financial inability to do so Attached to such application shall be the signed statement of the producers from whom the dealer purchases his milk or of any cooperative agricultural association or similar association or corporation representing such producers to the effect that such producers or such association or corporation on their behalf consents to the exemption of such milk dealer from posting such surety bond or bond secured by collateral Such consent may be upon such special terms of payment and such other conditions as shall be agreed upon between such producers or such co-operative agricultural associations or similar association or corporation on their behalf and the milk dealer and approved by the Board

The Board may by official order exempt from posting a surety bond or a bond secured by collateral any dealer who has complied with the provisions of this subsection

The Board may at any time it deems such action advisable rescind any order exempting a milk dealer from posting a surety bond or a bond secured by collateral and may require him to post such bond or bond and collateral

Section 13 Classification of Licenses The Board may classify licenses and may issue licenses to any milk dealer to operate as a milk dealer in a particular municipality only or in a particular market or markets in the Commonwealth only but no milk dealer shall if he be granted a license under this act at all be prohibited from acting as a milk dealer in any municipality or in any market in which he was operating upon the effective date of this act

Section 14 Licenses Appeals from Board Decisions A Any person aggrieved by an order of the Board fixing the price at or the terms upon which milk may be bought or sold or by any other general rule regulation or order of the Board may file an appeal therefrom in the Superior Court within twenty days after the issuance of such order fixing the price of milk or such other general rule regulation or order but such appeal shall not be permitted to act as a supersedeas B Any person aggrieved by an order of the Board in which the Board refuses to issue reissue or transfer or revokes or suspends a license to operate as a milk dealer or by any other order of the Board applying only to a particular person or persns named therein and not otherwise specifically provided for in this section may within twenty days after the issuance of such order file an appeal therefrom in the Court of Common Pleas of the county in which he resides or has his principal place of business or in the case of a nonresident who has no place of business within the Commonwealth in the Court of Common Pleas of Dauphin County C The appeal provided by this section from action of the Board both in the cases of appeals to the Superior Court of Pennsylvania and appeals to the various Courts of Common Pleas shall be by petition against the Board officially as defendant alleging therein in brief detail the action and decision complained of and praying for a reversal thereof Such petition shall specify the petitioner's objections to the action and decision of the Board and no objection not so specified shall be considered by the court Upon service of a summons upon the Board returnable within ten days from its date the Board shall on or before the return day file an answer which shall deny or admit the allegations of fact in the petition and which shall allege by way of defense the grounds for its decision It shall also on or before the return day of such summons certify to the court the record of the proceedings to which the petition refers Such record shall include the testimony taken therein the findings of fact if any of the Board based upon such testimony a copy of all orders made by the Board in the proceedings and a copy of the action or decision of the Board which the petition calls upon the court to reverse

D Upon the filing of the Board's answer the case shall be at issue without further pleadings and upon application of either party the case shall be advanced and heard without further delay Mere technical irregularities in the procedure of the Board shall not be the basis of the decision of the court The case shall be heard upon the record certified to the court by the Board Additional testimony shall not be taken before the court but the court may in proper cases remit the record to the Board for the taking of further testimony

The court shall upon the record transmitted to it by the Board determine whether or not the order appealed from

is reasonable and in conformity with law If it shall determine that the order is unreasonable or illegal it shall remit the case to the Board with directions to reform the findings or order or revoke the order in accordance with the court's opinion The court shall have full power to assess the costs upon either party or to divide them between the parties

E From a decision of a court of common pleas on the validity of an order of the Board in which the Board refused to issue reissue or transfer or revoked or suspended a license an appeal may be taken by either party to the Superior Court of Pennsylvania in the manner provided by law In all other cases in which this section authorizes an appeal to a Court of Common Pleas from an order of the Board the decision of the Court of Common Pleas shall be final and there shall be no appeal therefrom

Section 15 Records The Board may require licensees to keep the following records

(1) A record of all milk received detailed as to location and as to names and addresses of producers or milk dealers from whom received with butter fat test prices paid and deductions or charges made

(2) A record of all milk sold classified as to grade location and market outlet and size and style of container with prices and amounts received therefor

(3) A record of quantities and prices of milk sold

(4) A record of the quantity of each milk product manufactured the quantity of milk used in the manufacture of each product and the quantity and value of milk products sold

(5) A record of wastage or loss of milk or butter fat

(6) A record of the items of the spread or handling expense and profit or loss represented by the difference between the price paid and the price received for all milk

(7) A record of all other transactions affecting the assets liabilities or net worth of the licensee

(8) Such other records and information as the Board may deem necessary for the proper enforcement of this act

Section 16 Reports A Each licensee shall from time to time as required by rule or order of the Board make and file a verified report on forms prescribed by the Boad of all matters on account of which a record is required to be kept together with such other information or facts as may be pertinent and material within the scope of the purposes and intent of this act Such report shall cover a period of time specified in the order

B The Board may at any time that it deems such action to the best interests of the dairy industry require similar reports from milk dealers whom it has pursuant to the provisions of this act exempted from the requirement of procuring a license.

Section 17 Payment of Fees into State Treasury "Milk Control Fund" Appropriation Expenses of Board A All moneys collected or received by the Board arising from license fees penalties or any other source shall be paid by the Board into the State Treasury through the Department of Revenue and shall by the State Treasurer be placed in a separate fund to be known as the "Milk Control Fund" As much of the moneys in the "Milk Control Fund" as may be necessary is hereby specifically appropriated to the Board to be used to pay its expenses including the following

(1) Salaries of the Board of its employes and of any deputy attorney general special deputy attorney general assistant deputy attorney general or other counsel as may be assigned by the Department of Justice to the Board for the handling of any legal work pertaining to its business

(2) Rental and other expenses for offices rooms garage space and other accommodations outside of the Capitol Buildings either in or outside of the capital city occupied by the Board.

(3) Premiums for workmen's compensation insurance covering the offices and employes of the Board

(4) Premiums for surety bonds for such officers or employes of the Board as may be required by law to furnish such bonds

(5) Purchase and operating costs of motor vehicles required by the Board for full-time use including premiums for liability insurance covering such motor vehicles and the members of the Board and employes operating them also the amount payable to the Department of Property and Supplies for the use of automobiles supplied by it for temporary use by the Board

(6) Furniture stationery materials supplies and all other overhead expenses of the Board

(7) All other expenses of every kind and description necessary for the performance by the Board of its work

All such purchases and leases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as agent

B Estimates of the amounts to be expended under this act by the Board either itself or through the Department of Property and Supplies as purchasing agent shall be submitted to the Governor from time to time for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Board or by the Department of Property and Supplies as its agent in excess of the estimates approved by the Governor Subject to this provision the Auditor General shall from time to time draw warrants upon the State Treasury for the amounts specified in such requisitions not exceeding however the amount in the Milk Control Fund at the time of the making of any such requisition

Section 18 Order Fixing Price of Milk Penalties for Violations A The Board shall ascertain by such examination or investigation as the emergency may warrant what prices for milk in the several localities and markets of the Commonwealth and under varying conditions will be most beneficial to the public interest and will best protect the milk industry in the Commonwealth and insure a sufficient quantity of pure and wholesome milk to adults and minors in the Commonwealth having special regard to the health and welfare of children residing therein The Board shall take into consideration all conditions affecting the milk industry including the amount necessary to yield a reasonable return to the producer and to the milk dealer

B The Board after making such examination or investigation shall fix by official order the minimum wholesale and retail prices and may fix by official order the maximum wholesale and retail prices to be charged for milk sold within the Commonwealth wheresoever produced including the following classes

(1) By milk dealers to other milk dealers

(2) By milk dealers to consumers

(3) By milk dealers to stores either for consumption on the premises or resale to consumers

(4) By stores to consumers except for consumption on the premises where sold

When pursuant to statute regulations adopted thereunder or ordinance various grades of milk are specified the Board shall fix the minimum price and may fix the maximum price applicable to each in each of the classes Orders fixing the minimum and maximum prices may vary in different markets and shall designate the markets to which applicable Such orders may likewise classify milk dealers in any manner which the Board deems advisable and may vary according to the classes to which they are applicable

Provided however that this section shall not be construed to empower the Board to fix the price at which milk may be sold by any milk dealer or producer to consumers for consumption on the premises of such milk dealer or producer

C It is hereby declared to be the legislative intent that the public emergency requires that the benefits of any increase of prices received by milk dealers by virtue of the minimum price provisions of this section shall be given to producers except in any case where the Board deems a deviation from this policy necessary in order to maintain proper milk markets and outlets for producers The Board shall whenever it deems such action necessary to accomplish this purpose issue orders rules or regulations to effectuate this intent

D The Board after making the examination or investigation provided by this section shall fix by official order the minimum prices to be paid by milk dealers to producers and others for milk Provided however that the fixing of prices to be paid by milk dealers to producers for milk to be used solely in manufacturing shall be discretionary with the Board The order of the Board with respect to the minimum prices to be paid to the producers and others shall apply to the locality or zone in which the milk is produced and to the market or markets in which the milk so produced is sold and may

vary in different localities or markets according to varying uses and different conditions Each such order may classify such milk by forms classes grades or uses as the Board may deem advisable and may specify the minimum prices therefor

The Board may likewise fix by official order the terms upon which milk dealers shall pay producers and others for milk

E After the Board shall have fixed prices to be charged or paid for milk whether by class grade or use it shall be unlawful for a milk dealer to sell or buy or offer to sell or buy milk at any price less or more than such price or prices as shall be applicable to the particular transaction and no method or device shall be lawful whereby milk is bought or sold or offered to be bought or sold at a price less or more than such price or prices as shall be applicable to the particular transaction whether by any discount or rebate or free service or advertising allowance or a combined price for such milk together with another commodity or commodities or service or services which is less or more than the aggregate of the prices for the milk and the price or prices for such other commodity or commodities or service or services when sold or offered for sale separately or otherwise

F The Board may upon its own motion or upon application from time to time alter revise or amend an official order at any time made with respect to the prices to be charged or paid for milk After making such investigation and before making revising or amending any order fixing the price to be charged or paid for milk the Board shall hold a hearing thereon after giving reasonable notice thereof to interested parties of whom the Board has notice and to the public in such newspaper or newspapers as in the judgment of the board shall afford sufficient notice and publicity

G It is hereby declared to be the legislative intent that the instant whenever that may be that the handling within the Commonwealth by a milk dealer of milk produced outside of the Commonwealth becomes a subject of regulation by the Commonwealth in the exercise of its police powers the restrictions set forth in this act respecting such milk so produced shall apply and the powers conferred by this act on the Board shall attach but this shall not apply to condensed or concentrated whole milk contained in hermetically sealed cans or tanks to be used solely for manufacturing purposes by the original consignee thereof After any such milk so produced shall have come to rest within the Commonwealth it shall be unlawful except in any cases in which the Board shall otherwise determine for any milk dealer to sell such milk within the Commonwealth if he has paid to the producer thereof outside the Commonwealth a price lower than that which he would have been required to pay for milk produced within the Commonwealth purchased for similar purposes and under similar conditions less a proper allowance for the transportation thereof

H It is also declared to be the legislative intent that the producers of milk in this Commonwealth who sell their milk to milk dealers for shipment into and sale in another state where prices to producers are regulated by a state board or other authority with powers substantially similar to the Milk Control Board established by this act shall receive the same price that producers in such other state receive for milk purchased for similar purposes and under similar conditions less a proper allowance for the transportation thereof It shall be unlawful for any milk dealer except in any cases in which the Board shall otherwise determine to pay to a producer within this Commonwealth for milk to be sold in such other state a price lower than that fixed by the state board or other authority in such other state for sale of milk in such other state for similar purposes and under similar conditions minus a proper allowance for the transportation of the milk to the market in such other state

Section 19 Legislative Intent It is hereby declared to be the legislative intent that no provision of this act shall prevent and no provision contained therein shall be deemed or construed to prevent any co-operative agricultural association or corporation organized under the laws of this Commonwealth or a similar association or corporation organized under the laws of this or any other state and engaged in making collective sales or marketing of milk for the producers thereof from blending the net proceeds of its sales in all its markets or of its sales within any particular market in various classes and whether in fluid form or as manufactured products both within and without the Commonwealth and paying its producers such blended price with such deductions and differentials as may be authorized under contract between such association or corporation and its producers or from making collective sales of the milk of its members and other producers represented by it at a blended price based upon sales thereof in the various classes and whether in fluid form or as manufactured products both within and without the Commonwealth and which price is to be paid either directly to the producers or to the co-operative agricultural association or corporation Provided however that such blending or such price shall be subject to disapproval by the Board Nothing herein contained shall prevent any milk dealer from contracting for his milk with such cooperative agricultural association or corporation upon such basis Also no provision of this act shall be deemed or construed to affect the contracts of such cooperative agricultural association or corporation with its producers nor to affect or abridge the rights and powers of such an association or any of its operations This section shall not however be construed to exempt such association or corporation from the jurisdiction of the Board over the prices at which it may sell milk to milk dealers or consumers

Section 20 Interstate and Federal Compacts The Board is hereby vested with authority to confer with legally constituted authorities of other states and of the United States with respect to uniform milk control within the states and as between states to conduct joint investigations hold joint hearings and issue joint or current orders and to enter into a compact or compacts for such uniform milk control subject to such federal approval as may be authorized or required by law

Section 21 Dissemination of Information Conferences Licensees under this act and associations or corporations thereof and producers of milk and co-operative agricultural associations or corporations engaged in collectively processing preparing for market handling or marketing milk may acquire exchange interpret and disseminate past present and future market statistical economic and similar information by direct exchange between such persons or such associations or corporations or by and through a common agent created or selected by them Any such producers and associations or corporations may confer and discuss the cost of production of marketing market conditions and prices for sale of milk

Section 22 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 23 Saving Clause No provision of this act shall apply or be construed to apply to foreign or interstate commerce except in so far as the same may be effective in accordance with the Constitution of the United States and the laws of the United States enacted pursuant thereto

Section 24 Duration of Board The Board shall continue with all its powers and shall be subject to all the duties and responsibilities prescribed by this act until the thirtieth day of April one thousand nine hundred thirty-five at which time it shall be deemed abolished and the powers duties and jurisdiction conferred or imposed upon the Board by this act shall terminate All books papers records and documents in its possession upon that date shall remain in the possession of the Department of Agriculture

Section 25 Appropriation In addition to any other appropriation made by this act the sum of one hundred thousand dollars ($100,000.00) or as much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Milk Control Board for its use in administering the provisions of this act

On the thirtieth day of April one thousand nine hundred thirty-five all unencumbered and unexpended moneys remaining in the Milk Control Fund shall be paid into the General Rund For such purpose such moneys are hereby appropriated

Section 26 This act shall take effect immediately upon its approval by the Governor and shall continue in effect until the thirtieth day of April one thousand nine hundred thirty-five

On the question,

Will the House adopt the report?

Mr. HUTTON. Mr. Speaker and members of the House, as one of the committee of conference, I think that an explanation is due the members relative to the report, insomuch as it has been printed and placed upon your desks.

The changes as made in the conference report consist merely of strike outs, and, therefore, under the rules reprinting is not required.

The strikeouts are wholly confined to section 19, relative to the cooperative associations and corporations.

The amendments which were inserted by the House were stricken out in the conference report.

On the question,

Will the House adopt the report?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Baker,	Greenstein,	McCandless,	Sheffer,
Baldi,	Griffith,	McClure,	Shellenberger,
Barnhardt,	Habbyshaw,	McGrail,	Shenkel,
Beech,	Haines,	McGregor,	Shettel,
Bennett,	Hamilton,	McHenry,	Shortz,
Bernhard,	Harmuth,	McKay,	Shreiner,
Blumberg,	Harris,	McKinney,	Shugarts,
Boyd,	Hart,	Melchiorre,	Simon,
Brancato,	Hartman,	Meredith,	Sinwell,
Brennan,	Heffernan,	Merrell,	Snyder,
Brown, J. E.,	Hefferon,	Mohn,	Sowers,
Brown, W. L.,	Heffner,	Moore,	Spann,
Brownfield,	Hermansen,	Mumford,	Stank,
Cannon,	Hester,	Munley,	Steedle,
Caputo,	Hewitt,	Murphy,	Sterling, P.,
Carey,	Himes, H. E.,	Myers,	Sterling, R. B.,
Carson,	Himes, L. R.,	Negley,	Stevens,
Chervenak,	Hoffman,	Nothnagle,	Stevenson,
Cohen,	Holmes, J. B.,	O'Connor,	Stiteler,
Conner,	Holmes, J. L.,	O'Keefe,	Stone,
Cooke,	Hoopes,	O'Neill,	Stott,
Cordier,	Horst,	O'Rourke,	Tahl,
Craig,	Hough,	Patterson,	Terry,
Cramer,	Howard,	Peelor,	Trout,
Dane,	Hutton,	Pennock,	Turner,
DeFrehn,	Jaffe,	Perry, D. R.,	Wade,
Denning,	Jones,	Perry, J. J.,	Wagner,
Downey, G. E.,	Kane, J. J.,	Peters,	Walker, G. E.,
Downey, J. J.,	Kane, L. P.,	Powell,	Walker, W. A.,
Duffy,	King,	Powers,	Wall,
Dunmire,	Kinney,	Price,	Wasserman,
Ederer,	Labar,	Quinn,	Way,
Emhardt,	Lane,	Raub,	Weidemann,
Eroe,	Laubach,	Rectenwald,	Welsh,
Evans,	Lenahan,	Reed,	Westrick,
Fitzgerald,	Lewis,	Reilly,	White,
Flanagan,	Long,	Rhodes,	Wike,
Fleisher,	Lord,	Roan,	Williams, G. W.,
Flinchbaugh,	Lose,	Roth,	Williams, J. J.,
Flynn, J. M.,	Lovett, J. E.,	Royle,	Wilson, L. M.,
Flynn, J. W.,	Lovett, W. S.,	Ruby,	Wilson, T. B.
Forrest,	Lynch, J. R.,	Ruth,	Witkin,
Furman,	Lynch, M.,	Sarig,	Wood,
Gallagher, T. J.,	Male,	Sautter,	Woodside,
Gallagher, W. J.,	Malina,	Schrock,	Wright,
Gartner,	Maloney,	Schrope,	Yeakel,
Gillette,	Marcks,	Schwab,	Yourishin,
Gorman,	Mason,	Schwartz	Zimmerman,
Green,	McBride,	Scorza,	Talbot, Speaker.

NAYS—1

McCreary.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report was adopted.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

CONGRATULATING SPEAKER

Mr. BALDI. Mr. Speaker and members of the House, you all heard the Speaker refer to the arduous task that we have just gone through, and as one of the results of it my throat has given away.

I stand here this morning with a great deal of pleasure. I have sat in this hall under the guidance of many speakers but I feel safe in saying that of all those under whom I have sat the present speaker, Grover C. Talbot stands in the lead.

Mr. Talbot has had a condition here that I am positive no other Speaker has ever had, and I am sure that everyone of us as members of this House feels that during the carrying out of that task he has never slighted a member, he has never struck the gavel unless he meant what he said, and I know of no instance where he hurt the feelings of any member.

Mr. Talbot has worked hard. He has handled situations here that none of us could have handled better had we prepared years ago. Mr. Talbot has handled the rostrum perfectly and at this time it gives me great pleasure to present this resolution.

The Speaker. The Chair desires the gentleman from Franklin, Mr. Hutton, to preside over the deliberations of the body.

MR. HUTTON IN THE CHAIR

The resolution was read by the clerk as follows:

In the House of Representatives, December 21, 1933.

The fair, impartial and courageous administration of the business of this House during this Special Session has most convincingly justified the wisdom of its choice of a Speaker.

A session, conspicuous for its new alignments and for its sturdy and honest divergence of view and for its adventurous spirit, leading into new paths of legislation, called for the highest quality of leadership and the call was well answered.

There can be no criticism of his official conduct, and at the close of this session, the House finds itself more than ever indebted to him for the manner in which he has presided, for the help he has been to the Members, and for his fairness at all times.

His gavel silenced no rightful protest, stilled no voice raised in the cause of justice, but ever maintained the dignity of the chamber and expedited its business; therefore be it

Resolved, That the House extends to its Speaker, the Hon. Grover C. Talbot, not only its thanks for his fairness and consideration but as well its congratulations for the masterful manner in which he conducted its business, and extends also to him its very best wishes for a very happy Christmas and a New Year filled with ever increasing happiness and prosperity; and be it further

Resolved, That this resolution be spread upon the Journal of the House of Representatives, and a copy thereof be furnished to the said Hon. Grover C. Talbot, its Speaker.

On the question,

Will the House adopt the resolution?

Mr. WILSON. Mr. Speaker and members of the House, I hope the House will be patient with me a minute while I speak on this resolution. I hope and I know you probably do too, that this will be the last time that I ever speak to the House of Representatives of Pennsylvania.

I want to say one word on this resolution, because I have had the pleasure a number of times of presenting and seconding the nomination of Speakers and I want to express my appreciation, and I know I speak the sentiment of the House for the manner in which the Speaker has conducted himself.

At the time when we nominated him, there were many pleasant things stated about the present Speaker of the House, and at that time I spoke just before Mr. Turner, and I said to the members of the House that while Mr. Talbot was all the things that were said about him, pleasant and cordial he was also a leader, a man with decided views who would stand by his views. He has not only stood by his views, but he has led this House through a very turbulent session with fairness not

only to the majority but also to the minority in the House, so that he has won their friendship and respect.

As I stand here the last time, I would like to say to the House and to the people of Pennsylvania in these turbulent times that we need men of character and decision, that we need men who can cooperate not only with their faction, but with all factions. There is in Pennsylvania, in my judgment, no man who would make a better public servant in a state wide office than the present Speaker of the House.

It has been my own thought and my own hope that the next time the Legislature of Pennsylvania meets, the present Speaker possibly would be presiding over the body which meets at the other end of the Capitol, but other than a presiding officer I have had an opportunity as a member of the Rules Committee to find out the calibre of the leadership of the Speaker. I have had an opportunity to find out that he has set principles, that he has set ideas of what should be done, and with the courage to carry them out, but in carrying them out, none of us can say that he would not listen. I want to pay him the compliment now that while he is a man of fixed convictions, while he is a partisan, who follows along with the crowd that he is associated with, yet he is the easiest man that I have ever done business with, to suggest an idea and to listen and to change his opinion if he thinks that is the wise thing to do.

I want to say to the members of this House and to the people of Pennsylvania that in these troublesome times we need strong men, men of conviction, men who have ideals and who have the nerve, courage and sinew to stand by them, that I do not know of any better public servant whom they could put in office than the present Speaker of this House, and as I leave here, I want to pay my tribute of respect and admiration. I do not need to give my respectful affection to the Speaker, because I did it long before he was Speaker of this House, but I say now that my party and the people of Pennsylvania generally have no men that they could put in public office, have no man that they could entrust with their business in these times, who could do it better, do it with more insight into the affairs of Pennsylvania, more courage, more willingness to listen to whoever brought him an idea, and then to do what he thought was the right thing, than the man who is now finishing up as Speaker of this House, and I recommend him to the people of Pennsylvania. I know that if he were chosen for public office, he would have the admiration and the respect of the people of Pennsylvania, as he now has of those who have served under him in this House.

Mr. DAVID R. PERRY. Mr. Speaker and Mr. Grover C. Talbot, in seconding the resolution of the gentleman from Philadelphia, Mr. Baldi, I am mindful of the fact that not so many months ago this same body voiced the same sentiments of esteem for the Speaker as they do today. I am also mindful of the fact that words cannot express our sincere and heartfelt appreciation.

Coming back on November 13th, it seemed to me that this House, by virtue of the proclamation of the Chief Executive, was in the position of a ship being launched on an uncharted sea, where the ports were unknown, and on every side of the ship were the dangers, shoals, storms, things that threatened to destroy. The crew, the members of this House, had their different ideas of the ports to which we would sail, had different ideas of handling the ship, but when it is all said and done the only man responsible for the success of the voyage is the captain of the ship, and so to that man, in the form of Grover C. Talbot, for ability, fairness and courage in bringing the ship and perhaps a discordant crew into the port of Success, I pay my appreciation, and I say to Grover C. Talbot just these lines of Kipling's in his wonderful poem "If."

> "If you can keep your head when all about you
> Are losing theirs and blaming it on you;
> If you can trust yourself when all men doubt you,
> But make allowance for their doubting too;
> x x x x x x
> Yours is the Earth and everything that's in it,
> And—which is more—you'll be a Man, my son."

I say with Kipling the man who can do that the world belongs to him, and what's more, he is a man.

I take a great pleasure in seconding that resolution, Mr. Speaker.

Mr. FITZGERALD. Mr. Speaker and members of the House, it gives me a great deal of pleasure also to second the resolution of the gentleman from Philadelphia, Mr. Baldi. I am tempted to believe, however, that this action at the close of the Extraordinary Session is similar to the act of offering flowers to the deceased. I feel in that respect that we as members are a trifle late. I should like to see us offer our flowers at the proper time, by ceasing our conversation and generally making the trials and tribulations of the Speaker to a reasonable degree more pleasant. I say that by reason of the fact that few of us, if we do not stop and think, seem to appreciate the tedious duties of the Speaker. He is one, we are two hundred and eight. His duty involves all of us. We feel that when we want to attract his attention he should see us the moment we arise. We should appreciate the enormous task of the Speaker, and in paying my respects to him, in addition to wishing him and his a merry Christmas and a happy New Year, I want to say too that it is an extreme pleasure, whether I live or die, whether I am here or not in the next session, the memory of the fairness of Grover Talbot shall always be to me a memory that I shall cherish.

Mr. TURNER. Mr. Speaker and ladies and gentlemen of the House, as one of the silent members of this House, I cannot help but seize the opportunity when these tributes and bouquets are being cast upon my colleague and friend to also say a word in his behalf. Somebody said that they thought parades for a man holding public office should not be held at the time of their inauguration, but at the end of their term, and I think that this House during the regular and this special session has given a practical illustration of the truth of that saying.

The gentleman from McKean has said that he did not expect to return, not, I know, because of the constituency of McKean County will not send him back, but because of his own determination. I think he feels that his term should end here, and what he said about the need of leadership, what he said about the need of men in reference to the Speaker, I think is also due to him. We all have our differences of opinion. It would be unusual, it would be improbable if two I think is also due to him. We all have our differences of opinion. I believe, as I know the intelligence of this House, that there is respect in the hearts of each and every one of us for those men whom we believe are useful to the people of Pennsylvania, and to our Government, whether we differ as to policy and as to our ideals of goverment. So as we go through this troublous time and we look forward to the session of 1935, I know that I voice the opinion of men of all the parties in this House, that there should be returned in 1935 the men who are willing to serve and who can serve with intelligence the people of Pennsylvania.

I want to say to you members of the House, because I could go beyond that which you can, for I lived with this man

during the sessions, some has said, if you really want to know a man you must play poker with him or sleep with him, and I have had that opportunity, because we came here in 1925 and have served our constituents through five regular sessions and four special sessions of the Legislature, and I can say to you that what you have observed here of the actions of the Speaker in the Chair, the judgments and the opinions that you have formed are only a part of the measure of the man. I know the personal sacrifices, the physical sacrifices that he has made to carry on his work, not only as the Speaker, but during the terms that he has served on the floor of this House. I know the intense personal interest he has taken, I know how willingly he has taken up the cudgles for you men, no matter whether you be of his party or some other party. I know that you are representatives here as a whole, not partisan representatives, and that he has viewed your needs; he has viewed your comforts, as he has viewed the things that you should do and he measured them not with a partisan eye, but with a nonpartisan eye, and with a friendly eye and with a feeling in his heart of respect and love for you men for the manner in which you have treated him.

So I want to add, Mr. Speaker, these few humble words on my part. I want to say what my friend, the gentleman from McKean, has already said that I believe there is a future ahead for you in the Pennsylvania, and I believe the people can rest confident that no matter in what position we place the Speaker, he will always carry it as he has here with a high spirit of trust.

Mr. HOOPES. Mr. Speaker and members of the House, I am not in a position to make a nominating speech or to second one, but I do feel that it is my duty as one of a very small minority in this House to express my keen appreciation of the fairness and the just manner in which Grover C. Talbot has acted as Speaker of this House. Even when he knew only too well that members of this House were prepared to do things of which he did not approve, to advance measures with which he did not favor he gave them every opportunity that he would have given his best friends who were advancing things that were nearest to his heart. I feel I can add nothing to that, but it is my duty to say that much. I wish you God speed.

Mr. PEELOR. Mr. Speaker and fellow members of the Legislature, I have been associated for a little more than sixty years with public gatherings, and have noted with a great deal of interest the character of the presiding officer. I want to say today as I endorse what has been said by those who preceeded me, that I have never seen dignity and humor so well blended as in the present Speaker of this legislative body. I further want to say to you that I have never seen a presiding officer who has done it as perfectly as has Grover C. Talbot.

Mr. WELSH. Mr. Speaker, I too, wish to pay tribute to the splendid character of the Speaker of the House, the Honorable Grover C. Talbot. He has not only been fair but courageous and patient. There were times in this House when the request for a roll call seemed unnecessary and it was granted. And there were times when certain members deemed it advisable to ask for a verification of the roll and the roll was verified. But on this particular occasion no verification is necessary on the resolution before the House as it will unanimously be adopted as a tribute to the ablest and finest Speaker that has ever graced the Speaker's Chair. We wish him many, many merry Christmases and happy New Years.

The SPEAKER (Mr. Hutton). Before placing the resolution before the House, the present presiding officer feels he would certainly be remiss if it did not add just a word of hearty concurrence to that which has been so well expressed by the several speakers upon the resolution.

As you all know, our beloved Speaker and the person now presiding have been closely associated in the work of this House, and in going through memory for an apt quotation I can only think of this one:

"None knew him but to love him
None knew him but to praise."

Relative to his rulings here in the Chair and relative to his life, I can only recall to your minds the remarks of Abou ben Adhem that he made to the Recording Angel when he said: "Put me down as one who loves his fellow-men" and I think that is peculiarly apt and appropriate to our beloved Speaker.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR.

The SPEAKER. The Speaker can only say, I thank you.

RESIGNATION OF HONORABLE JOHN J. KANE.

Mr. JOHN J. KANE. Mr. Speaker and members of the House, it is with regret that I tender to you my resignation as a member of this honorable body. You no doubt know that I have been elected a member of the City Council of the City of Pittsburgh, and under the law I cannot serve in two legislative bodies, and in handing this resignation to you, I want to say to you, Mr. Speaker, and to every member of this House, that I deeply regret that I have to leave this body.

While I have differed with you at various times on different subjects and on different policies, there is not a single member of this House for who I do not have the highest respect. I have enjoyed the association and the courtesy with which you have treated me.

In conclusion, I want to add to the remarks of the members that spoke on the previous resolution. I want to say to this House, what I have said to my friends privately, that I do not know of any abler man in the Republican Party than the Speaker of this House. I have attended the sessions of the General Assembly many years, not as a member, but as a visitor. I have seen Speakers preside over this House, and I do not know of any man who has given to the new members of this House more courtesy, more help, and more patience than the present Speaker, and I want to say to him, that if I never see him again that I appreciate the friendship that has been established, and if he should visit our city I would welcome him as a visitor. I say the same to every member of this House, and I sincerely regret that I now have to present this resignation to you.

Tht SPEAKER. The Chair accepts the resignation. It will be noted in the Journal and printed in full in the Legislative Journal.

December 19, 1933.

Hon. Grover C. Talbot,
Speaker of the House of Representatives,
Harrisburg, Pennsylvania.

My Dear Mr. Speaker:

Having been elected a member of Council of the City of Pittsburgh, the duties of which office I am compelled to assume on the first Monday of January, 1934, I hereby tender my resignation as a Member of the House of Representatives of the Commonwealth of Pennsylvania to become effective on December 31, 1933.

Very truly yours,
JOHN J. KANE.
Sixth Legislative District,
County of Allegheny.

RESIGNATION OF HONORABLE THOMAS J. GALLAGHER.

Mr. THOMAS J. GALLAGHER. Mr. Speaker, I too want to present my resignation. I want to express the same thoughts as have been expressed by my colleague, Mr. Kane, from Allegheny.

While I never attended a session of this body before I came down here as an elected representative, I want to say that it has been a new experience to me, and the friends that I have gained here will profit me in my future life. I want to express my sincere appreciation to each and every member of this House for the courtesies extended to me and also to the Speaker of this House, and it is with deep regret that I am now handing in my resignation.

The SPEAKER. The Chair accepts the resignation of the gentleman from Allegheny, Mr. Gallagher. The same will be noted in the Journal and printed in full in the Legislative Journal.

December 19, 1933.

Hon. Grover C. Talbot,
Speaker of the House of Representatives,
Harrisburg, Pennsylvania.

My Dear Mr. Speaker:

Having been elected a member of Council of the City of Pittsburgh, the duties of which office I am compelled to assume on the first Monday of January, 1934, I hereby tender my resignation as a Member of the House of Representatives of the Commonwealth of Pennsylvania to become effective on December 31, 1933.

Very truly ours,

THOMAS J. GALLAGHER,
Sixth Legislative District,
County of Allegheny.

RESOLUTIONS

COMMITTEE TO WAIT UPON SENATE.

Mr. HEFFERNAN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 21, 1933.

Resolved, That a committee of three be appointed to wait upon the Senate and inform that body that the House is ready to adjourn sine die this day, December 21, 1933, at 12:00 o'clock M.

COMMITTEE APPOINTED TO WAIT UPON SENATE.

The SPEAKER. The Chair appoints as a Committee to wait upon the Senate and inform that body that the House is ready to adjourn sine die, Messrs. Heffernan, Andrews and David R. Perry.

THANKING RESIDENT CLERK AND CHAPLAIN.

Mr. SIMON offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 21, 1933.

Resolved, That the thanks of the Members of the House of Representatives be extended to Milton K. Burgner, Resident Clerk of the House of Representatives, and the Reverend George F. Conner, Chaplain of the House of Representatives, for the courteous, able and efficient manner in which they attended to the duties of their respective offices during this Extraordinary Session of one thousand nine hundred and thirty-three.

THANKING OFFICERS AND EMPLOYES OF THE HOUSE.

Mr. BENNETT offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 21, 1933.

Resolved, That the thanks of the Members of the House of Representatives be tendered to all the officers and employes of the House for the able and efficient manner in which they have attended to the duties of their respective offices during this Extraordinary Session of one thousand nine hundred and thirty-three.

THANKING LEGISLATIVE REFERENCE BUREAU.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, the inadequacy of the resolution, which I am about to present compels me to add to it my personal, and I am sure your personal sentiments.

It has been my great pleasure during these past two years to be thrown in contact with men in the American Legislators' Association, representing substantially every State in the Union. I have learned through that contact that many of the states do not have a Legislative Reference Bureau, that those that have such bureaus are not all equipped with efficient bill drafting service. I have also learned through that contact that the Director of our own Legislative Reference Bureau, as well as the Bureau itself, has become known as one of the first ranking Legislative Bureaus among those that exist in the states.

It is no simple matter even in normal times for a Legislative Reference Bureau to adequately interpret the legislative thought of the seasoned and experienced members of the Legislature. How much more difficult must it be in these abnormal times when we experience a great turn over in the membership of our legislative bodies, through the entrance to them of new members?

We in Pennsylvania are fortunate in that we have a Legislative Reference Bureau which not only is equipped to research legislative questions, not only equipped to test for us the legality and constitutionality of the legislative thought which we present to them, but we have also as you men well know by this time a Legislative Reference Bureau thoroughly efficient and equipped in the art, because it is an art, of bill drafting.

I have said it, and I repeat, that the quality of the statutes which we have these past many years found upon our books in no small measure is due to the careful, painstaking and efficient service rendered to us by the Director of the Legislative Reference Bureau and his staff. I think that the citizens of Pennsylvania and the members of this Assembly must appreciate that service, and with these added sentiments, Mr. Speaker, I have great pleasure in presenting the following resolution.

Mr. PHILIP STERLING offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 21, 1933.

Resolved, That the Members of the House of Representatives extend their thanks and appreciation to the Director and other officers and employes of the Legislative Reference Bureau for the valuable assistance rendered to the House during the Extraordinary Session of one thousand nine hundred and thirty-three.

THANKING REPRESENTATIVES OF THE PRESS.

Mr. LORD offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 21, 1933.

Resolved, That the thanks of the Members of the House of Representatives be extended to the Representatives of the Press for the fair and impartial manner in which they reported the proceedings of the Extraordinary Session of one thousand nine hundred and thirty-three.

THANKING BUREAU OF PUBLICATIONS.

Mr. DANE offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 21, 1933.

Resolved, That the thanks of the Members of the House of Representatives be extended to the Bureau of Publications of the Department of Property and Supplies and to the Public Printer for the efficient manner in which the printing for the Extraordinary Session was expedited.

STATEMENT BY MR. SHREINER.

Mr. SHREINER asked and obtained consent to make the following statement:

Mr. Speaker and members of the House, on behalf of the Christmas party I want to make the following report for the committee:

Contributions received were $191.

The expenses:

Orchestra	$ 42.00
Prizes	59.00
Entertainment	39.00
Decorations	7.00
Music and Piano	8.00
Speaker's Outfit	9.00
Gifts to Girls	6.00
Total	$170.00

leaving a surplus of $21.00 and that surplus of $21.00 will be turned over to the Children's Home if agreeable to the members.

I thank you.

The SPEAKER. The remarks of the gentleman will be spread upon the Journal and the gentleman from Dauphin suggests that the balance of the fund be turned over to the Children's Home in Harrisburg.

Are there any objections? The Chair hears none, and the committee will govern itself accordingly.

RESOLUTION No. 27

Mr. SCHWARTZ. Mr. Speaker, I desire to call up at this time Resolution No. 27, Printer's No. 195.

The resolution was read by the Clerk as follows:

In the House of Representatives, December 21, 1933.

Whereas, Several bills have been introduced during this Extraordinary Session of 1933 concerning permanent registration in cities of the First Class, and

Whereas, There is a great confusion as to the best methods for effecting details that will preserve the purity of the ballot and secure to the citizens the right of suffrage.

Therefore be it resolved (if the Senate concur), That a Commission shall be appointed composed of three Members of the House of Representatives who shall be appointed by the Speaker, and two Members of the Senate, to be appointed by the President Pro Tempore, to constitute a research body to study the best methods for permanent registration and to prepare a bill to be submitted to the 1935 Session of the Legislature for enactment into Law. Said Commission shall have power to examine into the books and records of the Registration Commission of Philadelphia and shall receive full cooperation from the members of said Registration Commission in order to effectuate the purposes of this Resolution.

Be it further resolved, That all Members of this commission are to serve without compensation.

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

THANKING ENTERTAINMENT COMMITTEE.

Mr. BENNETT offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 21, 1933.

Whereas, The committee appointed to provide entertainment to the Members of this House last night and to bring to the tired, distraught and over-worked Members a respite from labor and furnish them with a touch of Christmas cheer and happiness, performed its duty most creditably; and

Whereas, The evening was most enjoyable to the Members and their friends and revealed talents heretofore latent and undreamed of in some of the Members, to the surprise and delight of all who attended the exercises; and

Whereas, The thanks of the House is due to those who arranged the program and to those who participated therein; therefore be it

Resolved, That the House extends its thanks to its Speakeress (for a night), the Honorable Roy Schreiner, and to those others of the committee who labored with him, and to the Governess of the Commonwealth (for a night), the wife of His Excellency, the Governor, and to those other artists who assisted on the program.

FILES OF MEMBERS TO BE FORWARDED.

Mr. WASSERMAN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, December 21, 1933.

Whereas, The files of the bills presented to and the proceedings of the General Assembly of the Extraordinary Session of one thousand nine hundred and thirty-three are the property of the members thereof, and are desired for preservation by said members, and

Whereas, said files have, at former sessions, been forwarded to the homes of the members at the conclusion of the session by the Department of Property and Supplies, therefore, be it

Resolved, That the Secretary of the said Department of Property and Supplies shall be requested by the Resident Clerk of the House of Representatives to forward such files and supplies belonging to members of the House of Representatives as they may designate, to such address as shall be furnished by them to the said Resident Clerk of the House of Representatives, and that a copy of this resolution be forwarded by the said Resident Clerk to the Secretary of the said Department of Property and Supplies.

COMMITTEE APPOINTED UNDER RESOLUTION No. 13.

The SPEAKER. Pursuant to Resolution No. 13 as adopted by this House and concurred in by the Senate the Chair appoints as a Committee Messrs. Baldi, Blumberg and Ederer.

COMMUNICATION FROM SECRETARY OF BANKING.

The SPEAKER laid before the House a communication from the Secretary of Banking in response to a resolution offered

by the gentleman from Berks, Mr. Sarig, which was read by the Clerk as follows:

Commonwealth of Pennsylvania,
Department of Banking, Harrisburg, December 20, 1933.

To the Honorable Grover C. Talbot, Speaker of the House of Representatives, Harrisburg, Pennsylvania:

Dear Mr. Speaker:

In compliance with File of the House of Representatives, Resolution No. 12, requesting that the Secretary of the Department of Banking furnish an explanation of the delay by the Department of Banking in liquidating closed banks and the failure of the Department to take advantage of the offer of the Federal Government, I wish to say that this resolution was answered immediately in the public press and for the records of the House of Representatives an answer is being submitted herewith.

In the first place, the Resolution infers that the Federal Government has available a loan of $100,000,000 to aid in the distribution of the funds due depositors in the closed banks of Pennsylvania.

Mr. Mortimer N. Buckner, President of the New York Trust Company and a special representative of Mr. C. B. Merriam, Chairman of the Deposit Liquidation Board, informed the Department of Banking that the United States Government will have $400,000,000 this year for loans to closed banks in the 48 States for both National and States banks. At no time has $100,000,000 ever been offered or made available to the banks in the Commonwealth of Pennsylvania, as will be observed from the experience on loan applications as mentioned hereinafter.

Secondly, it should be pointed out that a schedule of the assets of the Bankers Trust Company of Philadelphia, our second largest closed institution, having 116,000 depositors, or about one out of every five depositors in Philadelphia, was forwarded to the Reconstruction Finance Corporation for the maximum loan obtainable. These assets had a book value of $25,394,034.19, appraised at $13,154,017.18. We were offered a loan of only $750,000, which would make possible a dividend to depositors of only 2.69%.

Personally I went to Washington and demanded a review of the assets because of the ridiculousness of the loan. The Reconstruction Finance Corporation sent Examiners to the bank and upon reviewing the assets offered a net increase of $23,000. They demanded an assignment of a lien on the entire group of assets as collateral security and, of course, would have charged their fixed rate of interest. Obviously such a loan could not be accepted in the interests of the depositors.

A further attempt was made to procure money and in all 17 banks were reviewed by the Examiners of the Reconstruction Finance Corporation as test cases and on $60,515,000 book value of assets, loans totaling $3,567,459 were offered, or an equivalent of 5.9% of the book value of the assets. In other words, a loan on a ratio of collateral of approximately one to twenty. Such loans certainly offered no relief to depositors for in most of these banks dividend payments exceeding this amount have been already paid by the Department out of normal liquidations. Moreover, while the loan on the Bankers Trust Company was pending our Department collected approximately $400,000 in cash from the assets on which the Government offered only $773,000 and we still have remaining approximately $24,000,000 book value of assets with which to raise further dividend payments through liquidation.

In early October I was called to Washington to make suggestions relative to the unfreezing of deposits in closed banks and was asked to submit a report in writing so that it might be presented to the President. On the following Sunday, the President announced on the radio a new and more liberalized plan with respect to loans on the assets of closed banking institutions and three of the four suggestions made by me in my report to Washington were included in this plan.

We are informed by Washington officials that the President recognized the fact that the Reconstruction Finance Corporation was not functioning by properly aiding closed banks and that, therefore, the President determined to set up the new Deposit Liquidation Board under Mr. C. B. Merriam as Chairman. He announced that this Board was to make liberal loans based not on present distressed liquidating values but on an appraisement based on a three to five year recovery. Immediately upon the announcement of his local committees the Department of Banking had meetings with the respective Chairmen and as soon as schedules and application blanks were made available by Washington they were started in the process of preparation in each of the closed banks. At first the President's plan included only banks which had closed subsequent to January 1, 1933. This necessarily limited assistance to 16 banks under State supervision for most of our banks had closed during 1931 and 1932. I appealed to Washington for a change in this plan and yesterday I received official confirmation from the Cleveland Branch of the Deposit Liquidation Board that the policy had been changed to include all closed banks.

At the present moment we are completing applications for liberal loans at every closed institution and already three loans have been approved by the local Committees and by Washington. A number of others are now in the hands of the several Committees and daily they are being forwarded from the respective banks for the consideration of these Committees.

Ever since Washington announced its new policy, the forces in the closed banks have been working days, nights and Sundays in order to obtain the greatest possible loans in the interests of depositors.

With a new yardstick replacing the one formerly used with respect to values by the Reconstruction Finance Corporation, it is confidently believed that real assistance will be obtained for Pennsylvania closed banks. Incidentally, it might be mentioned that the great States of New York and New Jersey and many others throughout the United States found it absolutely impossible to obtain loans commensurate with the values of the collateral in their closed banks and, accordingly, could not accept the meagre amounts heretofore offered. Pennsylvania, like its Sister States, could not in fairness to the interests of the depositors, accept the disproportionate amounts which formerly were offered under the old plan based upon appraisals at distressed valuations.

Everything possible is being done to cooperate with the Federal Government through its new Deposit Liquidation Board to obtain the highest number of dollars that can be made available by Washington to each closed institution.

The Department of Banking has pursued a policy of having a businesslike and orderly liquidation of the assets of closed banks and has absolutely avoided the ruthless dumping of these assets upon the market at greatly depreciated values. Even while pursuing this policy to conserve values for the greatest ultimate interests of the depositors it has liquidated into cash sufficient to pay Bills Payable owed by the banks at the time of possession of $47,591,000, Preferred Claims and Secured Deposits of $8,378,000, 319 dividend payments involving 2,331,151 individual payments to depositors amounting to $52,604,000, and has left approximately $8,184,000 which is in the process of dividend distributions.

In considering the foregoing, it should be borne in mind that the assets turned over to the Department of Banking for liquidation consisted for the most part of unhypothecated securities of a greatly depreciated value or of a non-marketable nature, of tremendous amounts of real estate for which there has been little or no market, and of slow, doubtful and bad commercial loans upon which the banks could not realize readily while the banks still remained open. Bills Payable of large amounts were owed by all of the banks and the good and liquid assets for the most part had been converted into cash and paid out to the depositors during the period when active or slow runs were in evidence in these institutions.

Although we have been operating during a period of unprecedented economic conditions, so far we have been able to liquidate 60% of the apparised value of commercial loans, 88% of the appraised value of securities, 14% of the appraised value of real estate and 25½% of the appraised value of mortgages, with a total gain in conversion amounting to $5,151,000.

Naturally the greatest problem is that of real estate where there has been little or no market during this depression. In the Philadelphia area alone our closed banks own outright in excess of 31000 properties and 23000 mortgages in addition to 1184 properties and mortgages held as collateral to loans. Among our holdings are twenty-two story office buildings, apartment houses, individual homes, farms and vacant land.

The Department of Banking has been proceeding in an efficient and businesslike manner in liquidating the assets of closed banks in a manner which would inure to the greatest interests of the depositors. Debtors have been given an opportunity to amortize their loans so that law suits would not

have to be promiscuously resorted to which would have resulted in throwing into bankruptcy thousands of business organizations. Such bankruptcies would have led to increased unemployment and further distress. The benefits of the policy of the Department which has resulted in the collection of approximately $117,000,000 over and above operating costs from assets with an appraised value of less than $250,000,000 are demonstrated by the fact that the Department has retained in its possession assets of a large intrinsic value which could not be sold except at a terrific sacrifice, but on which it hopes to borrow from the United States Government under its newly announced policy of a liberalized valuation based on a three to five year recovery. The Department of Banking has endeavored to preserve such values in the belief that the ultimate recovery will greatly benefit depositors. Moreover, President Roosevelt has endorsed such a policy by holding that assets in closed banks which today can not be marketed at reasonable prices will be loaned upon by the Government so that an orderly liquidation may be followed with a view of obtaining values approximating their intrinsic worth over a period of three to five years.

Not only has the Department of Banking functioned in a businesslike manner but it has likewise set a new precedent by eliminating fees to Deputy Receivers and to attorneys, which formerly existed in the case of National and State bank liquidations, by placing them upon reasonable salaries. During a period of two years the total expenses of liquidation have amounted to only 2.7% of the book value of the assets and 4.7% of the appraised value. This is equivalent to 5.19% of the deposit liability for two years, or approximately 2½% of the deposit liability per annum.

From the foregoing it will be seen that the Department of Banking has been progressively carrying out an efficient and orderly liquidation of the assets of closed banks, and it has been cooperating to the fullest with the Deposit Liquidation Board to obtain maximum loans on the remaining assets based upon a liberal appraisal, as recently announced by President Roosevelt.

Very truly yours,

WILLIAM D. GORDON,
Secretary of Banking.

STATEMENT BY MR. McCREARY

Mr. McCREARY asked and obtained consent to make the following statement.

Mr. Speaker and members of the House, some of you at least will remember at the close of last session, that out of kindness of your hearts you took up a subscription and gave me some seed potatoes. I went down in front of the House to receive them, and made a solemn pledge at that time that I would take them home, plant them, and pay part of my taxes with the results. I kept that pledge. I took them home and planted them, prepared the ground and fertilized it and I got an almanac to find the exact time of the moon to plant them and I planted them, cared for them tenderly, the sun shone on them and the rains and the dews from Heaven fell on them, and I watered them artifically, but the total result of all that tender care I hold in my hand. It is a tragedy. You are not to blame nor am I. The mistake was made in the seed.

You bought Florida seed potatoes that were immature, and they didn't have in them the necessary qualities to produce their kind, but I want to tell you that I did just as I said I would do, and I am not to be blamed for the results.

One thing more, members of the House, if you will just give me a moment's time, I was at the party last night, and in spite of the kind advice of the Speaker, I ate an apple, a banana and an orange, and I didn't sleep well, and while I was rolling back and forth, I tried to go over the events of this year, my first year in these Legislative Halls, and to be frank and honest with you, I was not very much pleased. I don't know how you feel or how you slept. I know that I didn't have very pleasant dreams. I tried to find out the outstanding things we did, or I tried to do, and you know the one thing that has been before my mind is this: The very first bill that we introduced in our regular session was one to repeal the Fourth Commandment. We practically told God that He could have the forenoon on Sunday, and that we wanted the afternoon, and that we were going to have it, and we took it. I am not proud of that. We then were called in an Extraordinary Session, and the first six bills that were introduced in this session were six bills to license the selling of poison to the people of this great State. I am not proud of that. The wise men from the north, east, south and west, two hundred and fifty-seven, came here to make wise and beneficent laws for the ten million people of this great State, and to sum it all up, we took the sacredness of their Sunday away from them, and then tried to poison them. I hope when the record of this year's legislative business goes down to your descendents and mine to read, I hope they will be as generous and kindly over the things we did not do as possible.

I thank you.

The SPEAKER. The remarks of the gentleman from Erie will be spread upon the Journal.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the House of Representatives, December 19, 1933.

Whereas, A disregard for the proper and orderly procedure of justice appears to be rampant in various parts of our country resulting in unparalleled examples of mob violence

And Whereas such subversion of justice is destructive to the very fabric of our civilization and may be regarded as a sign of ominous portent

And Whereas the Congress of these United States will convene in a few weeks

And Whereas certain members of Congress have declared and stated it to be their intention to sponsor and introduce a Federal Anti-Lynching Law; therefore be it

Resolved (if the Senate concur), That the Representatives in Congress from Pennsylvania be respectfully urged and requested to actively support such legislation when the same may be introduced

Resolved That a copy of this resolution be furnished each Senator and Representative in Congress from Pennsylvania

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 97.

An Act authorizing officers departments boards and commissions of any political subdivision of the Commonwealth and cities counties boroughs incorporated towns townships school districts to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 15, by striking out the words "said contracts" and inserting in lieu thereof the following: "any such contract which contained provisions for the adjustment of prices in the event of the enactment of State or Federal legislation increasing costs to the contractor"; also in same line by inserting after the word "subject" the word "however."

Amend Section 2, page 2, line 25, by striking out the word "less" and inserting in lieu thereof the word "loss."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Andrews,	Gorman,	McClure,	Scorza,
Baker,	Greenstein,	McCreary,	Sheffer,
Baldi,	Griffith,	McElwee,	Shellenberger,
Barnhardt,	Habbyshaw,	McGinnis,	Shenkel,
Bechtel,	Haines,	McGrail,	Shettel,
Bennett,	Hamilton,	McGregor,	Shortz,
Bernhard,	Harmuth,	McHenry,	Shreiner,
Blumberg,	Harris,	McKay,	Shugarts,
Boyd,	Hart,	McKinney,	Simon,
Brancato,	Hartman,	Melchiorre,	Sinwell,
Brennan,	Heffernan,	Meredith,	Snyder,
Brown, J. E.,	Hefferon,	Merrell,	Sowers,
Brown, W. L.,	Heffner,	Mohn,	Spann,
Brownfield,	Hermansen,	Mumford,	Stank,
Cannon,	Hester,	Munley,	Steedle,
Caputo,	Hewitt,	Murphy,	Sterling, P.,
Carey,	Himes, H. E.,	Myers,	Sterling, R. B.,
Carson,	Himes, L. R.,	Negley,	Stevens,
Chervenak,	Hoffman,	Nothnagle,	Stevenson,
Cohen,	Holmes, J. B.,	O'Connor,	Stiteler,
Conner,	Holmes, J. L.,	O'Keefe,	Stone,
Cooke,	Hoopes,	O'Neill,	Stott,
Cordier,	Hough,	O'Rourke,	Tahl,
Craig,	Howard,	Patterson,	Trout,
Cramer,	Hutton,	Peelor,	Turner,
Dane,	Jaffe,	Pennock,	Wade,
Davies,	Jones,	Perry, D. R.,	Wagner,
DeFrehn,	Kane, J. J.,	Perry, J. J.,	Walker, G. E.,
Denning,	Kane, L. P.,	Peters,	Walker, W. A.,
Downey, G. E.,	King,	Powell,	Wall,
Downey, J. J.,	Kinney,	Powers,	Wasserman,
Duffy,	Labar,	Price,	Way,
Dunmire,	Lane,	Quinn,	Weidemann,
Ederer,	Laubach,	Raub,	Welsh,
Emhardt,	Lenahan,	Rectenwald,	Westrick,
Eroe,	Lewis,	Reed,	White,
Evans,	Long,	Reilly,	Wike,
Fitzgerald,	Lord,	Rhodes,	Williams, G. W.,
Flanagan,	Lose,	Roan,	Williams, J. J.,
Fleisher,	Lovett, J. E.,	Roth,	Wilson, L. M.,
Flinchbaugh,	Lovett, W. S.,	Royle,	Wilson, T. B.,
Flynn, J. M.,	Lynch, J. R.,	Ruby,	Wood,
Flynn, J. W.,	Lynch, M.,	Ruth,	Woodside,
Forrest,	Malina,	Sarig,	Wright,
Furman,	Maloney,	Sautter,	Yeakel,
Gallagher, T. J.,	Marcks,	Schrock,	Yourishin,
Gallagher, W. J.,	Mason,	Schrope,	Zimmerman,
Gartner,	McBride,	Schwab,	Talbot,
Gillette,	McCandless,	Schwartz,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE RESOLUTION RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned resolution No. 27 from the House of Representatives as follows:

Whereas Several bills have been introduced during this Extraordinary Session of one thousand nine hundred thirty-three concerning permanent registration in cities of the First Class and

Whereas There is a great confusion as to the best methods for effecting details that will preserve the purity of the ballot and secure to the citizens the right of suffrage

Therefore Be It Resolved (If the Senate Concur) That a Commisison shall be appointed composed of three Members of the House of Representatives who shall be appointed by the Speaker and two Members of the Senate to be appointed by the President Pro Tempore to constitute a research body to study the best methods for permanent registration and to prepare a bill to be submitted to the one thousand nine hundred thirty-three Sessions of the Legislature for enactment into Law Said Commission shall have power to examine into the books and records of the Registration Commission of Philadelphia and shall receive full cooperation from the members of the said Registration Commission in order to effectuate the purposes of this Resolution

Be It Further Resolved That all Members of this commission are to serve without compensation

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend page 1, line 8, by striking out after the word "thirty" the word "five" and inserting in lieu thereof the word "five."

On the question,

Will the House concur in the amendment made by the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 120.

An Act in aid of unemployment relief for the citizens of this Commonwealth by providing for preference to citizens of this Commonwealth in employment upon public works of this Commonwealth conferring certain duties on the Department of Labor and Industry and providing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page — line 10, by inserting after the word "Commonwealth" the following: "of Pennsylvania and of states not discriminating against the employment of citizens of Pennsylvania on public works therein"; also line 11, by inserting after the word "when" the word "such."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—193

Andrews,	Gorman,	McClure,	Sheffer,
Baker,	Green,	McCreary,	Shellenberger,
Baldi,	Greenstein,	McElwee,	Shenkel,
Barnhardt,	Griffith,	McGinnis,	Shettel,
Bechtel,	Habbyshaw,	McGregor,	Shortz,
Beech,	Haines,	McHenry	Shreiner,
Bennett,	Hamilton,	McKay,	Shugarts,
Bernhard,	Harmuth,	McKinney,	Simon,
Blumberg,	Harris,	Meredith,	Sinwell,
Boyd,	Hart,	Merrell,	Snyder,
Brancato,	Hartman,	Mohn,	Sowers,
Brennan,	Heffernan,	Mumford,	Spann,
Brown, J. E.,	Hefferon,	Munley,	Stank,
Brown, W. L.,	Heffner,	Murphy,	Steedle,
Brownfield,	Hermansen,	Myers,	Sterling, P.,
Cannon,	Hester,	Negley,	Sterling, R. B.,
Caputo,	Hewitt,	Nothnagle,	Stevens,
Carey,	Himes, H. E.,	O'Connor,	Stevenson,
Carson,	Himes, L. R.,	O'Keefe,	Stiteler,
Chervenak,	Hoffman,	O'Neill,	Stone,
Cohen,	Holmes, J. B.,	O'Rourke,	Stott,
Conner,	Holmes, J. L.,	Patterson,	Tahl,
Cooke,	Hoopes,	Peelor,	Terry,
Craig,	Horst,	Pennock,	Trout,
Cramer,	Howard,	Perry, D. R.,	Turner,
Dane,	Hutton,	Perry, J. J.,	Wade,
Davies,	Jaffe,	Peters,	Wagner,
DeFrehn,	Jones,	Powell,	Walker, G. E.,
Denning,	Kane, J. J.,	Powers,	Walker, W. A.,
Downey, G. E.,	Kane, L. P.,	Price,	Wall,
Downey, J. J.,	King,	Quinn,	Wasserman,
Duffy,	Kinney,	Raub,	Way,
Dunmire,	Labar,	Rectenwald,	Weidmann,
Ederer,	Lane,	Reed,	Welsh,
Emhardt,	Laubach,	Reilly,	Westrick,
Eroe,	Lenahan,	Rhodes,	White,
Evans,	Long,	Roan,	Wike,
Fitzgerald,	Lord,	Roth,	Williams, G. W.,
Flanagan,	Lose,	Root,	Williams, J. J.,
Fleisher,	Lovett, J. E.,	Royle,	Wilson, L. M.,
Flinchbaugh,	Lovett, W. S.,	Ruby,	Wilson, T. B.,
Flynn, J. M.,	Lynch, J. R.,	Ruth,	Witkin,
Flynn, J. W.,	Lynch, M.,	Sarig,	Wood,
Forrest,	Malina,	Sautter,	Woodside,
Furman,	Maloney,	Schrock,	Wright,
Gallagher, T. J.,	Marcks,	Schrope,	Yeakel,
Gallagher, W. J.,	Mason,	Schwab,	Yourishin,
Gartner,	McBride,	Schwartz,	Zimmerman,
Gillette,	McCandless,	Scorza,	Talbot, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 193.

An Act providing for and regulating subject to certain restrictions limitations and liabilities pensions for certain blind persons and the administration of this act by the Department of Welfare providing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 4, by inserting after the word "Welfare" the following: "the trustees who administer mothers' assistance in the several counties or by other trustees in certain cases authorizing appointment of trustees for the pensions payable to certain individuals and."

Amend Section 1, page 1, line 5, by inserting after the word "Commonwealth" the following: "and the Boards of Trustees of the Mothers' Assistance Funds of the several counties who when acting under the provisions of this act shall be known as Boards of Trustees of Pension Fund for the Blind

"In the event that any county shall not have a Board of Trustees of the Mothers' Assistance Fund because of the failure of such county to have accepted the provisiosn of the Mothers' Assistance Act the trustees of the Old Age Assitance Fund of the county if any shall have the duties and powers of and shall be the trustees for the Pension Fund for the Blind If there shall be neither a Board of Trustees of the Mothers' Assistance Fund nor a Board of Trustees of the Old Age Assistance Fund in the county the Governor shall oppoint a board of trustees composed of seven residents of the county who shall be called a Board of Trustees of Pension Fund for the Blind If at any time thereafter a Board of Trustees of a Mothers' Assistance Fund shall be appointed for such county it shall immediately take over the work of the Board of Trustees of Pension Fund for the Blind and this act shall be administered as in other counties

"Any trustees of the Pension Fund for the Blind appointed under the provisions of this section shall hold office for a term of six years or until a Board of Trustees of the Mothers' Assistance Fund has been appointed in their county."

Amend Section 1, page 1, by striking out lines 6 to 11, inclusive, as follows: "There is hereby created in the Department of Welfare a Board consisting of three persons to be appointed by the Governor two of whom without sight for the purpose of the administration of this act No person shall be eligible for appointment to this Board who at the time of appointment is an executive or mem-"; also page 2, by striking out all of line 1, as follows: "ber of the Board of any institution or agency for the Blind"; also on page 2, by inserting after line 11 the following new section: "Section 3 The boards of trustees of the several counties shall appoint such adidtional investigators and clerical assistants as may be necessary to enable them to distribute pensions for the blind in their respective counties but as far as possible the investigators engaged in the administration of the Mothers' Assistance Law shall also perform the work necessary for the administration of this act at no time shall the additional expense of administering this act in any county exceed in amount six per centum of the allocation to such county from the appropriation for pensions for the blind."

Amend page 2, section 3, line 12, by striking out the numeral "3," and inserting in lieu thereof the numeral "4"; also page 3, line 13, by inserting after the word "Has" the words: "less than three-sixtieth or ten-two-hundredths normal"; also same line by striking out the words "so defective or impaired that he"; also same line by inserting after the word "vision" the words "and by reason thereof."

Amend section 4, page 3, line 17, by striking out after the word "Section" the numeral "4" and inserting in lieu thereof the numeral "5."

Amend section 5, page 4, line 1, by striking out the numeral "5" and inserting in lieu thereof the numeral "6"; also in the same line by striking out the words: "Department of Welfare" and inserting in lieu thereof the words: "Board of Trustees of Pension Fund for the Blind of a county"; also line 4 by inserting after the word "ophthalmologist" the words "or oculist"; also in the same line by inserting after the word "the" the following: "board of trustees or the"; also in the same line by inserting after the word "Department" the words "of Welfare"

Amend section 6, page 4, line 6, by striking out the numeral "6" and inserting in lieu thereof the numeral "7"; also in line 7, by striking out the words "the Department" and inserting in lieu thereof the words "a board of trustees."

Amend page 4, by inserting after line 11, the following new section: "Section 8 Before any payment is made to any person under the provisions of this act a complete report shall be made of all matters stated in the application giving the name of the beneficiary the number and kinds of relatives the financial condition of relatives and all other matters which shall be from time to time required by the Department of Welfare All such reports shall be made upon forms supplied for the purpose by the Department of Welfare All such reports shall be made in triplicate One copy shall be retained by the local board of trustees one copy shall be

forwarded to the Department of Welfare and one copy to the Auditor General All reports shall be sworn to by the investigator and shall be approved by a majority of the board of trustees"; also in line 12 by striking out after the word "Section" the numeral "7", and inserting in lieu thereof the numeral "9"; also in line 14 by inserting after the word "of" the words "the county board of trustees or of"; also in line 20 by striking out the words "Department of Welfare" and inserting in lieu thereof the words "board of trustees"; also in line 22 by striking out after the word "with" the word "the", and inserting in lieu thereof the word "such"; also in same line by striking out the words "of the Department."

Amend page 4, line 23, by striking out after the word "section" the numeral "8", and inserting in lieu thereof the numeral "10"; also in line 28 by striking out after the word "Section" the numeral "9" and inserting in lieu thereof the numeral "11": also same line by inserting after the word "Department" the words, "of Welfare."

Amend page 5, line 25, by striking out after the word "Section" the numeral "10" and inserting in lieu thereof the numeral "12."

Amend page 6, by striking out lines 1 to 4, inclusive.

Amend page 6, line 5, by striking out after the word "Section" the numeral "12" and inserting in lieu thereof the numeral "13"; also line 18, by striking out after the word "Section the numeral "13" and inserting in lieu thereof the numeral "14"; also in line 24 by striking out after the word "Section" the numeral "14" and inserting in lieu thereof the numeral "15."

Amend page 7, line 1, by striking out after the word "Section" the numeral "15" and inserting in lieu thereof the numeral "16"; also in line 5, by striking out after the word "Section" the numeral "16" and inserting in lieu thereof the numeral "17"; also in line 11, by striking out after the word "Section" the numeral "17" and inserting in lieu thereof the numeral "18."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191

Andrews,	Green,	McCandless,	Schwab,
Baker,	Greenstein,	McClure,	Schwartz,
Baldi,	Griffith,	McCreary,	Scorza,
Barnhardt,	Habbyshaw,	McGinnis,	Sheffer,
Bechtel,	Hamilton,	McGrail,	Shellenberger,
Beech,	Harmuth,	McGregor,	Shenkel,
Bennett,	Harris,	McHenry,	Shortz,
Bernhard,	Hart,	McKay,	Shreiner,
Boyd,	Hartman,	McKinney,	Shugarts,
Brancato,	Heffernan,	Melchiorre,	Simon,
Brennan,	Hefferon,	Meredith,	Sinwell,
Brown, J. E.,	Heffner,	Merrell,	Snyder,
Brown, W. L.,	Hermansen,	Mohn,	Sowers,
Brownfield,	Hester,	Moore,	Stank,
Cannon,	Hewitt,	Mumford,	Steedle,
Caputo,	Himes, H. E.,	Munley,	Sterling, P.,
Carey,	Himes, L. R.,	Murphy,	Sterling, R. B.,
Carson,	Hoffman,	Myers,	Stevens,
Chervenak,	Holmes, J. B.,	Negley,	Stevenson,
Cohen,	Holmes, J. L.,	Nothnagle,	Stiteler,
Conner,	Hoopes,	O'Connor,	Stone,
Cooke,	Horst,	O'Keefe,	Stott,
Cordier,	Hough,	O'Neill,	Tahl,
Craig,	Howard,	O'Rourke,	Terry,
Cramer,	Hutton,	Patterson,	Trout,
Dane,	Jaffe,	Peelor,	Turner,
Davies,	Jones,	Pennock,	Wade,
DeFrehn,	Kane, L. P.,	Perry, D. R.,	Wagner,
Denning,	King,	Perry, J. J.,	Walker, G. E.,
Downey, G. E.,	Kinney,	Peters,	Walker, W. A.,
Downey, J. J.,	Lahar,	Powell,	Wall,
Duffy,	Lane,	Powers,	Wasserman,
Dunmire,	Laubach,	Price,	Way,
Ederer,	Lenahan,	Quinn,	Weidemann,
Emhardt,	Lewis,	Rauh,	Welsh,
Eroe,	Long,	Rectenwald,	Westrick,
Evans,	Lord,	Reed,	White,
Fitzgerald,	Lose,	Reilly,	Wike,
Flanagan,	Lovett, J. E.,	Rhodes,	Williams, G. W.,
Fleisher,	Lovett, W. S.,	Roan,	Williams, J. J.,
Flinchbaugh,	Lynch, J. R.,	Roth,	Wilson, T. B.,
Flynn, J. M.,	Lynch, M.,	Royle,	Witkin,
Flynn, J. W.,	Male,	Ruby,	Wood,
Forrest,	Malina,	Ruth,	Woodside,
Furman,	Maloney,	Sarig,	Wright,
Gallagher, W. J.,	Marcks,	Sautter,	Zimmerman,
Gartner,	Mason,	Schrock,	Talbot,
Gillette,	McBride,	Schrope,	Speaker.
Gorman,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 62.

A Supplement to act number three hundred-A approved the third day of June one thousand nine hundred and thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to certain administrative departments

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 4, line 3, by inserting after the word "advertising" the word "printing"; also line 6, by striking out the word "examination" and inserting in lieu thereof the word "examinations"; also line 8, by striking out the words "Alcohol Permit" and inserting in lieu thereof the words "Liquor Control"; also in line 11 by inserting after the word "hundred" the word "fifty"; also in same line by striking out the numerals "($100,000)" and inserting in lieu thereof the numerals "($150,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191

Andrews,	Greenstein,	McElwee,	Shellenberger,
Baker,	Griffith,	McGinnis,	Shenkel,
Baldi,	Habbyshaw,	McGrail,	Shettel,
Barnhardt,	Haines,	McGregor,	Shortz,
Bechtel,	Hamilton,	McHenry,	Shreiner,
Beech,	Harmuth,	McKay,	Shugarts,
Bennett,	Harris,	McKinney,	Simon,
Bernhard,	Hartman,	Melchiorre,	Sinwell,
Blumberg,	Heffernan,	Meredith,	Snyder,
Boyd,	Hefferon,	Merrell,	Sowers,
Brancato,	Heffner,	Mohn,	Spann,
Brennan,	Hermansen,	Moore,	Stank,
Brown, J. E.,	Hester,	Mumford,	Steedle,
Brown, W. L.,	Hewitt,	Munley,	Sterling, P.,
Brownfield,	Himes, H. E.,	Murphy,	Sterling, R. B.,
Caputo,	Himes, L. R.,	Myers,	Stevens,
Carey,	Hoffman,	Negley,	Stevenson,

Carson,	Holmes, J. B.,	Nothnagle,	Stiteler,
Chervenak,	Holmes, J. L.,	O'Connor,	Stone,
Cohen,	Hoopes,	O'Keefe,	Stott,
Conner,	Horst,	O'Neill	Tahl,
Cooke,	Hough,	O'Rourke,	Terry,
Cordier,	Howard,	Patterson,	Trout,
Craig,	Hutton,	Peelor,	Turner,
Cramer,	Jaffe,	Pennock,	Wade,
Davies,	Kane, L. P.,	Perry, J. J.,	Wagner,
DeFrehn,	King,	Peters,	Walker, W. A.,
Denning,	Kinney,	Powell,	Wall,
Downey, G. E.,	Labar,	Price,	Wasserman,
Downey, J. J.,	Lane,	Raub,	Way,
Duffy,	Laubach,	Rectenwald,	Weidemann,
Dunmire,	Lenahan,	Reed,	Welsh,
Ederer,	Long,	Reilly,	Westrick,
Emhardt,	Lord,	Rhodes,	White,
Eroe,	Lose,	Roan,	Wike,
Evans,	Lovett, J. E.,	Root,	Williams, G. W.,
Fitzgerald,	Lovett, W. S.,	Roth,	Williams, J. J.,
Flanagan,	Lynch, J. R.,	Royle,	Wilson, L. M.,
Fleisher,	Lynch, M.,	Ruby,	Wilson, T. B.,
Flinchbaugh,	Male,	Ruth,	Witkin,
Flynn, J. W.,	Malina,	Sarig,	Wood,
Forrest,	Maloney,	Sautter,	Woodside,
Furman,	Marcks,	Schrock,	Wright,
Gallagher, W. J.,	Mason,	Schrope,	Yeakel,
Gartner,	McBride,	Schwab,	Yourishin,
Gillette,	McCandless,	Schwartz,	Zimmerman,
Gorman,	McClure,	Scorza,	Talbot,
Green,	McCreary,	Sheffer,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 16.

An Act to amend Whereas clauses and sections one two and four of and to add sections eight and nine to the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred and twenty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs"

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by striking out the words "Whereas clauses and sections one two"; also by striking out at the beginning of line 2 the word "and"; also in same line by inserting before the word "four" the word "section"; also in same line by striking out the words "and to add sections eight and nine"; also in line 3, by striking out at the beginning of the line the word "two."

Amend section 1, page 1, by striking out at the beginning of line 4 the word "the"; also same line by striking out the words "Whereas clauses and sections one two and"; also in same line by inserting before the word "four" the word "section"; also page 2, line 6, by striking out the word "are," and inserting in lieu thereof the word "is"; also page 2 by striking out lines 13 to 28, inclusive; also page 3 by striking out lines 1 to 29, inclusive; also page 4 by striking out lines 1 to 29, inclusive; also page 5, by striking out lines 1 to 26, inclusive; also in line 27 by striking out before the word "This" the numeral "3" and inserting in lieu thereof the numeral "2."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McELWEE. Mr. Speaker, keeping in mind the wisdom of the long ago, that, "when the mountain labored a little mouse was born," which no doubt was a deep disappointment to those who had hoped for better,

I ask that the House do concur in the amendments made by the Senate to House Bill No. 16.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190

Andrews,	Gartner,	Marcks,	Schwab,
Baker,	Gillette,	Mason,	Schwartz,
Baldi,	Gorman,	McBride,	Scorza,
Barnhardt,	Green,	McCandless,	Sheffer,
Bechtel,	Greenstein,	McClure,	Shellenberger,
Beech,	Griffith,	McCreary,	Shenkel,
Bennett,	Habbyshaw,	McElwee,	Shettel,
Bernhard,	Haines,	McGinnis,	Shreiner,
Blumberg,	Hamilton,	McGrail,	Shugarts,
Boyd,	Harmuth,	McGregor,	Sinwell,
Brancato,	Harris,	McKay,	Snyder,
Brennan,	Hart,	McKinney,	Sowers,
Brown, J. E.,	Hartman,	Melchiorre,	Spann,
Brown, W. L.,	Heffernan,	Meredith,	Stank,
Brownfield,	Hefferon,	Merrell,	Steedle,
Cannon,	Heffner,	Mohn,	Sterling, R. B.,
Caputo,	Hermansen,	Moore,	Stevens,
Carey,	Hester,	Mumford,	Stevenson,
Carson,	Hewitt,	Murphy,	Stiteler,
Chervenak,	Himes, H. E.,	Myers,	Stone,
Cohen,	Himes, L. R.,	Negley,	Stott,
Conner,	Hoffman,	Nothnagle,	Tahl,
Cooke,	Holmes, J. B.,	O'Connor,	Terry,
Cordier,	Holmes, J. L.,	O'Neill,	Trout,
Craig,	Hoopes,	O'Rourke,	Turner,
Cramer,	Horst,	Patterson,	Wade,
Dane,	Hough,	Peelor,	Wagner,
Davies,	Howard,	Pennock,	Walker, G. E.,
DeFrehn,	Hutton,	Perry, D. R.,	Walker, W. A.,
Denning,	Jaffe,	Perry, J. J.,	Wall,
Downey, G. E.,	Jones,	Peters,	Wasserman,
Downey, J. J.,	Kane, L. P.,	Powell,	Way,
Duffy,	King,	Price,	Weidemann,
Dunmire,	Kinney,	Raub,	Welsh,
Ederer,	Labar,	Rectenwald,	Westrick,
Emhardt,	Lane,	Reed,	White,
Eroe,	Laubach,	Reilly,	Wike,
Evans,	Lenahan,	Rhodes,	Williams, G. W.,
Fitzgerald,	Long,	Roan,	Williams, J. J.,
Flanagan,	Lord,	Root,	Wilson, L. M.,
Fleisher,	Lose,	Roth,	Wilson, T. B.,
Flinchbaugh,	Lovett, J. E.,	Royle,	Witkin,
Flynn, J. M.,	Lovett, W. S.,	Ruby,	Wood,
Flynn, J. W.,	Lynch, J. R.,	Ruth,	Woodside,
Forrest,	Lynch, M.,	Sarig,	Wright,
Furman,	Male,	Sautter,	Yeakel,
Gallagher, T. J.,	Malina,	Schrock,	Talbot,
Gallagher, W. J.,	Maloney,	Schrope,	Speaker.

NAYS—1

Sterling, P.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 196.

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred

thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, by striking out at the beginning of line 9 the word "twenty" and inserting in lieu thereof the word "fifteen"; also line 18 by striking out after the word "interest" the following: "The board may upon cause shown extend the time provided in this article for taking such appeal or for the filing of an answer or other pleading."

On the question,

Will the House concur in the amendments made by the Senate?

HOUSE BILL No. 196 TABLED

Mr. SOWERS. Mr. Speaker, I move that this bill together with the amendments be laid upon the table.

On the question,

Will the House agree to the motion?

Mr. FITZGERALD. Mr. Speaker——

The SPEAKER. The Chair asks the gentleman from Erie for what purpose does he arise. A motion is not debatable.

Mr. FITZGERALD. Mr. Speaker, my intention in rising was to get the attention of the House. I realize that perhaps under the rule I would be out of order, but I merely wanted the House to vote this motion down and give the bill a chance.

Mr. SOWERS. Mr. Speaker, I realize it is not debatable, but I just wanted to give my friend from Erie——

The SPEAKER. May the Chair say that if unanimous consent is given to suspend the rules so far as this case is concerned the gentlemen may proceed. Are there objections? The Chair hears none and the gentlemen will proceed.

Mr. SOWERS. Mr. Speaker and members of the House, I just wanted to inform my friend from Erie that the amendment made by the Senate in striking out lines 20, 21 and 22 make the law worse than it was before.

Mr. FITZGERALD . Mr. Speaker, I agree with the motion of the gentleman from Philadelphia, which is very seldom, but nevertheless I do.

On the question recurring,

Will the House agree to the motion?

It was agreed to

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 191

An Act to amend section one of the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred thirty-seven) entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two and validating the liens of such taxes" further extending the period for such returns and providing for returns for the year one thousand nine hundred and thirty and for the year one thousand nine hundred and thirty-three

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 10, by inserting after the second word "for" the following: "the year one thousand nine hundred and thirty and for."

Amend section 1, page 2, line 13, by inserting after the word "years" the following: "one thousand nine hundred and thirty."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190

Andrews,	Green,	McCandless,	Schrope,
Baker,	Griffith,	McClure,	Schwab,
Baldi,	Habbyshaw,	McCreary,	Schwartz,
Barnhardt,	Haines,	McElwee,	Scorza,
Bechtel,	Hamilton,	McGinnis,	Sheffer,
Beech,	Harmuth,	McGrail,	Shellenberger,
Bennett,	Harris,	McGregor,	Shenkel,
Bernhard,	Hart,	McHenry,	Shettel,
Blumberg,	Hartman,	McKay,	Shortz,
Boyd,	Heffernan,	McKinney,	Shreiner,
Brancato,	Hefferon,	Melchiorre,	Shugarts,
Brennan,	Heffner,	Meredith,	Simon,
Brown, J. E.,	Hermansen,	Merrell,	Sinwell,
Brown, W. L.,	Hester,	Mohn,	Snyder,
Brownfield,	Hewitt,	Moore,	Sowers,
Cannon,	Himes, H. E.,	Mumford,	Spann,
Caputo,	Himes, L. R.,	Munley,	Stank,
Carey,	Hoffman,	Murphy,	Steedle,
Chervenak,	Holmes, J. B.,	Myers,	Sterling, P.,
Cohen,	Holmes, J. L.,	Negley,	Sterling, R. B.,
Conner,	Hoopes,	Nothnagle,	Stevens,
Cooke,	Horst,	O'Connor,	Stevenson,
Cordier,	Hough,	O'Keefe,	Stiteler,
Craig,	Howard,	O'Neill,	Stone,
Cramer,	Hutton,	O'Rourke,	Stott,
Dane,	Jaffe,	Patterson,	Tahl,
Davies,	Jones,	Peelor,	Terry,
DeFrehn,	Kane, J. J.,	Pennock,	Trout,
Denning,	Kane, L. P.,	Perry, D. R.,	Turner,
Downey, G. E.,	Kinney,	Perry, J. J.,	Wade,
Downey, J. J.,	Labar,	Peters,	Wagner,
Duffy,	Lane,	Powell,	Walker, G. E.,
Dunmire,	Laubach,	Powers,	Walker, W. A.,
Ederer,	Lenahan,	Price,	Wall,
Emhardt,	Lewis,	Raub,	Wasserman,
Eroe,	Long,	Rectenwald,	Way,
Evans,	Lord,	Reed,	White,
Fitzgerald,	Lose,	Reilly,	Wike,
Fleisher,	Lovett, J. E.,	Rhodes,	Williams, G. W.,
Flinchbaugh,	Lovett, W. S.,	Roan,	Williams, J. J.,
Flynn, J. M.,	Lynch, J. R.,	Root,	Wilson, L. M.,
Flynn, J. W.,	Lynch, M.,	Roth,	Wilson, T. B.,
Forrest,	Male,	Royle,	Witkin,
Furman,	Malina,	Ruby,	Wood,
Gallagher, W. J.,	Maloney,	Ruth,	Woodside,
Gartner,	Marcks,	Sarig,	Wright,
Gillette,	Mason,	Sautter,	Talbot,
Gorman,	McBride,	Schrock,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 212.

An Act to amend section two hundred and four of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" regulating the establishment and maintenance of branch banks offices and agencies

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 3, line 7, by striking out the light faced bracket before the word "for"; also line 10 by striking out the light faced bracket after the word "business"; also line 11, by striking out the light faced bracket before the word "This"; also line 29 by striking out the light faced bracket after the word "of"; also page 4, line 1, by striking out the light faced bracket before the word "the"; also line 29, by striking out the light faced bracket at the end of the line; also page 5, line 1, by striking out the lightfaced bracket before the syllable "tions"; also line 9 by striking out the light faced bracket after the word "section"; also line 28, by inserting after the word "institution" the following: "in any city of the first class or any city of the second class"; also page 6, line 1, by inserting after the word "articles" the following; "or in pursuance of a plan of merger or consolidation in accordance with the provisions of this act"; also line 4 by striking out the word "county" and inserting in lieu thereof the words "corporate limits of the said city of the first class or city of the second class"; also line 5 by striking out the following: "contiguous county if it shall appear that the community in which such institution proposes to establish such branch bank branch office agency sub-office sub-agency or branch place of business is without banking facilities," and inserting in lieu thereof the following: "township of the first class contiguous to a city of the first class where the community in which such branch bank branch office agency sub-office sub-agency or branch place of business is to be established originally is without banking facilities or in the case of a merger or consolidation is without banking facilities other than an institution or institutions party or parties to a plan of merger or consolidation in accordance with this act"; also line 10 by striking out the following: "E Any institution may in the manner provided by this act for an amendment to its articles establish and thereafter maintain and operate any branch bank branch office agency sub-office sub-agency or branch place of business at any place within the county in which its principal office is located or in any contiguous county where the establishment of such branch bank branch office agency sub-office sub-agency or branch place of business is effected by the merger or consolidation in the manner provided in this act of two or more institutions and where the community in which such branch bank branch office agency sub-office sub-agency or branch place of business is to be established is without adequate banking facilities other than an institution which is a party to such merger or consolidation"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190

Andrews,	Gillette,	Marcks,	Schrock,
Baker,	Gorman,	Mason,	Schrope,
Baldi,	Green,	McBride,	Schwab,
Barnhardt,	Greenstein,	McCandless,	Schwartz,
Bechtel,	Griffith,	McClure,	Scorza,
Beech,	Habbyshaw,	McCreary,	Sheffer,
Bennett,	Haines,	McElwee,	Shellenberger,
Bernhard,	Hamilton,	McGinnis,	Shenkel,
Blumberg,	Harmuth,	McGrail,	Shettel,
Boyd,	Harris,	McGregor,	Shortz,
Brancato,	Hart,	McHenry,	Shreiner,
Brennan,	Hartman,	McKay,	Shugarts,
Brown, J. E.,	Heffernan,	McKinney,	Simon,
Brown, W. L.,	Hefferon,	Melchiorre,	Sinwell,
Brownfield,	Heffner,	Meredith,	Snyder,
Cannon,	Hermansen,	Merrell,	Sowers,
Caputo,	Hester,	Mohn,	Steedle,
Carey,	Hewitt,	Moore,	Sterling, P.,
Carson,	Himes, H. E.,	Mumford,	Sterling, R. B.,
Chevernak,	Himes, L. R.,	Munley,	Stevens,
Cohen,	Holmes, J. B.,	Murphy,	Stevenson,
Conner,	Holmes, J. L.,	Myers,	Stiteler,
Cooke,	Hoopes,	Negley,	Stone,
Cordier,	Horst,	Nothnagle,	Stott,
Craig,	Hough,	O'Connor,	Terry,
Cramer,	Howard,	O'Neill,	Trout,
Dane,	Hutton,	O'Rourke,	Turner,
Davies,	Jaffe,	Patterson,	Wade,
DeFrehn,	Jones,	Peelor,	Wagner,
Downey, G. E.,	Kane, J. J.,	Pennock,	Walker, G. F.,
Downey, J. J.,	Kane, L. P.,	Perry, D. R.,	Walker, W. A.,
Duffy,	King,	Perry, J. J.,	Wall,
Dunmire,	Kinney,	Peters,	Wasserman,
Ederer,	Labar,	Powell,	Way,
Emhardt,	Lane,	Price,	Weidemann,
Eroe,	Laubach,	Raub,	Welsh,
Evans,	Lenahan,	Rectenwald,	White,
Fitzgerald,	Lewis,	Reed,	Wike,
Flanagan,	Long,	Reilly,	Williams, G. W.,
Fleisher,	Lord,	Rhodes,	Williams, J. J.,
Flinchbaugh,	Lose,	Roan,	Witkin,
Flynn, J. M.,	Lovett, J. E.,	Root,	Wood,
Flynn, J. W.,	Lovett, W. S.,	Roth,	Woodside,
Forrest,	Lynch, J. R.,	Royle,	Yeakel,
Furman,	Lynch, M.,	Ruby,	Zimmerman,
Gallagher, T. J.,	Male,	Ruth,	Talbot,
Gallagher, W. J.,	Malina,	Sarig,	Speaker.
Gartner,	Maloney,	Sautter,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 245.

An Act to amend section three clause (b) and sections nineteen and twenty-three of the act approved the fifth day of December one thousand nine hundred thirty-three (Act Number Six) entitled: "An act imposing State taxes payable

by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spitituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties"

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 5, line 24, by inserting after the word "on" the following: "the privilege of manufacturing or bringing into this Commonwealth"; also line 27 by striking out the following: "which are exempt from tax under the" and inserting in lieu thereof the following: "whenever the manufacture of such rectified spirits is exempt from tax under the following"

Amend section 2, page 6, line 13 by striking out the word "eleeomosonary" and inserting in lieu thereof the word "eleemosynary"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190

Andrews,	Green,	McCandless,	Scorza,
Baker,	Greenstein,	McClure,	Sheffer,
Baldi,	Griffith,	McCreary,	Shellenberger,
Barnhardt,	Habbyshaw,	McElwee,	Shenkel,
Bechtel,	Haines,	McGinnis,	Shettel,
Beech,	Hamilton,	McGrail,	Shortz,
Bennett,	Harmuth,	McGregor,	Shreiner,
Bernhard,	Harris,	McKay,	Shugarts,
Blumberg,	Hart,	McKinney,	Simon,
Boyd,	Hartman,	Melchiorre,	Sinwell,
Brancato,	Heffernan,	Meredith,	Snyder,
Brennan,	Heiferon	Merrell,	Sowers,
Brown, J. E.,	Hermansen,	Mohn,	Spann,
Brown, W. L.,	Hester,	Moore,	Stank,
Brownfield,	Hewitt,	Mumford,	Steedle,
Cannon,	Himes, H. E.,	Munley,	Sterling, P.,
Caputo,	Himes, L. R.,	Murphy,	Sterling, R. B.,
Carey,	Holmes, J. B.,	Myers,	Stevens,
Carson,	Holmes, J. L.,	Negley,	Stevenson,
Chervenak	Hoopes,	Nothnagle,	Stiteler,
Cohen,	Horst,	O'Connor,	Stone,
Conner,	Hough,	O'Neill,	Tahl,
Cordier,	Howard,	O'Rourke,	Terry,
Craig,	Hutton,	Patterson,	Trout,
Cramer,	Jaffe,	Peelor,	Turner,
Dane,	Jones,	Pennock,	Wade,
Davies,	Kane, J. J.,	Perry, D. R.,	Wagner,
DeFrehn,	Kane, L. P.,	Perry, J. J.,	Walker, G. E.,
Downey, G. E.,	King,	Peters,	Walker, W. A.,
Downey, J. J.,	Kinney,	Powell,	Wall,
Duffy,	Labar,	Price,	Wasserman,
Dunmire,	Lane,	Raub,	Way,
Ederer,	Laubach,	Rectenwald,	Weidemann,
Embardt,	Lenahan,	Reed,	White,
Eroe,	Lewis,	Reilly,	Wike,
Evans,	Long,	Rhodes,	Williams, G. W.,
Fitzgerald,	Lord,	Roan,	Williams, J. J.,
Flanagan,	Lose,	Root,	Wilson, L. M.,
Fleisher,	Lovett, J. E.,	Roth,	Wilson, T. B.,
Flinchbaugh,	Lovett, W. S.,	Royle,	Witkin,
Flynn, J. M.,	Lynch, J. R.,	Ruby,	Wood,
Flynn, J. W.,	Lynch, M.,	Ruth,	Wright,
Forrest,	Male,	Sarig,	Yeakel,
Furman,	Malina,	Sautter,	Yourishin,
Gallagher, W. J.,	Maloney,	Schrock,	Zimmerman,
Gartner,	Marcks,	Schrope,	Talbot,
Gillette,	Mason,	Schwab,	Speaker,
Gorman,	McBride,	Schwartz,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 197

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board

HOUSE BILL No. 86.

An Act to prohibit discrimination and intimidation on account of race or color in employment under contracts for public buildings or public works and fixing penalties therefor

HOUSE BILL No. 199.

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such payment has been made.

HOUSE BILL No. 200.

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

HOUSE BILL No. 153.

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

HOUSE BILL No. 109.

An Act to amend section one of the act, approved the twenty-sixth day of August, one thousand nine hundred and thirty two (P. L. 100), entitled "An act authorizing the abatement of penalties on local taxes," as amended by providing for the extension of time during which such abatements may be allowed.

HOUSE BILL No. 138.

An Act to further amend clause (e) of section three hundred and six of the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of

employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," by permitting the extension of time for hospitalization to ninety days at the option of the employer or insurer; and fixing the date when this act becomes effective.

HOUSE BILL No. 137.

An Act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four by installments and for a discount for prompt payment of such taxes in cities of the second class

HOUSE BILL No. 246.

An Act to amend act number one approved the twenty-second day of November, one thousand nine hundred and thirty-three, entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals, firms and corporations and imposing penalties" by providing for an extension of time for payment in certain cases.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 125.

An Act to amend the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations upon the acts of corporations and persons authorized to engage in a banking or a fiduciary business or both and of affiliates of such corporation or persons and of officers directors trustees and employes of such corporations and persons

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 124.

An Act to further amend sections one two three ten fifteen eighteen and nineteen of the Act approved the thirteenth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended pursuant to Amendment Number Five to the Constitution of the Commonwealth adopted November seventh one thousand nine hundred thirty-three eliminating the tax-paying qualification for voters

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 143.

An Act requiring the Department of Property and Supplies to provide and install appliances to air condition the State Capitol building and the Halls of the Senate and House of Representatives and to regulate temperatures therein and making an appropriation

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 118.

An Act to protect the owners of mortgaged property during the present emergency by limiting the amount of deficiency judgments during a certain period

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 21, 1933.

Resolved (if the House of Representatives concur), That a committee of three members of the Senate and three members of the House of Representatives be appointed to wait upon the Governor and inform him that the General Assembly is ready to adjourn sine die this day at 12:00 o'clock noon.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

COMMITTEE APPOINTED TO WAIT UPON GOVERNOR

The SPEAKER. The Chair appoints as a committee on the part of the House to act in conjunction with a similar committee on the part of the Senate to wait upon the Governor and inform him that the General Assembly is ready to adjourn sine die this day Messrs. George W. Williams, Long and Leslie R. Himes.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 21, 1933.

Resolved (if the House of Representatives concur), That the chief clerks of the Senate and House of Representatives be directed to have the copy of the Journal of the two Houses of this session prepared and placed in the hands of the Director of Publications within thirty days of the close of the session, and the Director of Publications is hereby directed to have the same printed, bound and delivered to the chief clerks of the Senate and House of Representatives within ninety days after the receipt of the copy therefor.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 118.

An Act to protect the owners of mortgaged property during the present emergency by limiting the amount of deficiency judgments during a certain period

SENATE BILL No. 35.

An Act relating to milk and the products thereof declaring an emergency with respect to their production and marketing creating a Milk Control Board establishing its jurisdiction powers and duties regulating the production transportation manufacture processing storage distribution delivery and sale of milk and the products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring licensees to furnish bonds for the protection of producers authorizing the examination of the business papers and affairs of and requiring the filing of reports by licensees other milk dealers and producers and permitting with limitations the dissemination of information obtained therefrom authorizing the issuance of subpoenas by the Board or its agents and conferring jurisdiction upon courts to punish contempts or to prohibit violations of orders of the Board providing for appeals to the courts from decisions of the Milk Control Board imposing penalties and making an appropriation

SENATE BILL No. 26.

An Act accepting the provisions of an Act of Congress for the establishment of a national employment system and authorizing the Department of Labor and Industry to cooperate with the Federal Employment Service under that act, and providing for the custody and disbursement of funds granted to the Commonwealth by the Federal government thereunder.

SENATE BILL No. 27.

An Act providing for the construction of a tunnel or tunnels between the State of New Jersey and the Commonwealth of Pennsylvania under the Delaware River and the issuance of permits therefor.

SENATE BILL No. 100.

Supplement to an Act approved the Seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An act for the government of cities of the second class" creating the position of Solicitor for the Department of City Controller.

SENATE BILL No. 115.

An Act authorizing counties, cities, boroughs, townships, incorporated towns poor districts and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds, and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding, and limiting any compensation payable therefor.

SENATE BILL No. 124.

An Act to further amend sections one two three ten fifteen eighteen and nineteen of the act approved the thirteenth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended pursuant to Amendment Number Five to the Constitution of the Commonwealth adopted November seventh one thousand nine hundred thirty-three eliminating the taxpaying qualification for voters

SENATE BILL No. 125.

An Act to amend the act approved the fifteenth day of May, One Thousand nine hundred and Thirty-three (Pamphlet Laws six hundred and twenty-four), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers; and of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons, restricting the exercise of banking powers by any other corporations, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts" by further providing for the powers and limitations upon the acts of corporations and persons authorized to engage in a banking or a fiduciary business or both and of affiliates of such corporations or persons and of officers directors trustees and employes of such corporations and persons

SENATE BILL No. 143.

An Act requiring the Department of Property and Supplies to provide and install appliances to air condition the State Capitol building and the Halls of the Senate and House of Representatives, and to regulate temperatures therein, and making an appropriation.

SENATE BILL No. 49.

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, bodies of electors ,registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, and boards of school directors; and imposing penalties.

SENATE BILL No. 93.

An Act to amend section ten of the act, approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eighty-four) entitled "An act imposing a State tax, payable by those herein defined as manufacturers and distributors on certain alcoholic beverages

used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" as amended regulating the refund of taxes paid on malt liquors

SENATE BILL No. 123.

An Act to amend the title and sections one and two of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws one thousand nineteen) entitled "An act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances" by extending the provisions thereof to unseated lands

SENATE BILL No. 43.

An Act making an appropriation from the General Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of adjusted compensation to veterans as provided by law and making an appropriation out of the Veterans' Compensation Fund to reimburse the General Fund

SENATE BILL No. 1.

An Act authorizing the Governor to accept funds from agencies of the Federal Government appropriating such funds for construction of public works for the Commonwealth and providing for repayment to the Federal Government of part of such funds with interest upon certain conditions and making an appropriation for such repayment.

SENATE BILL No. 47.

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age.

SENATE BILL No. 73.

An Act to further amend section four hundred twenty-three of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the referee's decision to the board

SENATE BILL No. 126.

An Act to amend sections fifteen and one thousand five of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred sixty-five) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidiating the business and property of corporations, associations and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan associations, providing for the payment of the expenses of the Department of Banking by supervised corporations, associations or persons and appropriating the Banking Department Fund, authorizing the Department of Banking under certain circumstances to examine corporations, associations or persons affiliated or having business transactions with supervised corporations, associations or persons, authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions and officers, authorizing certain local public officers and State departments to collect fees for services rendered under this act, providing penalties, and repealing certain acts and parts of acts" by further limiting the exemption of certain private banks and by modifying the powers of the Secretary of Banking as receiver of corporations and persons under his supervision.

SENATE BILL No. 75.

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (P. L. seven hundred thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of the liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe.

SENATE BILL No. 77.

An act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the action of the board

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE APPOINTED UNDER RESOLUTION No. 27

The SPEAKER. Pursuant to Resolution No. 27, as adopted by this House and concurred in by the Senate the Chair appoints as a Committee Messrs. Blumberg, Carey and Schwartz.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 16.

An Act to amend section four of the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred and twenty-six) entitled "An act authorizing courts of common pleas to stay writs of execution against the tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs"

HOUSE BILL No. 41.

An Act making an appropriation from the General Fund for the payment of the preparation and issue and sale of bonds authorized by the adoption of Constitutional Amendment Number Four at the Municipal Election held in November one thousand nine hundred and thirty-three and making an appropriation out of the Veterans' Compensation Fund to reimburse the General Fund

HOUSE BILL No. 55.

An Act making appropriations out of The State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments

HOUSE BILL No. 62.

A Supplement to the act number three hundred-A approved the third day of June one thousand nine hundred thirty-three (One Thousand Nine Hundred Thirty-three Appropriation Acts page one hundred sixty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three" by making additional appropriations to certain administrative departments

HOUSE BILL No. 86.

An Act to prohibit discrimination and intimidation on account of race or color in employment under contracts for public buildings or public works, and fixing penalties therefor.

HOUSE BILL No. 97.

An Act authorizing officers, departments, boards, and commissions of any political subdivision of the Commonwealth, and cities, counties, boroughs, incorporated towns, townships, school districts, to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances.

HOUSE BILL No. 109.

An Act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled "An act authorizing the abatement of penalties on local taxes" as amended by providing for the extension of time during which such abatements may be allowed

HOUSE BILL No. 120.

An Act in aid of unemployment relief for the citizens of this Commonwealth by providing for preference to citizens of this Commonwealth in employment upon public works of this Commonwealth conferring certain duties on the Department of Labor and Industry and providing penalties

HOUSE BILL No. 137.

An Act providing for the collection of delinquent real estate taxes for years prior to one thousand nine hundred and thirty-four by installments and for a discount for prompt payment of such taxes in cities of the second class

HOUSE BILL No. 138.

An Act to further amend clause (e) of section three hundred and six of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" by permitting the extension of time for hospitalization to ninety days at the option of the employer or insurer and fixing the date when this act becomes effective

HOUSE BILL No. 153.

A Joint Resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under eighteen years of age

HOUSE BILL No. 191.

An Act to amend section one of the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred thirty-seven) entitled "An act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two and validating the liens of such taxes" further extending the period for such returns and providing for returns for the year one thousand nine hundred and thirty and for the year one thousand nine hundred and thirty-three

HOUSE BILL No. 193.

An Act providing for and regulating subject to certain restrictions limitations and liabilities pensions for certain blind persons and the administration of this act by the Department of Welfare the trustees who administer mothers' assistance in the several counties or by other trustees in certain cases authorizing appointment of trustees for the pensions payable to certain individuals and providing penalties

HOUSE BILL No. 197.

An Act to further amend section four hundred twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by extending the time for appeals from the board to the courts of common pleas and extending the time for filing exceptions to the actions of the board

HOUSE BILL No. 199.

An Act to further amend section four hundred seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by making it unlawful for an employer to accept a receipt showing the payment of compensation when in fact no such paymet has been made

HOUSE BILL No. 200.

An Act to further amend section four hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an electvie schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by the board to the employe

HOUSE BILL No. 212.

An Act to amend section two hundred and four of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" regulating the establishment and maintenance of branch banks offices and agencies

HOUSE BILL No. 245.

An act to amend section three clause (b) and sections nineteen and twenty-three of the act approved the fifth day of December one thousand nine hundred thirty-three (Act Number six) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties".

HOUSE BILL No. 246.

An Act to amend act number one approved the twenty-second day of November one thousand nine hundred and thirty-three entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" by providing for an extension of time for payment in certain cases.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

QUESTION OF PERSONAL PRIVILEGE

Mr. BENNETT. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Philadelphia will state his question of personal privilege.

Mr. BENNETT. Mr. Speaker, at the close of this session there is one particular character from Philadelphia that is missing from here. He has attended the sessions of this body as long as memory almost runs back. He has been legislative correspondent for The Philadelphia Inquirer for the past fifty years in State, City and National affairs. He is known throughout the length and breadth of this land from Maine to California and from the gulf to the gorge. Because of an unfortunate accident he is at present confined to his home suffering from a fractured shoulder. I speak of George E. Brennan, universally known as the dean of newspapermen in the city of Philadelphia and this State, and I ask you, sir, with your unfailing kindness and courtesy that the House, through you, express the season's greetings to him and extend to him its wishes for a speedy recovery and a complete convalescence during the coming days of the new year.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

SYMPATHY EXTENDED TO GEORGE E. BRENNAN

Mr. HEFFERNAN. Mr. Speaker, I move that this body by a vote express its sympathy to Mr. George E. Brennan and a wish for a speedy recovery.

The motion was unanimously agreed to by a rising vote.

REPORT OF COMMITTEE TO WAIT UPON THE SENATE

Mr. HEFFERNAN. Mr. Speaker, the Committee appointed by you to inform the Senate that the House is ready to adjourn sine die at 12.00 o'clock noon this twenty-first day of December has performed that duty.

The SPEAKER. The Chair on the part of the House thanks the Committee and discharges it.

NOTIFICATION THAT SENATE IS READY TO ADJOURN SINE DIE

The Committee on the part of the Senate being introduced, informed that the Senate is ready to adjourn sine die at 12.00 o'clock noon, this day.

The SPEAKER. The Chair thanks the Committee on the part of the Senate for the information.

REPORT OF COMMITTEE TO WAIT UPON GOVERNOR

Mr. LONG. Mr. Speaker, we have to report, Sir, that the Committee you appointed to wait upon the Governor and advise him that the House is ready to adjourn sine die at noon today, has performed that duty and have communicated with the Governor on the long distance telephone. Each individual member has spoken with him and he has informed us that he has nothing further to present to the House and wishes to you, Sir, and the members of the House a Merry Christmas and a Happy and Prosperous New Year.

The SPEAKER. The Chair thanks the Committee on the part of the House and discharges it.

SINE DIE ADJOURNMENT

The SPEAKER. The day and the hour fixed by concurrent resolution as the time when the General Assembly shall adjourn sine die having arrived I declare this Extraordinary Session of 1933 of the House of Representatives adjourned without day.

APPENDIX

TO THE

LEGISLATIVE JOURNAL

EXTRAORDINARY SESSION OF 1933



(10903)

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The applicant has served almost two years of his term. A detainer for deportation has been lodged against him by the Federal Government. Our recommendation is contingent upon his return to Switzerland.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Carmen Adams—No. 834

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Carmen Adams, convicted of robbery in the Court of Quarter Sessions of Luzerne County on April 27, 1931 be commuted from five year to one year, ten months expiring on February 27, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to a charge of robbery. He was sentenced to the Eastern State Penitentiary for from five to ten years. We believe he has been sufficiently punished. Our reasons follow:

1. This was his first offense.
2. His conduct and employment records since his incarceration have been excellent.
3. He will have served by the time he can be released approximately two years of his sentence.
4. The trial judge and the trial district attorney recommend clemency.

The applicant will be on parole until 1941. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Joseph Murray—No. 911

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph Murray, convicted of statutory rape in the Court of Quarter Sessions of Philadelphia County on November 21, 1931 be commuted from two years to one year, three months expiring on February 21, 1933.

Our reasons for making this recommendation are as follows:

The applicant was arrested for statutory rape. The alleged act had taken place three months prior to his arrest. He pleaded not guilty. At the trial it was proven that the prosecutrix had a venereal disease and the applicant had not. He was convicted and sentenced to from two to four years in the Eastern State Penitentiary. Since then affidavits have been secured which show that the prosecutrix had been engaged in commercialized vice for a long period of time.

The applicant has been incarcerated for over one year. We believe he has been sufficiently punished. He will be on parole until 1936.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Leo Boire—No. 1042

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Leo Boire, convicted of murder second degree in the Court of Oyer and Terminer of Blair County on March 16, 1927, be commuted from eight years to five years eleven months expiring on February 16, 1933.

Our reasons for making this recommendation are as follows:

The applicant, while attempting to defend himself, killed the person attacking him. He pleaded guilty to murder of the second degree. A report from the Board of Trustees of the Western State Penitentiary states, "This appears to be the case of an industrious and apparently very tractable foreigner, driven and goaded to the commission of a crime by the aggressions of a truculent and possibly psychopathic fellow worker."

We believe that the applicant, if guilty of any crime, was guilty of voluntary manslaughter. The maximum sentence for this crime is twelve years. By the time applicant can be released he will have served six years.

The applicant's employment and conduct records prior to and during his incarceration have been excellent. He will be on parole until 1943.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Joseph Mark Shoenfelt—No. 1069

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph Mark Shoenfelt, convicted of assault with intent to commit rape in the court of Oyer and Terminer and Quarter Sessions of Clinton County on October 31, 1931, be commuted from one year, six months to one year, three months, expiring on January 31, 1933.

Our reasons for making this recommendation are as follows: The applicant on advice of counsel, pleaded guilty to assault with intent to commit rape. He was sentenced to serve from one and one-half to three years in the Western State Penitentiary. His accomplices pleaded not guilty and were acquitted. The trial district attorney states that after-discovered evidence indicates that there has been a miscarriage of justice as the applicant was unquestionably innocent. The present district attorney and trial judge recommend a commutation.

The applicant will be on parole until 1934. Employment has been assured.

Respectfully submitted,

E. C. SHANNON.
Lieutenant Governor.

RICHARD J. BEAMISH.
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Pete Miskovich—No. 1070

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Pete Miskovich, convicted of statutory rape, bastardy, in the Court of Quarter Sessions of Clearfield County on February 15, 1932, be commuted from two years to one year, expiring on February 15, 1933.

Our reasons for making this recommendation are as follows: The applicant admitted his intimacy with the prosecutrix who was under sixteen years of age. No direct evidence of the ill-repute of the prosecutrix could be obtained although specific acts of unchastity could have been shown. The applicant pleaded guilty to statutory rape and bastardy and was sentenced to the Western State Penitentiary for from two to four years and ordered to pay $2.00 a week for the support of the child for fourteen years. The prosecutrix married shortly after the applicant's sentence. In our opinion the applicant, who has served over one-half of his minimum sentence, has been sufficiently punished.

The applicant will be on parole until 1936. Employment has been assured.

Respectfully submitted,

E. C. SHANNON.
Lieutenant Governor.

RICHARD J. BEAMISH.
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY.
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Ralph Coburn—No. 1073

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Ralph Coburn, convicted of highway robbery in the Court of Oyer and Terminer of Luzerne County on February 8, 1930, be commuted from ten years to three years, expiring on February 8, 1933.

Our reasons for making this recommendation are as follows: The applicant pleaded guilty to robbery. Judge Valentine imposed a sentence of from ten to twenty years in the Eastern State Penitentiary. In a letter of November 28, 1932, Judge Valentine states: "Coburn was given an unusually severe sentence with the hope that others would be deterred from committing similar crimes. * * * I imposed the sentence that I did impose with mental reservation that after Coburn had been incarcerated a reasonable length of time I would assist in procuring his release. In my judgment that time has now arrived. * * * I not only recommend but urge that his request for clemency be granted." The district attorney also recommends favorable consideration. The applicant will be on parole until 1950.

Respectfully submitted,

E. C. SHANNON.
Lieutenant Governor.

RICHARD J. BEAMISH.
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Santo Piazza—No. 1084

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Santo Piazza, convicted of second degree murder in

the Court of Oyer and Terminer of Allegheny County on November 19, 1925, be commuted from nine years to seven years, three months, expiring on February 19, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to a charge of murder of the second degree. He was sentenced to undergo imprisonment in the Western State Penitentiary for not less than nine nor more than eighteen years. This was his first offense. He has served over seven years of his sentence. His conduct and employment records have been excellent. We believe he has been sufficiently punished.

The applicant will be on parole until 1943. His wife and five children are in urgent need of his support. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of William Brinkman—No. 1085

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William Brinkman, convicted of second degree murder in the Court of Oyer and Terminer, Quarter Sessions and General Jail Delivery of Lancaster County on September 11, 1928, be commuted from ten years to four years, five months, expiring on February 11, 1928.

Our reasons for making this recommendation are as follows:

The applicant, while under the influence of intoxicating liquor, shot and killed one of his friends. The circumstances were entirely consistent with applicant's statement that the shooting was accidental, but he was convicted of murder of the second degree.

The trustees of the Eastern State Penitentiary state, "His crime was purely an impulsive act which we feel will not be repeated." They recommend a commutation. The supervisor of paroles concurs. The trial district attorney and the present district attorney do not oppose clemency. The applicant has served over four and one-half years of his sentence and will be on parole until 1948. He has been assured employment.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Elwood H. Wimmer—No. 1087

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Elwood H. Wimmer, convicted of rape in the Court of Quarter Sessions of Monroe County on May 11, 1926, be commuted from seven and one-half years to six years, nine months, expiring on February 11, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to statutory rape. He was sentenced to the Eastern State Penitentiary for from seven and one-half to fifteen years. The Board of Trustees of the penitentiary state that this man has been sufficiently punished and recommend a commutation. The district attorney writes that "in my judgment the application for clemency is meritorious." The supervisor of paroles also recommends clemency. The applicant has served over six and one-half years of his sentence.

He will be on parole until 1941.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Giovanni Cuffaro—No. 1090

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Giovanni Cuffaro, convicted of robbery in the Court of Oyer and Terminer of Chester County on February 3, 1922, be commuted from twenty-nine years to eleven years, expiring on February 3, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery. He was sentenced to the Eastern State Penitentiary for from twenty-nine to thirty years. He has been imprisoned for over eleven years.

The applicant is an Italian citizen. The United States Government has lodged a deportation warrant against him at the Eastern State Penitentiary. He has expressed his willingness to deportation and has agreed to pay his own passage. Our recommendation is conditioned upon his return to his native country.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Guiseppe DiSalvo—No. 1091

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Guiseppe DiSalvo, convicted of robbery in the Court of Oyer and Terminer of Chester County on February 3, 1922, be commuted from twenty-nine years to eleven years, expiring on February 3, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery. He was sentenced to the Eastern State Penitentiary for from twenty-nine to thirty years. He has been imprisoned for over eleven years.

The applicant is an Italian citizen. The United States Government has lodged a deportation warrant against him at the Eastern State Penitentiary. He has expressed his willingness to deportation and has agreed to pay his own passage. Our recommendation is conditioned upon his return to his native country.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Robert Bradford Getgen—No. 1093

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Robert Bradford Getgen, convicted of robbery, larceny, carrying firearms, in the Court of Oyer and Terminer of Lycoming County on December 17, 1930, be commuted from three years to two years, two months, expiring on February 17, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to robbery. He was sentenced to from three to six years in the Eastern State Penitentiary. We believe he has been sufficiently punished. Our reasons follow:

1. This was his first offense.
2. His employment and conduct record prior to his arrest and while in prison has been excellent.
3. He has served over two-thirds of his minimum sentence.

The applicant will be on parole until 1936. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of James H. Marshall—No. 1097

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of James H. Marshall, convicted of larceny of automobile in the Court of Quarter Sessions of Erie County on September 26, 1930, be commuted from four years to two years, five months, expiring on February 26, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to larceny of an automobile. He received a sentence of from four to eight years. We believe he has been sufficiently punished. Our reasons follow:

1. This was the applicant's first offense.
2. He has served over two and one-half years of his minimum sentence.
3. His conduct and employment record during imprisonment has been excellent.

The trial district attorney, trustees of the penitentiary and the supervisor of paroles recommend clemency.

The applicant will be on parole until 1938. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Clarence Lander—No. 1104

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Clarence Lander, convicted of robbery in the Court of Oyer and Terminer of Allegheny County on February 13, 1930, be commuted from four years to three years, expiring on February 13, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced to the Western State Penitentiary for from four to eight years in 1930. This was his first offense. He has served over three-fourths of his minimum sentence. The trial judge states, "I would join in this application."

The applicant will be on parole until 1938. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Frank Graziani—No. 1107

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum sentence of Frank Graziani, convicted of murder (second degree), violation of parole, assault with firearms, in the Court of Oyer and Terminer of Philadelphia County on January 20, 1919, March 1, 1929, be commuted from twenty years to eleven years, eleven months, expiring on February 20, 1933.

Our reasons for making this recommendation are as follows:

In 1919 the applicant was sentenced to the Eastern State Penitentiary for from eight to twenty years on a charge of murder of the second degree. In 1927 he was released on parole. In 1929 he was sentenced to a term of one year for assault with firearms, the sentence to run concurrently with the unexpired parole term of twelve years. He will have served by the time he can be released four years of this unexpired term.

The applicant is a native of Italy and has expressed his willingness to return to that country at his own expense. Our recommendation is contingent upon his return to Italy.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Samuel Lehrman—No. 1106

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Samuel Lehrman, convicted of perjury in the Court of Quarter Sessions of Dauphin County on March 25, 1912, be pardoned.

Our reasons for making this recommendation are as follows:

In 1912 the applicant was convicted of perjury. He was sentenced to pay a fine of $50.00 and undergo imprisonment in the Dauphin County Jail for ten days.

The applicant has led an exemplary life and has conducted a successful business for twenty years. The conviction of perjury disqualifies him as a witness in any matter in controversy. This seriously handicaps him in his business pursuits. A pardon will remove the disqualification. Judge Wickersham, who conducted the prosecution, states "I would most heartily recommend that he receive the relief for which he has petitioned the Pardon Board."

The supervisor of paroles also recommends a pardon.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Jacob Lehman al. Jake Lehman—No. 1141

January Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the death sentence of Jacob Lehman al. Jake Lehman, convicted of murder in the first degree in the Court of Oyer and Terminer of Montgomery County on May 27, 1932, be commuted from death to imprisonment for life.

Our reasons for making this recommendation are as follows:

The applicant was tried on a charge of murder of the first degree. The jury found him guilty and by its verdict fixed the penalty at death. Sentence was accordingly imposed. Eight of the jurors in the case have urged us to recommend a commutation of the death sentence to life imprisonment.

Thirty-two members of the Montgomery County Bar, many of whom heard the trial, also recommend clemency.

The responsibility for imposing the penalty in cases of first degree murder rests upon the jury. We are impressed by the plea for clemency for two-thirds of the jury which imposed sentence in this case.

In addition while the applicant admits the killing, there is grave doubt whether, under the facts of the case, it could have been pre-mediated. If it was not pre-mediated, the death penalty should not be imposed.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Francesco Bartoli—No. 330

February Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Francesco Bartoli, convicted of robbery in the Court of Oyer and Terminer of Chester County on February 3, 1922, be commuted from twenty-nine years to eleven years, one month, expiring on March 3, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery. He was sentenced to the Eastern State Penitentiary for from twenty-nine to thirty years. He has been imprisoned for over eleven years.

The applicant is an Italian citizen. The United States Government has lodged a deportation warrant against him at the Eastern State Penitentiary. He has expressed his willingness to deportation and has agreed to pay his own passage. Our recommendation is conditioned upon his return to his native country.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Louis Marino—No. 510

February Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum and minimum sentences of Louis Marino, convicted of (1) entering a building to commit a felony, (2) breaking and escaping penitentiary in the Courts of Oyer and Terminer and Quarter Sessions of Lawrence, Centre, Counties on September 4, 1926, September 17, 1928, be commuted from ten years, five years to six years, four months, one month, expiring on February 4, 1933, March 4, 1933.

Our reasons for making this recommendation are as follows:

The applicant has been imprisoned over six and one-half years. He is a native of Italy. He is subject and willing to be deported. The trial judge, trustees of the penitentiary and the supervisor of paroles recommend clemency in order that he may be returned to Italy. We concur in these views. Our recommendation is contingent upon his deportation.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Harry Steelman—No. 767

February Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Harry Steelman, convicted of robbery, armed with an offensive weapon, aggravated assault and battery, in the Courts of Oyer and Terminer and Quarter Sessions of Philadelphia County on March 31, 1930, be commuted from five years to two years, eleven months, expiring on February 28, 1933.

Our reasons for making this recommendation are as follows:

An investigation made by a field agent of the Board of Pardons, discloses that the applicant and his partner were attempting to purchase liquor from the victim of the assault, a bootlegger. An argument followed and blows were struck. The applicant pleaded nolle contendre to several charges. He was adjudged guilty of assault and battery, being armed with offensive weapons, assault and battery, and aggravated assault and battery.

Applicant has been a valuable assistant to the Bertillon officer in the penitentiary. He has an honorable discharge from the Navy and is a graduate of Girard College. By the time he can be released he will have served three years of his sentence. We believe he has been sufficiently punished.

The manager of the Shubert Theatres in Philadelphia has guaranteed employment and will act as the applicant's sponsor. Parole supervision will be exercised until 1940.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of French Bernard Watson—No. 1078

February Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of French Bernard Watson, convicted of felonious entry and larceny, in the Court of Oyer and Terminer of Lancaster County on September 14, 1929, be commuted from six years to three years, six months, expiring on March 14, 1933.

Our reasons for making this recommendation are as follows:

The applicant was charged with having stolen a few chickens and turkeys. He was convicted on six counts of felonious entry and larceny. On each count he was sentenced to the Eastern State Penitentiary for from one to two years. He has now served over three and one-half years. His conduct and employment records during his incarceration have been excellent.

The trial district attorney, present district attorney, and the supervisor of paroles state that applicant has been sufficiently punished. We concur in these views.

The applicant is a resident of West Virginia. He desires to return to that State. His father will act as his sponsor.

Our recommendation is contingent upon his return to West Virginia.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of James Barr—No. 1111

February Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of James Barr, convicted of statutory rape, in the Court of Oyer & Terminer of Allegheny County, on October 13, 1931, be commuted from four years to one year, five months, expiring on March 13, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of statutory rape. He was sentenced to the Western State Penitentiary for from 4 to 8 years. A report from the Board of Trustees of the Western State Penitentiary states, "This case is not one of rape, except in a technical sense of the term. The plaintiffs in the case were known to be prostitutes although at least one of them was under age. The charge placed against the prisoner and step-brother was the result of a feud between two families and the litigious temperament of the father of one of the girls rather than a case of injury that could possibly be done to either the body or reputation of either of the plaintiffs. Prisoner's past history and conduct indicates that he is a safe risk and should be released as soon as possible."

The trial district attorney and supervisor of paroles recommend a commutation.

The applicant will be on parole until 1939. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Hector Beaumont Clark—No. 1126

February Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Hector Beaumont Clark, convicted of robbery with an offensive weapon, in the Court of Quarter Sessions of Philadelphia County, on May 2, 1929, be commuted from ten years to three years, ten months, expiring on March 2, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to robbery. He was sentenced to a term of imprisonment of from 10 to 20 years. He has served almost four years of his sentence. His conduct and employment records during imprisonment have been excellent.

The applicant is an English citizen. He is subject to deportation. Our recommendation is contingent upon his deportation to England.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Wilbur Lowell Stine—No. 1127

February Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Wilbur Lowell Stine, convicted of larceny by bailee, in the Court of Oyer & Terminer of Dauphin County, on January 13, 1932, be commuted from one and one-half years to one year, two months, expiring on March 13, 1933.

Our reasons for making this recommendation are as follows:

The applicant drove a rented automobile out of the State. The car was wrecked and abandoned. Upon his return to Pennsylvania he admitted his wrongdoing and pleaded guilty to larceny by bailee. He was sentenced to the Eastern State Penitentiary for from one and one-half to three years.

We believe he has been sufficiently punished. Our reasons follow:

(a) He has served over two-thirds of his minimum sentence.

(b) This was his first offense.

(c) His conduct and employment records have been excellent.

The trial judge and supervisor of paroles recommend clemency. The applicant will be on parole until 1935. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Joseph Palenchar—No. 1132

February Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph Palenchar, convicted of statutory rape, in the Court of Oyer & Terminer of Allegheny County, on March 20, 1931, be commuted from four years to two years, expiring on March 20, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of rape. After discovered evidence proves that the girl was a notorious prostitute. The report of the officials of the penitentiary states that this was "a rape case only in the technical sense." Applicant has served over one and one-half years of his sentence, and we believe he has been sufficiently punished.

This was the applicant's first offense. His previous reputation was very good as was his employment record.

Parole supervision will be exercised until 1946. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Augusto M. Fabrizi—No 1139

February Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Augusto M. Fabrizi, convicted of statutory rape, in the Court of Quarter Sessions of Philadelphia County, on May 22, 1931, be commuted from three years to one year, nine months, expiring on February 22, 1933.

Our reasons for making this recommendation are as follows:

The applicant was tried on a charge of statutory rape. He was convicted. A new trial was ordered. The second trial also resulted in a conviction. He was sentenced to a term of imprisonment of from 3 to 6 years. Reliable information makes us seriously doubt the applicant's guilt. He has served over one-half of his minimum term. We believe he has been sufficiently punished.

The trustees of the penitentiary and the supervisor of paroles recommend clemency. The district attorney's representative stated at the open hearing that the district attorney did not oppose clemency.

The applicant is an accomplished musician. Employment has been assured. He will be on parole until 1937.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor

BOARD OF PARDONS

In re Application of James Brew—No. 13

March Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of James Brew, convicted of statutory rape; fornication, in the Court of Oyer & Terminer of Beaver County, on April 17, 1929, be commuted from seven and one-half years to four years, expiring on April 17, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of statutory rape and fornication. He was sentenced to the Western State Penitentiary for from seven and one-half to fifteen years. We believe he has been sufficiently punished. Our reasons follow:

(1) This was the applicant's first offense.

(2) He was only 22 years old when convicted.

(3) He has served approximately four years of his sentence.

(4) His work and conduct records have been excellent.

The report of the Board of Trustees of the Western State Penitentiary states, "The charge is probably more technical than descriptive of the actual happenings. If no previous conviction; parole as soon as possible." The supervisor of paroles recommends a commutation.

The applicant will be on parole until 1944. Employment in Dayton, Ohio, has been guaranteed. Our recommendation is contingent upon his leaving this State and removing to Ohio.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Vincent J. Isenberg—No. 450

March Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Vincent J. Isenberg, convicted of robbery; fel. A. & B.; C. C. D. W., in the courts of Oyer & Terminer and Quarter Sessions of Westmoreland County, on February 20, 1926, be commuted from nine years to seven years, two months, expiring on April 20, 1933.

Our reasons for making this recommendation are as follows:

The applicant and three others were convicted of robbery. Applicant was sentenced to the Western State Penitentiary for from 8 to 16 years. One accomplice received a sentence of from 7 to 14 years. Another accomplice received a sentence of from 8 to 16 years. Both of these sentences were commuted. In our opinion all the participants in the crime were equally guilty. The applicant has served over 7 years of his sentence. This was his first offense. We believe he has been sufficiently punished.

The applicant will be on parole until 1044. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Joseph Masterann—No. 1044

March Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph Masterann, convicted of robbery, carrying concealed weapons, aggravated assault and battery, in the Courts of Oyer & Terminer and Quarter Sessions, of Westmoreland County, on February 20, 1926, be commuted from ten years to seven years, two months, expiring on April 20, 1933.

Our reasons for making this recommendation are as follows:

The applicant and three others were convicted of robbery. Applicant was sentenced to the Western State Penitentiary for from 10 to 20 years. One accomplice received a sentence of from 7 to 14 years. Another accomplice received a sentence of from 8 to 16 years. Both of these sentences were commuted. In our opinion all the participants in the crime were equally guilty. The applicant has served over 7 years of his sentence. This was his first offense. We believe he has been sufficiently punished.

The applicant will be on parole until 1946. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Frederick Plantieri—No. 1112

March Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Frederick Plantieri, convicted of conspiracy; larceny, in the Court of Quarter Sessions of Philadelphia County, on October 17, 1930, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was convicted of larceny, conspiracy to steal and bribery. The jury recommended mercy. A sentence of one year in the Philadelphia County Prison was imposed and the applicant was discharged on parole after serving approximately two months of this sentence. The conviction arose out of the removal of some beer from the district attorney's warehouse. One of the judges of the Courts of Philadelphia County who is familiar with the facts in the case has told us that he is convinced that the applicant was convicted on perjured testimony. After a careful examination of all the facts we are satisfied that it is extremely doubtful whether the applicant was guilty of the offense.

The applicant had an excellent record as a member of the Philadelphia Police Department. No other charge had ever been brought against him.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Kenneth Winterbottom—No. 1113

March Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Kenneth Winterbottom convicted of conspiracy and larceny in the Court of Quarter Sessions of Philadelphia County, on October 17, 1930, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was convicted of larceny, conspiracy to steal and bribery. The jury recommended mercy. A sentence of one year in the Philadelphia County Prison was imposed and the applicant was discharged on parole after serving approximately two months of this sentence. The conviction arose out of the removal of some beer from the District Attorney's warehouse. One of the judges of the Courts of Philadelphia County who is familiar with the facts in the case has told us that he is convinced that the applicant was convicted on perjured testimony. After a careful examination of all the facts we are satisfied that it is extremely doubtful whether the applicant was guilty of the offense.

The applicant had an excellent record as a member of the Philadelphia Police Department. No other charge had ever been brought against him.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Frederick Silber—No. 1114

March Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Frederick Silber convicted of conspiracy and larceny in the Court of Quarter Sessions of Philadelphia County, on October 17, 1930, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was convicted of larceny, conspiracy to steal and bribery. The jury recommended mercy. A sentence of one year in the Philadelphia County Prison was imposed and the applicant was discharged on parole after serving approximately two months of this sentence. The conviction arose out of the removal of some beer from the District Attorney's warehouse. One of the judges of the Courts of Philadelphia County who is familiar with the facts in the case told us that he is convinced that the applicant was convicted on perjured testimony. After a careful examination of all the facts we are satisfied that it is extremely doubtful whether the applicant was guilty of the offense.

The applicant had an excellent record as a member of the Philadelphia Police Department. No other charge had ever been brought against him.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Herman Greene—No. 1137

March Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Herman Greene convicted of breaking, entering and larceny, in the Court of Quarter Sessions of Washington County on April 1, 1929, be commuted from five years to four years expiring on April 1, 1933.

Our reasons for making this recommendation are as follows:

The applicant in company with two others broke into several buildings and carried away chickens and sheep. The accomplices received sentences of from two to four years and of from three to six years. The appliant received a sentence of from five to ten years. One accomplice was pardoned and the sentence of the other was commuted. The applicant has served almost four years of his sentence. We believe he has been sufficiently punished.

The trial judge, Board of Trustees of the Western State Penitentiary and supervisor of paroles recommend a commutation.

The applicant will be on parole until 1939. Employment has been assured by Jess McFall of Harrison Valley, Pa.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Dominick Del Gatto—No. 1145

March Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Dominick Del Gatto, convicted of aggravated assault and battery in the Supreme Court of Westmoreland County, on September 1, 1915, be pardoned.

Our reasons for making this recommendation are as follows:

In 1915 the applicant was convicted of aggravated assault and battery. The facts in the case were as follows:

The prosecutor owed the applicant $60.00. The applicant wrote a letter demanding payment. The prosecutor replied that he would give the applicant sixty stabs. The applicant then struck the prosecutor a number of blows with his fists.

A plea of guilty was entered and the applicant was sentenced to the Westmoreland County Jail for five months. Prior to this conviction and for the past eighteen years the applicant has lived an exemplary life. He wishes to become a citizen of the United States. A pardon will enable him to accomplish this purpose. We feel that he is entitled to a pardon because of the mitigating circumstances surrounding the assault and battery and his otherwise unblemished record.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Terry Evans—No. 1148

March Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Terry Evans, convicted of robbery; R. S. G.: larceny by trick.

in the Court of Oyer and Terminer of Allegheny County on January 24, 1928, be commuted from eleven and one-half years to five years, three months expiring on April 24, 1933, for deportation.

Our reasons for making this recommendation are as follows:

The applicant has served over five years of his sentence of from eleven and one-half to twenty-three years. A detainer for deportation has been filed by the United States Department of Labor, Immigration Service, at the Western State Penitentiary. The applicant has signified his willingness to return to his native country.

The Board of Trustees of the Western State Penitentiary and the supervisor of paroles recommend a commutation subject to deportation. Our recommendation is for the purpose of and contingent upon his deportation.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Nicholas Kless—No. 1154

March Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Nicholas Kless, convicted of assault; being armed with an offensive weapon; intent to rob, in the Court of Oyer and Terminer of Bucks County on April 6, 1931, be commuted from three years to two years expiring on April 6, 1933.

Our reasons for making this recommendation are as follows:

The applicant and one accomplice attempted to hold up the proprietor of a restaurant. The proprietor drew a gun and drove them away. The accomplice was committed to a Catholic Reformatory and has been released. The applicant was only 20 years of age at the time the crime was committed. He has served over two-thirds of his sentence. His conduct and employment records in the penitentiary have been excellent. This was his first offense. We believed he has been sufficiently punished.

The applicant will be on parole until 1937. His brother has assured him employment in New Jersey. Our recommendation is contingent on his removal to that State.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER.
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Mary Stankiewicz—No. 1226

March Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the death sentence of Mary Stankiewicz, convicted of murder, first degree, in the Court of Oyer and Terminer of Northumberland County on January 30, 1933, be commuted from death to imprisonment for life.

Our reasons for making this recommendation are as follows:

The applicant is an uneducated woman of foreign extraction. She pleaded guilty to a charge of murder of the first degree and was sentenced to death. Her accomplice, a step-son, was permitted to plead guilty to a charge of murder of the second degree, and was sentenced to the Eastern State Penitentiary for from ten to twenty years. Statements made by the District Attorney and the applicant's counsel, corroborated by the record and notes of testimony, disclose certain material facts. They are as follows:

(1) The accomplice dominated the applicant.

(2) The accomplice urged, planned and assisted in the commission of the crime.

(3) The applicant frequently had severe headaches and other illnesses.

(4) The deceased abused and mistreated the applicant during the entire period of the coverture.

(5) The applicant and accomplice were equally guilty of murder of the first degree.

Accordingly we are of the opinion that there is too great a disparity in the sentences imposed.

In our opinion the applicant should serve a term of life imprisonment without commutation.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Emil Tarbrake—No. 40

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Emil Tarbrake, convicted of breaking and entering and larceny, in the Court of Quarter Sessions of Wyoming County on January 22, 1929, be commuted from five years to four years, four months, expiring on May 22, 1933.

Our reasons for making this recommendation are as follows:

In 1929 the applicant, a pauper, attempted to equip his wife and baby for the winter by helping himself to some blankets and household goods from unoccupied cottages. He pleaded guilty to breaking and entering and larceny and was sentenced to the Eastern State Penitentiary for from five to ten years. The applicant has served almost four and one-half years for these crimes. We believe he has been sufficiently punished.

The trial judge and the supervisor of paroles recommend a commutation.

The applicant will be on parole until 1939. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Harry Frank—No. 290

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Harry Frank, convicted of arson in the Court of Quarter Sessions of Allegheny County, on June 28, 1928 effective March 21 1929, be commuted from six years to four years two months, expiring on May 21 1933.

Our reasons for making this recommendation are as follows:

The applicant and three others were convicted of arson. Two of the accomplices received sentences of from three to six years and have been paroled. The third accomplice and the applicant received sentences of from six to twelve years. Commutation was granted to the third accomplice, Meyer Letwin in January, 1933. We believe the defendants were equally guilty and had equally good records.

The applicant will be on parole until 1941. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of William Ropalsky—No. 774

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum and minimum sentence of William Ropalsky, convicted of robbery and rape, breaking and escaping penitentiary, in the Court of Quarter Sessions of Luzerne and Centre County, on January 24, 1917, January 11, 1927, be commuted from fifteen years, five years, to thirteen years, ten months, one month, expiring on April 25, 1933, May 25, 1933.

Our reasons for making this recommendation are as follows:

In 1917 applicant was sentenced to the Eastern State Penitentiary for from ten to fifteen years on the charges of robbery and rape. He was transferred to the Western State Penitentiary from where he escaped in 1924. In 1926 he was recaptured and sentenced to from five to ten years for the escape. He has now served over fourteen years for these crimes. His conduct and employment records have been excellent. We believe he has been sufficiently punished.

The applicant will be on parole until 1944. Employment has been assured.

Respectfully Submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Calvin C. Gorgy—No. 960

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Calvin C. Gorgy, convicted of voluntary manslaughter in the Court of Oyer and Terminer of Monroe County, on November 2, 1931, be commuted from three years to one year, eight months, expiring on May 7, 1933.

Our reasons for making this recommendation are as follows:

The applicant was County Detective of Monroe County. In 1931 he attempted to arrest a man. A scuffle ensued and the applicant's gun was discharged, killing the man. The applicant surrendered himself to the proper authorities and was indicted for murder and voluntary manslaughter. He was convicted on the latter indictment and sentenced to the Eastern State Penitentiary for from three to six years. He has served over one-half of his minimum sentence. We believe he has been sufficiently punished.

The trial district attorney, present district attorney, trial judge, special prosecuting attorney and the supervisor of paroles recommend clemency.

The applicant will be on parole until 1937. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Eddie Salim—No. 1110

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Eddie Salim convicted of unlawful cutting and wounding, in the Court of Quarter Sessions of Allegheny County, on June 13, 1932, be commuted from fifteen months to eleven months, expiring on May 13, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced to the Western State Penitentiary for from fifteen months to three years on a charge of felonious assault and battery. The report of the Board of Trustees states, "There is reason for believing that the charge of assault and battery is false."

The applicant has served over two thirds of his minimum sentence. We believe he has been sufficiently punished.

The supervisor of paroles recommends a commutation. Dr. Claudy, Supt., Rockview Prison Farm writes that the case merits favorable consideration.

The applicant will be on parole until 1935. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Peter Evangilist—No. 1147

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Peter Evangilist, convicted of escape, in the Court of Quarter Sessions of Centre County, on June 14, 1929, be commuted from five years to one year, expiring on May 12, 1933.

Our reasons for making this recommendation are as follows:

In 1927 the applicant, when 18 years of age, was sentenced to the Philadelphia County Prison for from five to ten years on a charge of larceny of an automobile. He was transferred to the Rockview Prison Farm in 1929. He escaped from there the same year but was captured within a few hours. A sentence of from five to ten years in the Western State Penitentiary was imposed on the breaking and escaping charge. The trial court paroled him at the expiration of his minimum sentence on the larceny charge. He has been incarcerated for approximately six years. The conduct record, excepting his escape, has been excellent. We believe he has been sufficiently punished.

The trial judge, superintendent of the Philadelphia County Prison and the supervisor of paroles recommend a commutation.

The applicant will be on parole until 1947. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Victor Lomast—No. 1180

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Victor Lomast, convicted of manslaughter in the Courts of Oyer and Terminer and Quarter Sessions of Luzerne County, on October 9, 1929, be commuted from six years to three years, seven months, expiring on May 9, 1933.

Our reasons for making this recommendation are as follows:

The applicant and others were implicated in a drunken brawl. One of the group was killed. The applicant was convicted of manslaughter and sentenced to the Eastern State Penitentiary for from six to twelve years. He is 65 years of age and a citizen of Poland.

Our recommendation is contingent upon his return to his native country.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Gaetano Ardolino—No. 1811

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Gaetano Ardolino, convicted of rape; taking a female child under the age of sixteen for the purpose of sexual intercourse, in the Courts of Oyer and Terminer and Quarter Sessions of Philadelphia County, on April 5, 1929, be commuted from twelve and one-half years to four years, one month, expiring on May 5, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced to the Eastern State Penitentiary for from twelve and one-half to twenty-five years. He has been incarcerated over four years. A detainer in the form of a deportation warrant has been lodged against him at the penitentiary. Our recommendation is contingent upon his immediate deportation to Italy.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Sam Matz—No. 1183

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Sam Matz, convicted of assault and battery with intent to ravish, assault and battery, in the Court of Quarter Sessions of Beaver County, on November 9, 1932, be commuted from two years to six months, expiring on May 9, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of assault and battery with intent to ravish. The district attorney states, "I personally was not satisfied of the applicant's guilt, to the extent required by law namely: beyond a reasonable doubt."

The report from the Trustees of the Western State Penitentiary indicates that there is considerable doubt concerning the applicant's guilt. After a thorough investigation of the case we are of the same opinion. The conduct and employment records prior to his conviction were excellent.

The applicant will be re-employed by the Jones and Laughlin Steel Corporation for which he worked for over thirty years.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Herman Eagler—No. 1186

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application have been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Herman Eagler, convicted of breaking and escaping penitentiary, in the Court of Quarter Sessions of Centre County, on December 26, 1923, be commuted from four years to one year, expiring on May 4, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced to from 4 to 12 years in the Western State Penitentiary in 1919, on a charge of aggravated assault and battery. Shortly before the expiration of his minimum sentence he was forced to escape with some other prisoners. The applicant was recaptured and was given a sentence of from four to twelve years for the escape. He has been incarcerated for over thirteen years. We believe he has been sufficiently punished.

The trial judge, supervisor of paroles and the parole officer of Centre County recommend a commutation.

The applicant will be on parole until 1944.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Tony Pastore—No. 1188

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Tony Pastore, convicted of (1) assault, being armed with an offensive weapon with intent to rob; (2) assault with others with intent to rob, in the Court of Quarter Sessions of Berks County, on June 16, 1928, be commuted from seven and one-half years to four years, eleven months, expiring on May 16, 1933.

Our reasons for making this recommendation are as follows:

In 1928 the applicant was sentenced to the Eastern State Penitentiary for from seven and one-half to fifteen years on a charge of robbery. He has served almost two-third of his minimum sentence. We believe he has been sufficiently punished.

The district attorney, trial judge, numerous officials of Berks County and the supervisor of paroles recommend a commutation.

The applicant will be on parole until 1943. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of James Kouvakas—No. 1198

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum sentence of James Kouvakas, convicted of voluntary manslaughter, in the Court of Oyer and Terminer, of Westmoreland County, on May 19, 1922, be commuted from twelve years to ten years, eleven months, expiring on May 10, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of voluntary manslaughter and sentenced to the Western State Penitentiary for from eight to twelve years. While in the penitentiary he was convicted of felonious assault and battery. The sentence for this offense was suspended. He has served almost eleven years of his sentence. We believe he has been sufficiently punished.

The mayor of Campbell, Ohio, has offered to employ the applicant and supervise his conduct. Our recommendation is contingent upon his removal to Ohio.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Archie P. Bennis—No. 1204

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum sentence of Archie P. Bennis, convicted of burglary in the Court of Oyer and Terminer, of Allegheny County, on June 13, 1914, be commuted from twenty years to thirteen years, expiring on May 1, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced to the Western State Penitentiary in 1914. He was released on parole in 1924. In 1925 he was sentenced to the Ohio State Penitentiary for burglary. In 1930 he was released from that institution and returned to the Western State Penitentiary as a parole violator. He has served over three years for such violation. We believe he has been sufficiently punished.

The supervisor of paroles and the Board of Trustees of the penitentiary recommend a commutation.

The applicant will be on parole until 1940. Employment has been assured in Mansfield, Ohio. Our recommendation is contingent upon his removal to Ohio.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Dominic Pagley—No. 1207

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Dominic Pagley, convicted of aiding, counseling and procuring, attempting to commit arson, in the Court of Oyer and Terminer of Lawrence County, on March 5, 1932, be commuted from two years to one year, two months, expiring on May 5, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of aiding counseling, procuring and attempting to commit arson. He was sentenced to from two to four years in the Western State Penitentiary. The trial district attorney states, "that the ends of justice have been met." The trial judge tells us, "I would have been inclined to make his sentence one year as I believe he has had his lesson. The statute however compelled me to impose two years as his minimum sentence." The applicant has served over one year of his sentence.

The applicant will be on parole until 1936. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Frank Rosa—No. 1210

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Frank Rosa, convicted of incestuous rape; fornication and bastardy, in the Court of Oyer and Terminer of Philadelphia County, on August 3, 1928, be commuted from seven and one-half years to four years, nine months, expiring on May 3, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of incestuous rape and fornication and bastardy. He was sentenced to the Eastern State Penitentiary for from seven and one-half to fifteen years. After a careful investigation of the facts in the case we seriously doubt the applicant's guilt.

The applicant is 57 years old. He conducted a barber shop in prison and has accumulated approximately $1,000.00 in cash and $500.00 in equipment and fixtures.

The supervisor of paroles and the trustees of the penitentiary recommend a commutation.

The applicant will be on parole until 1943.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Nicholas Perri—No. 1211

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum sentence of Nicholas Perri, convicted of robbery, being armed with an offensive weapon, in the Court of Quarter Sessions of Philadelphia County, on June 18, 1928, be commuted from twenty years to two years, ten months, expiring on May 11, 1933.

Our reasons for making this recommendation are as follows:

The applicant, 19 years old, was sentenced to the Eastern State Penitentiary in 1928 for from eight to twenty years. This sentence was commuted in October, 1930. In 1931 he was sentenced to the Philadelphia County Prison for from one to three years for larceny. We seriously doubt his guilt on this charge. At the expiration of this minimum sentence he was returned to the Eastern State Penitentiary to serve the unexpired term of the twenty-year sentence.

The trial judge states, "I would be inclined, if I had the power, to parole him."

The applicant will be on parole until 1948. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of George A. Knox—No. 1213

April Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of George A. Knox, convicted of arson; burning chattels with intent to defraud insurer, in the Court of Oyer and Terminer of Mifflin County, on January 18, 1932, be commuted from two years to one year, four months, expiring on May 18, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of arson and burning chattels with intent to defraud insurer. He was sentenced to the Western State Penitentiary for from two to ten years. The conviction was obtained by the testimony of William Lytter who set fire to the building. The report from the Board of Trustees of the Western State Penitentiary states, "From a rather reliable source we are told that Lytter's testimony might not be reliable. Since he has a reputation for unreliability and delinquency." The district attorney tells us that when the defendant was sentenced he, the district attorney, told the court that he could not understand the verdict, that he firmly believe the applicant innocent, and that he was of the opinion that one of the Commonwealth's witnesses was guilty of the crime. The district attorney added, "Since then other developments, in this case, have come to my knowledge, and I am, if possible, more firmly of the opinion that George Knox did not commit the offense wherewith he was charged." After a full consideration of all the facts we are of the same opinion.

The applicant will be on parole until 1942. He owns several farms and will be able to provide for himself.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Harvey Shoemaker—No. 317

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Harvey Shoemaker, convicted of murder, second degree, in the Court of Oyer and Terminer, of Bedford County, on September 3, 1929, be commuted from six years to three years, ten months, expiring on July 3, 1933.

Our reasons for making this recommendation are as follows:

The applicant was assaulted by his brother without provocation. His life was endangered. He picked up a firearm which was standing in the room and shot and killed the brother. The applicant on advice of counsel pleaded guilty to murder. He was adjudged guilty of murder of the second degree and was sentenced to the Western State Penitentiary for from six to twelve years.

The trial judge and Judge Harry C. James urge a commutation of sentence.

The applicant will be on parole until 1941. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Charles Williams—No. 428

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Charles Williams, convicted of assault, being armed with an offensive weapon, robbery in the Court of Oyer and Terminer, of Philadelphia County, on July 6, 1927, be commuted from ten years to six years, expiring on July 6, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of assault and robbery and sentenced to the Eastern State Penitentiary for from ten to twenty years. He has served almost two-thirds of his sentence. We believe he has been sufficiently punished.

The report of the Board of Trustees of the Eastern State Penitentiary states, "Is capable of working and getting along in the world. Intends to secure work as cook with some steamship company. Has money to support himself until employment is secured. Is considered good risk."

The applicant will be on parole until 1947.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Pierre Henry Keusenkamp Van Dorn—No. 549

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Pierre Henry Keusenkamp Van Dorn, convicted of fradulently making written instrument, perjury in the Courts of Oyer and Terminer and Quarter Sessions, of Philadelphia County, on June 21, 1930, August 28, 1930, be commuted from five and one-half years to three years, two months, expiring on June 22, 1933.

Our reasons for making this recommendation are as follows:

In 1930 the applicant was sentenced to the Eastern State Penitentiary for from five and one-half to eleven years. A detainer in the form of deportation warrant has been lodged against him. We recommend a commutation of sentence in order that he may be deported to Holland, his native country.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Benjamin Wardick—No. 659

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the life sentence of Benjamin Wardick, convicted of first degree murder in the Courts of Oyer and Terminer and Quarter Sessions, of Philadelphia County, on January 28, 1926, be commuted from life imprisonment to seven years, five months, expiring on June 28, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to murder. He was adjudged guilty of murder in the first degree and was sentenced to the Eastern State Penitentiary for life. The report from the Board of Trustees of that institution indicates that there were extenuating circumstances. We believe applicant has been sufficiently punished.

The applicant is 68 years of age. His family will provide a home for him.

The applicant receives a pension from the United States government for services rendered during the Spanish-American War. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Francis Winters Waddell—No. 877

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Francis Winters Waddell, convicted of entering a building, in the Court of Quarter Sessions of Allegheny County, on June 21, 1928, be commuted from six years to five years, expiring on June 21, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced to the Western State Penitentiary for from six to twenty years. He has been incarcerated for almost five years. We believe he has been sufficiently punished.

The applicant will be on parole until 1948. A home and employment have been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Marlin Burke—No. 886

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Marlin Burke, convicted of robbery, in the Court of Oyer and Terminer of Allegheny County, on April 16, 1930, be commuted from five years to three years, two months, expiring on June 16, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to robbery and was sentenced to the Western State Penitentiary for from five to ten years. He was only 23 years of age when the crime was committed. Since his incarceration his conduct and employment records have been excellent. He has served over three years of his sentence. We believe he has been sufficiently punished.

The applicant will be on parole until 1940. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Albert Leroy Niman—No. 913

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Albert Leroy Niman, convicted of breaking and entering and larceny, in the Court of Quarter Sessions of Juniata County, on May 1, 1929, be commuted from six years to four years, two months, expiring on July 1, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to several charges of larceny. He was sentenced to the Western State Penitentiary for from six to seventeen years. He has served over two-thirds of his minimum sentence. The trial district attorney, present district attorney, trial judge and supervisor of paroles recommend a commutation. Judge J. F. Gray, appeared before us at the open session and stated that the applicant's family are in urgent need of his support and on behalf of the court urged a commutation.

The applicant will be on parole until 1946. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of George Harlan Draper—No. 931

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum sentence of George Harlan Draper, convicted of larceny of automobile, in the Court of Quarter Sessions of Chester County, on September 1, 1921, be commuted from ten years to seven years, three months, expiring on July 2, 1933.

Our reasons for making this recommendation are as follows:

In 1921 the applicant was sentenced to the Eastern State Penitentiary for from five to ten years for the larceny of an automobile. He was transferred to the Rockview Farm Prison. Upon the expiration of his minimum sentence in 1926 he was released on parole. In 1929 he was found guilty of assault and battery by automobile, and failure to stop and render assistance. He was sentenced to the Chester County Jail for two years. At the expiration of this sentence he was taken to the Western State Penitentiary to serve the remainder of the unexpired term of the original sentence for the parole violation.

Te report from the penitentiary indicates that the crime for which the applicant was returned to the penitentiary may have been an accident. The applicant has served over two years for the parole violation. We believe he has been sufficiently punished. The supervisor of paroles recommends a commutation.

The applicant will be on parole until 1936. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Chester Kolowrocki—No. 993

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Chester Kolowrocki, convicted of felonious entry; larceny; receiving stolen goods, in the Court of Quarter Sessions of Berks County, on June 16, 1928, be commuted from ten years to five years, expiring on June 16, 1933.

Our reasons for making this recommendation are as follows:

The applicant and two others were convicted of felonious entry, larceny and receiving stolen goods. The accomplices have been released on parole. Judge Paul N. Schaeffer, states that "These sentences were imposed by the Court at the time I was upon the bench, and I can say that the Court is of the opinion that the sentences were too severe . . . . . I respectfully suggest your favorable consideration."

The trial district attorney and supervisor of paroles recommend a commutation.

The applicant will be on parole until 1946. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Warring Spencer Conkling—No. 1019

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Warring Spencer Conkling, convicted of robbery; being armed with offensive weapon; larceny, in the Courts of Oyer and Terminer and Quarter Sessions of Philadelphia County, on November 15, 1927, be commuted from thirty years to five years, seven months, expiring on June 15, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced in November, 1927, to from thirty to sixty years for robbery, being armed, etc. He was only 19 years of age when the offenses were committed and all took place within a period of five weeks. An accomplice received a sentence of from forty to eighty years. This sentence was commuted in February, 1932. The accomplice has been on parole for over one year and his conduct has been exemplary. We have every reason to believe the applicant will also be rehabilitated.

Judge Eugene V. Alessandroni, who was the trial district attorney, states, "In view of time served and sound prospect of rehabilitation, I join plea for clemency." The supervisor of paroles recommends a commutation.

The applicant will be on parole until 1987. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Henry Reinschreiber—No. 1174

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the life sentence of Henry Reinschreiber, convicted of first degree murder, in the Court of Oyer and Terminer of Philadelphia County, on June 6, 1922, be commuted from life imprisonment to ten years, three months, expiring on June 27, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of murder of the first degree and was sentenced to death. The sentence was commuted to life imprisonment. We believe he has been sufficiently punished. Our reasons follow:

(1) This was the applicant's first offense.

(2) He was only 19 years old when the crime was committed.

(3) He has been imprisoned almost eleven years.

(4) The report of the Board of Trustees of the Eastern State Penitentiary states, "Record while in prison excellent, in fact he has developed a trade as ornamental iron-worker, showing superior mechanical ability."

The report of the Board of Trustees also states, "He is capable of being self-supporting. His family background, and the high character of his sponsor, together with this man's finely poised personality, make his prognosis in the world very good."

The applicant will be on parole for life.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Bruner B. Stevenson—No. 1222

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Bruner B. Stevenson, convicted of extortion, in the Court of Quarter Sessions of Lancaster County, on November 27, 1926, be pardoned.

Our reasons for making this recommendation are as follows:

In 1926 the applicant, a Justice of the Peace, was convicted of extortion. He was sentenced to pay a fine of $10.00 and the costs of prosecution. It appears that the crime consisted of an attempt to collect costs, to which the applicant thought he was legally entitled. No criminal intent was shown.

The applicant has an excellent reputation and was never involved in any other trouble. Judge Atlee, the district attorney, and the supervisor of paroles state that the application is meritorious.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Tony Toranto—No. 1241

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Tony Toranto, convicted of second degree murder in the Courts of Oyer and Terminer and G. J. D., of Cambria County, on June 15, 1915, be pardoned.

Our reasons for making this recommendation are as follows:

In 1915 the applicant pleaded guilty to murder of the second degree and was sentenced to the Western State Penitentiary for from eighteen to twenty years. In 1929 his sentence was commuted to from fourteen to twenty years. He was released on parole and has been reporting regularly to the parole officers. At the present time he is working for the Long Island Railroad Company in New York. He has an excellent work record but is in danger of losing his position because he is not a citizen of the United States. Unless he receives a pardon he cannot become a citizen. The Supervisor of paroles recommends a pardon. We concur in this recommendation.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Austin Pottmeyer—No. 1242

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum and minimum sentence of Austin Pottmeyer, convicted of robbery, entering building, larceny, escape from Penitentiary, in the Court of Oyer and Terminer, of Allegheny County, on April 8, 1924, April 21, 1925, be commuted from thirty years, five years, to nine years, one month, one month, expiring on May 30, 1933, June 30, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced to the Western State Penitentiary for from fifteen to thirty years on several charges of robbery. He escaped from the penitentiary and on the escape charge received a sentence of from five to ten years. He has been incarcerated for over nine years. The District Attorney of Allegheny County and Justice Drew, the trial judge, recommend clemency.

The applicant will be on parole until 1964. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Robert Simpson—No. 1245

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Robert Simpson, convicted of breaking and entering and larceny in the Court of Quarter Sessions, of Crawford County, on November 28, 1932, be commuted from two and one-half years to seven months, expiring on June 28, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced to the Western State Penitentiary for from two and one-half to five years for breaking and entering and larceny. He is an English citizen and has express a willingness to return to his native country. The trial district attorney, trial judge and Board of Trustees of the Western State Penitentiary recommend a commutation for deportation.

Our recommendation is contingent upon the applicant's deportation to England.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Samuel Rosner—No. 1249

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Samuel Rosner, convicted of larceny, receiving stolen goods in the Municipal Court of Philadelphia County on January 6, 1926, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was employed as a helper by a hardwood floor dealer. In moving some furniture in the home of a colored family, he noticed some pieces of jewelry in an empty dresser drawer. He put the jewelry, worth only a few dollars, in his pocket and took it home. A few days later he was arrested and convicted of larceny and receiving stolen goods. He was sentenced to the Philadelphia County Prison for six months. This sentence was reconsidered and suspended and he was placed on probation for two years. This occured early in 1926 when the applicant was only nineteen years old. The applicant had no previous criminal record, nor has he been arrested since then.

Judge Francis Shunk Brown, Jr., was the trial district attorney. He recommends a pardon. The present district at-

torney recommends a pardon because of applicant's good record. We concur in these recommendations.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Tobia Pichinielli—No. 1250

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Tobia Pichinielli, convicted of second degree murder, in the Court of Quarter Sessions of Chester County, on January 30, 1924, be commuted from ten years to nine years, five months, expiring on June 30, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of murder of the second degree and was sentenced to the Eastern State Penitentiary for from ten to twenty years. He has served over nine years of his minimum sentence. He is an Italian citizen and has expressed a desire to return to his native country. Our recommendation is contingent upon his return to Italy.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Vincent Dispenza—No. 1252

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Vincent Dispenza, convicted of robbery, in the Court of Oyer and Terminer of Allegheny County, on March 21, 1931, be commuted from five years to two years, one month, expiring on June 21, 1933.

Our reasons for making this recommendation are as follows:

In 1931 the applicant was convicted of robbery. He was sentenced to the Western State Penitentiary for from five to ten years. During his incarceration his conduct and employment records have been very good. Prison life is beginning to break his morale. Warden Ashe of the Western State Penitentiary, states that the applicant may possible be saved if his sentence is commuted and recommends his release.

The applicant will be on parole until 1941. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Ralph Buffalino—No. 1255

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum and minimum sentence of Ralph Buffalino, convicted of assault and battery with intent to commit rape, assault and battery with intent to commit sodomy, breaking and escaping penitentiary, in the Courts of Oyer and Terminer and Quarter Sessions of Mercer and Centre Counties, on Juna 23, 1930 and October 31, 1921, be commuted from five years and two and one-half years to two years, ten months and one month, expiring on May 12, 1933 and June 12, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced to the Western State Penitentiary for from two and one-half to five years. He was transferred to the Rockview Prison Farm. He escaped from there October 26, 1931. He was recaptured the same day and received a sentence of from two and one-half to five years for the escape.

The applicant is a native of Italy. He has expressed a willingness to be deported to that country. The trial judge and the supervisor of paroles recommend a commutation for deportation. Our recommendation is contingent upon deportation.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of George W. Croasdale—No. 1258

May Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the

Board of Pardons recommend that the minimum sentence of George W. Croasdale, convicted of robbery; being armed with an offensive weapon, in the Courts of Oyer and Terminer and Quarter Sessions of Philadelphia County, on April 1, 1926, be commuted from ten years to seven years, three months, expiring on July 1, 1933.

Our reasons for making this recommendation are as follows:

In 1926 the applicant was convicted of robbery and being armed with an offensive weapon. He was sentenced to the Eastern State Penitentiary for from ten to twenty years.

The District Attorney of Philadelphia sent his representative to the public hearing before the Board to say that the alleged accomplice has made a sworn statement to the effect that the applicant was not guilty of the crime.

The applicant has been incarcerated for over seven years. During this time his conduct and employment records have been excellent.

The applicant will be on parole until 1946. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Joel T. Schlesinger—No. 33

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joel T. Schlesinger, convicted of robbery, assault, conspiracy in the Court of Quarter Sessions of Philadelphia County, on June 4, 1928, be commuted from eight years to five years, two months, expiring on August 4, 1933.

Our reasons for making this recommendation are as follows:

The applicant was a treasurer of a building and loan association. He took some of the association's money for his personal use. To cover up the loss he conspired with some of his friends to have them hold him up and take some of the money. The plans went awry and another building and loan association was held up by mistake. The accomplices and the applicant were arrested. The applicant was sentenced to from eight to twenty years in the Eastern State Penitentiary. He has served over five years of his sentence. The accomplices who committed the actual holdup have been released. We believe the applicant has been sufficiently punished.

The applicant will be on parole until 1948. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of John Mulec al. Milec—No. 176

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Mulec al. Milec, convicted of escape, in the Court of Quarter Sessions of Allegheny County, on December 4, 1925, be commuted from one and one-half years to two months expiring on July 27, 1933.

(Maximum sentence on breaking and entering a building expires May 27, 1933.)

Our reasons for making this recommendation are as follows:

In May, 1923, the applicant was sentenced to the Western State Penitentiary for from eight to ten years for breaking and entering. In November of 1925 he escaped but was captured after being at liberty for only a short time. He was sentenced to one and one-half to three years for the escape. He has been imprisoned over ten years. Detainers have been lodged against him by the Ohio State Penitentiary for escape, and by the United States Government for deportation.

Our recommendation is conditioned upon his deportation after he has completed his sentence in Ohio.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of George W. Trost—No. 454

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of George W. Trost, convicted of attempted robbery and forgery (two charges) in the Court of Quarter Sessions of Westmoreland County, on February 5, 1925 be commuted from ten and one-half years to eight years, five months, expiring on July 5, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced to the Western State Penitentiary for from ten and one-half years on two counts of forbery and a charge of attempted robbery. He has served over eight years of his minimum sentence. The trial judge states, "after reviewing my notes of testimony I am of the opinion, that this defendent has probably been sufficiently punished and that it would be a charitable act to give him another chance to make good." The supervisor of paroles also recommends clemency.

The applicant has plumonary tuberculosis but will be able to maintain himself in business. His three children are in a county poor house and are in urgent need of his support.

The applicant will be on parole until 1946.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of John Jones—No. 536

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Jones, convicted of robbery in the Court of Oyer and Terminer of Allegheny County, on May 16, 1930 be commuted from four years to three years, two months expiring July 16, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery and was sentenced to the Western State Penitentiary for from four to eight years. He has served over three-fourths of his minimum sentence. This was his first offense.

The applicant will be on parole until 1938. Our recommendation is contingent upon his going to West Virginia until the expiration of his parole.

Respectfully submitted

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Raymond Startzell—No. 737

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Raymond Startzell, convicted of robbery, larceny of automobile, in the Court of Quarter Sessions of Philadelphia County, on February 1, 1924 be commuted from twelve years to nine years, six months expiring on August 1, 1933.

Our reasons for making this recommendation are as follows:

The applicant when only seventeen years of age pleaded guilty to robbery and larceny of an automobile. He was sentenced to serve a term of from twelve to thirty years. He has served over two-thirds of his minimum sentence. We believe he has been sufficiently punished.

The report of the Trustees of the Penitentiary states, "In view of his freedom from all misconduct we feel that he has arrived at a turning point in his life." The supervisor of paroles recommends a commutation.

The applicant will be on parole until 1954. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Allison D. Jones—No. 996

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Allison D. Jones, convicted of larceny of automobile, in the Court of Quarter Sessions of Center County, on September 11, 1931, be commuted from two and one-half years to one year, ten months expiring on July 11, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to the larceny of an automobile and received a sentence of from two and one-half to five years. He has served over two-thirds of his minimum sentence. The trial judge states, "I am thoroughly convinced that some clemency should be extended to this man. I have had an opportunity to investigate his home conditions in Philadelphia, and to go into the history of this man, and am fully convinced that his trouble arose from a promiscuous but improper association made while away from home."

The applicant will be on parole until 1936. He is a skilled pressman and employment has been assured by a former employer, the Jones Printing Company of Philadelphia.

Respectfully submitted

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Warren Arentz—No. 1000

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Warren Arentz, convicted of B. and E. larceny; attempting to escape in the Court of Quarter Sessions of Juniata County, on May 1, 1929 be commuted from six years to four years, three month expiring on August 1, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced to the Western State Penitentiary for from six to seventeen years. He has served over four years of his sentence. The trial judge states, "I agree with what seems to be the popular sentiment, that he (the applicant) has suffered sufficient punishment." We concur in this opinion.

The applicant will be on parole until 1946. Employment has been guaranteed.

Respectfully submitted

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Cecil Francis Kane—No. 1007

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Cecil Francis Kane, convicted of entering with intent to rob; robbery; being armed with an offensive weapon, in the Court of Oyer and Terminer of Philadelphia County, on November 15, 1927 be commuted from forty years to five years, eight months expiring on July 15, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced in November 1927, to from forty to eighty years for robbery, being armed, etc. He was only twenty years of age when the offenses were committed and all took place within a period of five weeks. An accomplice also received a sentence of from forty to eighty years. This sentence was commuted in February 1932. The accomplice has been on parole for over one year and his conduct has been exemplary. We have every reason to believe the applicant will also be rehabilitated.

Judge Eugene V. Alessandroni, who was the trial district attorney, states, "In view of time served and sound prospect of rehabilitation, I join the plea for clemency." The supervisor of paroles recommends a commutation.

The applicant will be on parole until 2007. Employment has been assured by his aunt in Missouri and our recommendation is contingent upon his removal to that state.

Respectfully submitted

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Aloysius S. Banmiller—No. 1014

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Aloysius S. Banmiller, convicted of embezzlement; forgery; conspiracy in the Courts of Oyer and Terminer and Quarter Sessions of Dauphin County, on March 7, 1927 be commuted from fifteen years to six years, four months expiring on July 7, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of embezzlement, forgery and conspiracy. He was sentenced to the Eastern State Penitentiary for from fifteen to thirty years. He has served over 6 years of his sentence.

The applicant has been employed during his incarceration as a clerk in the parole department and as Chief Clerk to the Deputy Warden at Graterford. A resolution unanimously adopted by the Board of Trustees of the Eastern State Penitentiary reads, "Here he has demonstrated distinguished ability, rarest personal devotion and a most commendable dignity in personal manner. He is trustworthy and diligent and merits exceptional recognition by this Board. We hereby submit a prayer for pardon with the primary aim of the efficiency of administration in the Graterford prison. Awaiting this action we will employ him as a chief clerk. We feel assured that we can find no equal from civilian groups."

The applicant will be on parole until 1957.

Respectfully submitted

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Walter Edmund Chambers—No. 1049

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Walter Edmund Chambers, convicted of embezzlement by employee of Corporation, in the Courts of Oyer and Terminer and Quarter Sessions of Philadelphia County, on November 6, 1931 be commuted from two years to one year, eight months expiring on July 6, 1933.

Our reasons for making this recommendation are as follows:

In 1931 the applicant was convicted of embezzlement. He was sentenced to serve from two to five years in the Eastern State Penitentiary. The Honorable Harry S. McDevitt, the sentencing judge, tells us, "I know that his (the applicant's) family is in destitue circumstances and I was of the opinion at the time of his trial that his employers were as much to blame for his embezzlement as himself. What he stole was spent on his own family and if your Board sees fit to pardon him or parole him for the rest of his term, it will have my approval." The district attorney and the supervisor of paroles also recommend clemency.

The applicant will be on parole until 1936. Employment has been assured.

Respectfully submitted

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Orville Johnson Dooms—No. 1052

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Orville Johnson Dooms, convicted of Murder, second degree, in the Court of Oyer and Terminer of Fayette County, on June 5, 1929 be commuted from ten years to four years, one month expiring on July 5, 1933.

Our reasons for making this recommendation are as follows:

The applicant shot and killed his father who for sometime prior to the commission of the offense had been very cruel and abusive to the family. The applicant was convicted of murder of the second degree and received a sentence of from ten to twenty years.

The trial district attorney and trial judge tell us that a verdict of manslaughter would have been a proper verdict; the applicant's record prior to the commission of the crime was excellent; the applicant's mother is in ill health and has three small children to support; there is nothing in the make-up or character of the applicant which would render it unsafe for him to be released from prison. The Trustees of the Penitentiary also recommends clemency.

The applicant will be on parole until 1949. Employment has been assured.

Respectfully submitted

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Sidney Lane—No. 1269

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Sidney Lane, convicted of statutory rape; A. and B. to commit rape in the Court of Oyer and Terminer of Allegheny County, on June 11, 1926 be commuted from ten years to seven years, one month expiring on July 11, 1933.

Our reasons for making this recommendation are as follows:

In 1926 the applicant was convicted of statutory rape and assault and battery with intent to commit rape. He was sentenced to from ten to twenty years in the Western State Penitentiary. We believe he has been sufficiently punished Our reasons are as follows:

1. The applicant is a Spanish American War Veteran with an honorable discharge.
2. His conduct and employment records prior and subsequent to his imprisonment were excellent.
3. He has served over seven years of his sentence.

The applicant will be on parole until 1946. He receives a pension from the United States Government and has saved sufficient money to establish himself in business.

Respectfully submitted

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Frank W. Bless—No. 1273

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Frank W. Bless, convicted of false pretenses; conspiracy to cheat and defraud in the Court of Quarter Sessions of Philadelphia County, on November 6, 1925 be pardoned.

Our reasons for making this recommendation are as follows:

In 1925 the applicant pleaded nolle contendere to charges of false pretenses, making false statements in writing, etc. He was adjudged guilty and sentenced to three months imprisonment in the Philadelphia County Prison. The applicant has always denied his guilt and after an examination of the facts in the case and from statements of the trial judge we are inclined to believe him.

The applicant was never involved in any other trouble and has always had an excellent reputation. Many reputable citizens of Philadelphia have communicated with us commenting upon his excellent character and industry.

The district attorney's representative stated at the Open Session that the district attorney approved the granting of a pardon. The supervisor of paroles, Superintendent of the Philadelphia County Prison and trial judge also recommend clemency.

Respectfully submitted

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Edward Nappen—No. 1274

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Edward Nappen, convicted of R. S. G. in the Court of Quarter Sessions of Philadelphia County, on October 19, 1922, be pardoned.

Our reasons for making this recommendation are as follows:

In 1922, the applicant was adjudged guilty of receiving stolen goods. Sentence was suspended and he was placed on probation for eighteen months.

The Honorable Harry S. McDevitt, the sentencing judge state, "I think it would be real justice to clear his (the applicant's) name of the charge. The circumstances were such that he was technically guilty, and I only placed him on probation for the purpose of letting him understand more forcibly the nature of his transaction."

The district attorney sent his representative to the Open Session to state that a pardon should be granted. The officers of the prosecutor, the Reading Railroad Company, state that the applicant was the victim of circumstances, being implicated in this matter through Louis Fox, to whom he was related, that he has since been living a decent life in Atlantic City, where he has proven himself a credit to the community.

The supervisor of paroles recommends a pardon.

Respectfully submitted

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Henry Bockus—No. 1280

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum sentence of Henry Bockus, convicted of larceny, in the Court of Quarter Sessions of Tioga County, on November 26, 1927, be commuted from three years to one year, ten months, expiring July 11, 1933.

Our reasons for making this recommendation are as follows:

In 1927 the applicant was sentenced to the Eastern State Penitentiary for from one to three years for larceny. He was transferred to the Rockview Prison Farm and was released on parole after the expiration of the minimum sentence. On September 11, 1930, he was sentenced to serve from two to four years in the Eastern State Penitentiary for breaking and entering and larceny. In 1932 he was returned to the Western State Penitentiray for the violation of his parole.

The trial district attorney, trial judge, Trustees of the Penitentiary and supervisor of paroles recommend clemency.

The applicant will be on parole until 1934. Our recommendation is contingent upon his removal to New York.

Respectfully submitted

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Malcom Barracca—No. 1288

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Malcolm Baracca, convicted of robbery; receiving stolen goods, in the Court of Oyer and Terminer of Allegheny County, on May 13, 1932, be commuted from two years to one year, two months expiring on July 13, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to charges of robbery and receiving stolen goods. He was sentenced to from two to four years. We believe he has been sufficiently punished. Our reasons follow:

1. He has served over one-half of his minimum sentence.
2. This was his first offense.
3. His conduct and employment records have been excellent.

The trial district attorney and the supervisor of paroles recommend clemency.

The applicant will be on parole until 1936. Employment has been assured.

Respectfully submitted

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Edwin Elton Lowe—No. 1289

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Edwin Elton Lowe, convicted of rape in the Court of Oyer and Terminer of Venango County, on February 6, 1932, be commuted from six to one year, five months expiring on July 6, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of rape. Two alleged accomplices were acquitted. After a careful examination of the facts and records we have considerable doubt as to applicant's guilt.

The prosecutrix is described as being flighty. Her parents state that clemency should be granted to the applicant. The supervisor of paroles also recommends clemency.

The applicant will be on parole until 1944. Employment has been guaranteed by the Rouseville Cooperage Company.

Respectfully submitted

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Eugene Lasch—No. 1297

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Eugene Lasch, convicted of breaking and entering with intent to commit a felony; larceny, in the Court of Quarter Sessions of Erie County, on July 18, 1932, be commuted from two years to one year expiring on July 18, 1933.

Our reasons for making this recommendation are as follows:

The applicant and two others were convicted of stealing a few chickens. One of the accomplices was sentenced to the Pennsylvania Industrial School and the other to the Allegheny County Workhouse. The applicant was sentenced to the Western State Penitentiary. The accomplices have been released. We believe the applicant should also be released on parole. Our reasons follow:

1. This was the applicant's first offense.
2. He has had excellent conduct and employment records.
3. His family is in dire need of his support and care.
4. He can manage and work on his father's 140-acre farm as soon as he can be released.
5. He will be on parole until 1936.
6. The supervisor of parole recommends clemency.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Carmine Fred Dean—No. 1299

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Carmine Fred Dean, convicted of enticing a female to become an inmate of a house of prostitution and receiving proceeds of prostitution, Sodomy, in the Court of Quarter Sessions of Crawford County, on September 17, 1930, be commuted from five years to two years, ten months, expiring on July 17, 1933.

Our reasons for making this recommendation are as follows:

The applicant is an Italian citizen. He has been imprisoned for almost three years. The United States Government has lodged a detainer in the form of a deportation warrant against him. The trial district attorney, trustees of the penitentiary and supervisor of paroles recommend clemency for deportation.

Our recommendation is contingent upon deportation to Italy.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of James Wolfe—No. 1316

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the

Board of Pardons recommend that the minimum sentence of James Wolfe, convicted of aggravated assault and battery; entering a building, in the Court of Quarter Sessions of Allegheny County, on November 26, 1930, be commuted from five years to two years, eight months, expiring on July 26, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of aggravated assault and battery and breaking and entering a building. He was sentenced to serve a term of from five to ten years in the Western State Penitentiary. The report of the trustees of the penitentiary states, "that it is highly probable that the crime for which he was convicted was largely a 'frame-up' with little basis in fact." He was only 16 years of age when the alleged crime was committed. We believe he has been sufficiently punished.

The sentencing judge, district attorney, trustees of the Penitentiary and the supervisor of paroles recommend clemency.

The applicant will be on parole until 1940. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP A. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Domineck Nagniso—No. 1319

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum sentence of Domineck Nagniso, convicted of voluntary manslaughter, in the Court of Oyer and Terminer of Blair County, on March 17, 1924, be commuted from twelve years to seven years, one month, expiring on July 20, 1933.

Our reasons for making this recommendation are as follows:

In 1924 the applicant was sentenced to the Western State Penitentiary for from six to twelve years for voluntary manslaughter. In 1930 he was paroled. In 1931 he was sentenced to serve a term of from eight to sixteen months in the Allegheny County Workhouse after being convicted for violation of the liquor laws. At the completion of the minimum term of this sentence he was returned to the Western State Penitentiary for the parole violation. He has served over one year for this violation. We believe he has been sufficiently punished.

The supervisor of paroles and the trustees of the penitentiary recommend clemency.

The applicant will be on parole until 1938. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Cordingley Turner—No. 1322

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Cordingley Turner, convicted of larceny from person, blackmail, extortion and false personation of an officer, in the Court of Quarter Sessions of Philadelphia County, on March 26, 1914, be pardoned.

July 24, 1914, December 30, 1920.

Our reasons for making this recommendation are as follows:

The applicant desires to become a citizen of the United States. He was born in England in 1889. He came to the United States in 1912. During the World War he served in the army and was honorably discharged. Since the completion of his last sentence he has conducted himself in an exemplary manner and enjoys the respect and confidence of his friends and business associates. Accordingly we feel he is worthy of a pardon.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Attorney General,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Clarence Stanton—No. 1327

June Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Clarence Stanton, convicted of robbery in the Court of Oyer and Terminer and Quarter Sessions of Dauphin County on July 10, 1929, be commuted from eight years to four years expiring on July 10, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery and was sentenced to from eight to sixteen years in the Eastern State Penitentiary. He has served one-half of his minimum sentence. We believe he has been sufficiently punished.

The trustees of the penitentiary state, "His conduct here has been good, with a good work record, and he enjoys the confidence of the Warden." The supervisor of paroles recommends clemency.

The applicant will be on parole until 1945. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Sandy Kailburn—No. 103

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Sandy Kailburn, convicted of felony entry, larceny, receiving stolen goods, in the Court of Quarter Sessions of Clearfield County, on February 25, 1925, be commuted from ten years to eight years, five months, expiring on July 25, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to several counts of breaking and entering, larceny, and receiving stolen goods. He was sentenced to the Western State Penitentiary for from ten to twenty years. All the property stolen was returned to the owners. The applicant was never involved in any trouble prior to the commission of the crimes for which he was sentenced. His criminal career extended over a period of six days. He has served over eight years of his sentence. We believe he has been sufficiently punished.

The trial district attorney and the supervisor of paroles recommend clemency.

The applicant will be on parole until 1945. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Frank Dombek—No. 286

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the life sentence of Frank Dombek, convicted of murder, first degree, in the Court of Oyer and Terminer of Allegheny County, on March 8, 1920, be commuted from life imprisonment to a minimum of twelve years, four months, expiring on July 29, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of murder of the first degree and was sentenced to death. The sentence was commuted to life imprisonment. He has been incarcerated over thirteen years. Warden Ashe of the Western State Penitentiary states that the applicant has been an exceptional prisoner during his entire imprisonment. We believe he has been sufficiently punished.

The applicant will be on parole for life. Employment has been assured in Wisconsin. Our recommendation is contingent upon his removal to that State.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of George Stewart—No. 335

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of George Stewart, convicted of burglary and larceny in the Court of Oyer and Terminer of Chester County on February 3, 1922, be commuted from twenty-seven years to eleven years, six months, expiring on August 3, 1933.

Our reasons for making this recommendation are as follows:

The applicant is one of a group of four who held up the Spring City Bank. The accomplice's sentences were commuted on our recommendation and they were released on parole. They have complied with their parole agreements. The report of the Board of Trustees of the Eastern State Penitentiary states, "This committee unreservedly recommends Stewart as to conduct, as to exceptional work performance, and for good promise if released. If this applicant were a candidate for parole he would receive the unanimous approval of that recommending board." The supervisor of paroles recommends clemency.

The applicant will be on parole until 1952.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor,

BOARD OF PARDONS

In re Application of Harry T. Butts—No. 388

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Harry T. Butts, convicted of conspiracy to defraud in the Court of Quarter Sessions of Luzerne County, on January 2, 1931, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was county controller of Luzerne County. He was convicted of conspiracy to defraud and was sentenced to the Eastern State Penitentiary for from one to two years. At the expiration of his minimum sentence he was released on parole.

The applicant has an excellent reputation. If pardoned he will be employed as a teacher in the Plains School District. The trial judge, trial district attorney and the supervisor of paroles recommend a pardon.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs

The above recommendation is approved:

GIFFORD PINCHOT,
Governor,

BOARD OF PARDONS

In re Application of Meyer Greenberg—No. 410

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Meyer Greenberg, convicted of arson, conspiracy to defraud insurance company, in the Court of Quarter Sessions of Philadelphia County on July 18, 1929, be commuted from five years to four years, expiring on July 18, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of arson and conspiracy to defraud an insurance company. This was his first offense. The district attorney's representative stated at the open hearing that the accomplice was the principal offender. The applicant has served over four years of his minimum sentence. We believe he has been sufficiently punished.

The applicant will be on parole until 1939. Employment has been assured. His wife and four children are in urgent need of his support.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor,

BOARD OF PARDONS

In re Application of Hice Green—No. 540

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Hice Green, convicted of felonious breaking and entering and larceny, in the Court of Quarter Sessions of Washington County on April 1, 1929, be commuted from five years to four years, four months, expiring on August 1, 1933.

Our reasons for making this recommendation are as follows:

The applicant and three others were sentenced to the Western State Penitentiary for felonious breaking and entering and larceny of a few sheep and chickens. One accomplice was pardoned, another discharged on parole and the third's sentence was commuted and release on parole followed. The applicant has served over four years of his minimum sentence of five. His conduct and employment records while imprisoned have been excellent.

The trial judge, trial district attorney, Board of Trustees and supervisor of paroles recommend clemency. We concur in these recommendations.

The applicant will be on parole until 1939.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor,

BOARD OF PARDONS

In re Application of Patrick J. Conway—No. 650

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Patrick J. Conway, convicted of conspiracy to cheat and defraud in the Court of Quarter Sessions of Luzerne County on January 2, 1931, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was a County Commissioner of Luzerne County. He was convicted of conspiracy to cheat and defraud. He was sentenced to imprisonment in the Eastern State Penitentiary for from one to two years. At the expiration of the minimum sentence he was released on parole. Prior to his conviction he enjoyed an excellent reputation. He had never been involved in any trouble. Since his release he has conducted himself in an exemplary manner and is held in esteem by all who know him. A pardon will in part remove the stigma resulting from the conviction of the crime and aid him materially in securing employment.

The trial judge, trial district attorney and supervisor of paroles are favorably disposed to the granting of a pardon.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor,

BOARD OF PARDONS

In re Application of John Wesley Smith—No. 766

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Wesley Smith, convicted of malicious injury to railroads, malicious destruction of property by explosives, in the Court of Quarter Sessions of Indiana County on June 25, 1928, be commuted from six years to five years, one month, expiring on July 25, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to malicious injury to railroads and malicious destruction of property by explosives. He received a sentence of from six to twelve years. His accomplices were sentenced to three months imprisonment in the Indiana County Prison. The applicant has served over five-sixths of his minimum sentence. He was never involved in any trouble prior to these offenses. We believe he has been sufficiently punished.

The applicant will be on parole until 1940. Employment has been assured. His wife and four children are in urgent need of his support.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor,

BOARD OF PARDONS

In re Application of Frank J. Murphy—No. 783

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Frank J. Murphy, convicted of conspiracy to violate the prohibition laws in the Court of Quarter Sessions of Philadelphia County on October 17, 1930, be pardoned.

Our reasons for making this recommendation are as follows:

In 1930, the applicant, after pleading guilty to a charge of conspiracy, was given a suspended sentence and placed on probation for five years. Three defendants involved in the same crime were pardoned in March of this year. The trial judge states, "I endorse Murphy's application for pardon and strongly hope the Board will see fit to take favorable action." The supervisor of paroles also recommends a pardon.

The applicant was never involved in any other trouble. He is unable to secure a bond necessary to qualify him for employment in positions of trust, unless a pardon is granted.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor,

BOARD OF PARDONS

In re Application of Ernest C. Brown—No. 795

July Special Session, 1933.

To His Excellency, the Governor the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Ernest C. Brown, convicted of second degree murder in the Courts of Oyer and Terminer and Quarter Sessions of Philadelphia County on September 29, 1925, be commuted from ten years to seven years, ten months, expiring on July 29, 1933.

Our reasons for making this recommendation are as follows:

In 1925 the applicant was sentenced to the Eastern State Penitentiary for from ten to twenty years for murder of the second degree. We believe he has been sufficiently punished. Our reasons follow:

1. The applicant has served almost eight years of his minimum sentence.
2. This was his first offense.
3. His conduct and employment records during his imprisonment have been excellent.

A report from the Board of Trustees of the Eastern State Penitentiary states, "This application is presented by one of the most useful and most commendable inmates of the penitentiary." The supervisor of paroles recommends clemency.

The applicant will be on parole until 1945. Employment has been assured in North Carolina. Our recommendation is contingent upon his removal to that State.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor,

BOARD OF PARDONS

In re Application of Leonardo Pettulla—No. 916

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Leonardo Pettulla, convicted of murder, second degree, in the Court of Oyer and Terminer of Philadelphia County, on April 14, 1925, be commuted from ten years to eight years, three months, expiring on July 14, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced to the Eastern State Penitentiary for from ten to twenty years on a charge of murder of the second degree. He has served over eight years of his sentence. A report from the Board of Trustees of the penitentiary states, "His (the applicant's) conduct and work records within the institution have been excellent. From our information and facts the application is a worthy one." The supervisor of paroles recommends clemency.

The applicant will be on parole until 1945. Employment has been assured. His wife and three children are in urgent need of his support.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of John E. Schumacher—No. 995

July Special Session, 1933.

To His Excellency, the Governor the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John E. Schumacher, convicted of statutory rape, in the Municipal Court of Philadelphia County, on September 25, 1930, be commuted from four years to two years, ten months, expiring on July 25, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced to the Eastern State Penitentiary for from four to eight years for rape. The prosecutrix has retracted her statements. The applicant has served approximately three-fourths of his minimum sentence. We believe he has been sufficiently punished.

A report of the Board of Trustees of the Eastern State Penitentiary states, "It is our judgment that based upon his ethical conceptions he has served sufficiently for his crime, particularly when his prosecutrix now regrets her course. We do not regard him a typical pervert and believe he could adapt himself to useful citizenship." The supervisor of paroles recommends a commutation.

The applicant will be on parole until 1938. Employment has been assured in Virginia and our recommendation is contingent upon his removal to that State.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor,

BOARD OF PARDONS

In re Application of Ben Morgenstern—No. 1002

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum sentence of Ben Morgenstern, convicted of pandering, bigamy, in the Court of Quarter Sessions of Washington and Butler Counties, on November 15, 1922, June 9, 1928, be commuted from ten years to seven years, two months, expiring on August 9, 1933.

Our reasons for making this recommendation are as follows:

In 1921 the applicant pleaded guilty to pandering. He was sentenced to the Western State Penitentiary for from two to ten years. In 1923 he was released on parole. In 1928 he was sentenced to from one to two years for bigamy. This sentence was to run concurrently with the sentence to be served for the violation of parole. He has now served over five years for the parole violation. The trial judge and supervisor of paroles recommend clemency. We also believe the applicant has been sufficiently punished.

The applicant will be on parole until 1936. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor,

BOARD OF PARDONS

In re Application of Sigmund Tabor—No. 1082

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Sigmund Tabor, convicted of highway robbery in the Courts of Oyer and Terminer and Quarter Sessions of Philadelphia County on May 14, 1931, be commuted from five years to two years, three months, expiring on August 14, 1933.

Our reasons for making this recommendation are as follows:

The applicant, seventeen years old, pleaded guilty to robbery in 1931. He received a sentence of from five to ten years in the Eastern State Penitentiary.

We understand that, as a result of efforts of a representative of the Big Brother Association of Philadelphia, applicant has shown evidence of real reformation of character. He was a first offender, and because of his youth the Board feels he should be given a chance to prove his worth. He has served more than two years and will be on parole until 1941.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved

GIFFORD PINCHOT,
Governor,

BOARD OF PARDONS

In re Application of Edward J. Thompson—No. 1267

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Edward J. Thompson, convicted of conspiracy, assault, being armed, assault and battery, aggravated assault and battery to kill, in the Court of Quarter Sessions of Philadelphia County on February 15, 1928, be commuted from fifteen and one-half years to five years, six months, expiring on August 15, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced to a term of imprisonment of from fifteen and one-half to thirty-one years on charges arising out of one hold-up. He has served over five and one-half years of his sentence. The trial judge states, "I have had certain investigations made which indicate that the Board might well consider favorable his present application. From the information now before me, if he were in the county prison, I would be inclined to parole him. I am informed that his attitude has changed, and I think that he is the type of man, if given an opportunity, will now be a good citizen." A report of the Board of Trustees of the Eastern State Penitentiary states, "The applicant is a capable, polite, well-behaving young man. This Committee feels that he is a good prospect."

The applicant will be on parole until 1959. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor,

BOARD OF PARDONS

In re Application of Frank Girardot—No. 1353

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Frank Girardot, convicted of conspiracy to defraud corporation in the Court of Quarter Sessions of Erie County on January 3, 1933, be commuted from one year to six months, expiring on July 3, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded not guilty to a charge of conspiracy. The jury returned a verdict of "guilty with the full mercy of the court." The applicant has excellent conduct and employment records. He has served over one-half of his minimum sentence. Many letters have been written to us by responsible persons recommending clemency. We believe the applicant has been sufficiently punished.

The applicant will be on parole until 1935 Employment has been assured. He has a wife and six children who are in urgent need of his support.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor,

BOARD OF PARDONS

In re Application of Mike Fazzarri—No. 1360

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Mike Fazzarri, convicted of felonious rape, fornication, in the Court of Oyer and Terminer of Beaver County, on June 22, 1929, be commuted from seven and one-half years to four years, one month, expiring on July 22, 1933.

Our reasons for making this recommendation are as follows:

The applicant is a native of Italy and subject to deportation. He has served over one-half of his minimum sentence. The trial district attorney, Board of Trustees and supervisor of paroles recommend a commutation for deportation.

Our recommendation is conditioned upon his deportation to Italy.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor,

BOARD OF PARDONS

In re Application of Jacob S. Murphy—No. 1362

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Jacob S. Murphy, convicted of embezzlement, fraudulent conversion, in the Court of Oyer and Terminer and Quarter Sessions of Philadelphia County, on May 18, 1932, be commuted from three years to one year, three months, expiring on August 18, 1933.

Our reasons for making this recommendation are as follows:

The applicant was a teller for the Frankford Trust Company. Over a period of approximately three years he embezzled about $30,000.00. After the shortage was disclosed he and his family refunded to the bank $21,000.00. He was not arrested until a year after the peculations were discovered. During that year has was employed by the Philadelphia Automobile Club. This position he may have whenever he is released. He has served almost one-half of his minimum sentence. We believe he has been sufficiently punished.

The applicant will be on parole until 1942.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor,

BOARD OF PARDONS

In re Application of Bertram L. Succop—No. 1365

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the sentence of Bertram L. Succop, convicted of malfeasance, misdemeanor, in the Court of Quarter Sessions of Butler County, on September 15, 1932, to begin February 12, 1933, be commuted from one year to five months, twenty days, expiring on August 1, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted on several counts of malfeasance. The jury recommended "that the very lightest possible sentence be given." The applicant was sentenced to imprisonment in the Allegheny County Prison for one year. We believe he has been sufficiently punished. Our reasons follow:

1. The applicant was acting under orders of a superior. We believe he was involved in a system commonly used in the conduct of municipal affairs.
2. The applicant has served almost one-half of his minimum sentence.
3. The Warden of the Allegheny County Prison states that the applicant has been a model prisoner and that the application is meritorious.
4. The applicant was never involved in any other trouble. He has an excellent war and service record.
5. Leading citizens of Allegheny County and of the State and many Posts of the American Legion and Veterans of Foreign Wars recommend clemency.
6. The applcant did not directly or indirectly profit from the misdemeanors. His wife and family are in urgent need of his support.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Jacob B. Bichovsky—No. 1375

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Jacob B. Bichovsky, convicted of uttering and publishing, conspiracy, in the Courts of Oyer and Terminer and Quarter Sessions of Philadelphia County on October 28, 1929, be pardoned.

Our reasons for making this recommendation are as follows:

In 1929 the applicant was adjudged guilty of fraudulently making a written instrument, uttering and publishing and conspiracy. He was sentenced to the Philadelphia County Prison for from two to five years. He was paroled at the expiration of the minimum sentence. Prior to his arrest he had never been involved in any trouble. Since his release he has conducted himself in an exemplary manner. At the present time he is doing research work at Columbia University.

The supervisor of paroles recommends a pardon.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Glenn Tyrrell—No. 1380

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Glenn Tyrrell, convicted of attempt at sodomy in the Court of Quarter Sessions of Erie County on November 17, 1932, be commuted from one and one-half years to one year, expiring on November 17, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of attempt at sodomy. He had never been involved in any trouble before. The trial district attorney states that he could be safely released. The trial judge recommends a commutation and parole at the expiration of one year. We are in accord with the recommendation of the trial judge.

The applicant will be on parole until 1935. Employment has been assured in Ohio and our recommendation is contingent upon his removal to that State.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Newton Florey—No. 1382

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Newton Florey, convicted of statutory rape and bastardy in the Court of Quarter Sessions of Centre County, on September 16, 1931, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was convicted of statutory rape and bastardy. He was sentenced to the Western State Penitentiary for from three to six years in 1931.

The report from the Western State Penitentiary indicates that there is considerable doubt as to his guilt. The trial judge states, "The Etters girl (the prosecutrix) has since demonstrated the fact that she is wholly unworthy of belief and I am convinced of the innocence of Florey. I am recommending that he be pardoned at the earliest date possible." The supervisor of paroles also recommends a pardon.

We concur with these recommendations.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Steve Jacus—No. 1387

July Special Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Steve Jacus, convicted of robbery in the Courts of Oyer and Terminer and Quarter Sessions of Westmoreland County on February 7, 1930, be commuted from seven and one-half years to three years, six months, expiring on August 7, 1933.

Our reasons for making this recommendation are as follows:

The applicant when only twenty years of age, was sentenced to the Western State Penitentiary for from seven and one-half to fifteen years for robbery. He has served almost one-half of his minimum sentence. The trial judge, trial district attorney, the supervisor of paroles and many reputable citizens who know the applicant recommend clemency.

The applicant will be on parole until 1945. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Elmer J. Waldow—No. 426

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Elmer J. Waldow, convicted of operating automobile while intoxicated in the Court of Quarter Sessions of Philadelphia County on December 8, 1930, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant and another man were members of the Philadelphia Police Department. They were riding in an automobile when an accident, which appears to us to have been unavoidable, occurred. Both men were arrested for driving an automobile while under the influence of liquor. They both pleaded guilty. The applicant was sentenced to thirty days in the county prison and fined $50.00. He had been a member of the police department for nine years and had an excellent record. Since his release from the Philadelphia County Prison, he has conducted himself in an exemplary manner.

The trial judge and the supervisor of paroles recommend a pardon.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Joseph Victorelli—No. 695

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph Victorelli, convicted of statutory rape in the Court of Oyer and Terminer of Allegheny County on January 31, 1928, be commuted from seven years to five years, nine months, expiring on October 31, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to statutory rape. He was sentenced to the Western State Penitentiary for from seven to fourteen years.

The trial judge states, "In view of the fact that Victorelli (the applicant) was only nineteen and had a good reputation with no criminal record of any kind, and that he has made a good record in the penitentiary, it seems to me you would have no difficulty in concluding that he can safely be released from prison." The trial judge also adds that a full investigation instead of an informal hearing would have disclosed mitigating circumstances and a doubt as to the guilt of the applicant on the charge of forcible rape. The district attorney also recommends a commutation of sentence. The applicant was never involved in any other trouble.

The applicant will be on parole until 1943. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Owen V. Taylor, Jr.—No. 815

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Owen V. Taylor, Jr., convicted of burglary, larceny, in the Court of Oyer and Terminer of Warren County, on March 6, 1930, be commuted from eight years to four years, expiring on March 6, 1934.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to burglary and larceny. He was sentenced to the Western State Penitentiary for from eight to sixteen years.

The trial district attorney, trial judge and board of trustees of the penitentiary recommend favorable consideration. The supervisor of paroles recommends a commutation at the expiration of one-half of the minimum sentence. We are in accord with the latter recommendation.

The applicant's conduct and employment records during his incarceration have been excellent.

The applicant will be on parole until 1946.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Harry D. Malschnee—No. 816

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Harry D. Malschnee, convicted of forgery, in the Court of Quarter Sessions of Lancaster County, on February 28, 1931, be commuted from three years to two years, eight months, expiring on October 28, 1933.

Our reasons for making this recommendation are as follows:

The applicant was employed as cashier of the Akron National Bank. In 1928, he bought stock on margin and in the stock market crash in 1929, when called upon for additional collateral, he forged notes to raise money to make further investments and minimize his losses. The forgeries were discovered and the applicant was arrested. He pleaded guilty and was sentenced to the Eastern State Penitentiary for from three to six years. The bank did not fail, and the depositors lost no money. The applicant has served over three-fourths of his minimum sentence.

The trial district attorney states, "I have known Mr. Malschnee (the applicant) for a number of years and I am convinced that further imprisonment is merely hardship and will contribute nothing to his welfare or the welfare of society. In my judgment he has been sufficiently punished and I join in his application for parole." The trustees of the penitentiary and supervisor of paroles also recommend clemency.

The applicant will be on parole until 1937. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Henderson Hathaway—No. 882

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Henderson Hathaway, convicted of murder, second degree, in the Court of Oyer and Terminer and Quarter Sessions of Philadelphia County, on May 3, 1932, be commuted from twelve and one-half years to eleven years, five months, expiring on October 3, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to two charges of murder in the second degree and was sentenced to the Eastern State Penitentiary for from twenty-three to twenty-five years. An Act of the Legislature reduced the minimum term to twelve and one-half years.

A report from the Board of Trustees of the Eastern State Penitentiary states, "This applicant has an apparently small portion of his sentence unserved. He has been useful in the prison. He has saved more than one thousand dollars and in our judgment would be less embittered if released now than if compelled to serve his full minimum." The supervisor of paroles recommends a commutation.

The applicant will be on parole until 1947. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Charles Dean Hays—No. 897

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum and

minimum sentence of Charles Dean Hays, convicted of robbery and receiving stolen goods; escape, in the Courts of Oyer and Terminer and Quarter Sessions, of Allegheny County on February 20, 1924, April 21, 1925, be commuted from sixteen years, six years, to nine years, six months, one month, expiring on September 12, 1933, October 12, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery and receiving stolen goods and was sentenced to the Western State Penitentiary for a term of from eight to sixteen years. In 1924 he was convicted of escape and received an additional sentence of from six to twelve years. He has served the minimum term of the original sentence, and almost two years on the escape charge. We believe he has been sufficiently punished. The supervisor of paroles recommends a commutation.

The applicant will be on parole until 1952.

Respectfully submitted,

E. C. SHANER,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Bernard Nilles—No. 1046

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Bernard Nilles, convicted of statutory rape in the Court of Oyer and Terminer of Allegheny County on November 20, 1931, be commuted from five and one-half years to one year, eleven months, expiring on October 20, 1933.

Our reasons for making this recommendation are as follows:

In 1931, the applicant was convicted of statutory rape. He was sentenced to the Western State Penitentiary for from five and one-half to twelve years. The reputation of the prosecutrix was not of the best. At the time of the arrest and conviction, the applicant was afflicted with epilepsy. Since his incarceration in the penitentiary, he has been practically cured of this ailment and the parole director of the Western State Penitentiary told us at open hearing that the applicant had shown a remarkable improvement in his physical and mental conditions.

The trial district attorney states, "I am of the opinion that further incarceration will not help the cause of justice or the rehabilitation of this young man." The supervisor of paroles recommends a commutation.

The applicant will be on parole until 1943. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of James Frazer—No. 1064

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the life sentence of James Frazer, convicted of murder, first degree, in the Courts of Oyer and Terminer and Quarter Sessions of Dauphin County on March 16, 1917, be commuted from life imprisonment to sixteen years, expiring on October 1, 1933.

Our reasons for making this recommendation are as follows:

The applicant was involved in a drunken brawl in which another person was fatally stabbed. He was convicted of murder in the first degree and sentenced to death. His sentence was commuted to life imprisonment on October 1, 1917. Since his confinement in the Eastern State Penitentiary, he has been a model prisoner, and the Board of Trustees of the Eastern State Penitentiary state, "We heartily endorse and recommend this petitioner."

The trial district attorney, present district attorney and judge, and supervisor of paroles recommend a commutation. We are in accord with these recommendations.

The applicant will be on parole for life. Employment has been assured in South Carolina and our recommendation is contingent upon his removal to that State.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Charles Durst—No. 1065

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Charles Durst, convicted of robbery in the Court of Oyer and Terminer of Allegheny County on September 26, 1929, be commuted from eight years to four years, one month, expiring on September 26, 1929.

Our reasons for making this recommendation are as follows:

The applicant, when only eighteen years of age, acted as the driver of a car used in the commission of several robberies. He pleaded guilty and was sentenced to the Western State Penitentiary for from eight to sixteen years. He has served over one-half of his minimum sentence.

The trial judge, trial district attorney and supervisor of paroles recommend clemency.

The applicant will be on parole until 1945. Employment has been assured by three responsible firms.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Malcolm Chester Ferguson—No. 1399

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the the Board of Pardons recommend that Malcolm Chester Ferguson, convicted of embracery, bribery, in the Court of Quarter Sessions of Fayette County on November 22, 1921, be pardoned.

Our reasons for making this recommendation are as follows:

In 1921, the applicant pleaded guilty of embracery and bribery. He was sentenced to pay a fine of $300.00, and costs of prosecution. The applicant was never involved in any other trouble, and always enjoyed an excellent reputation.

The trial district attorney states that the granting of this application for pardon will meet the ends of justice. The trial judge also recommends a pardon.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Anthony Spardute—No. 1402

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the life sentence of Anthony Spardute, convicted of murder first degree in the Courts of Oyer and Terminer and Quarter Sessions of Bradford County on February 22, 1923, be commuted from life imprisonment to ten years, one month, expiring on October 18, 1933.

Our reasons for making this recommendation are as follows:

In 1922, during a labor conflict between strikers and strike breakers of the Lehigh Valley Railroad Company in Sayre, Pa., a strike breaker was killed. The applicant was the only one of several persons involved who was ever prosecuted. He was convicted of murder of the first degree and was sentenced to death. This sentence was commuted to life imprisonment. The general feeling in the community where this trouble occurred is that applicant was not guilty. Prior to the trouble he always had the reputation of being a law-abiding citizen and an industrious worker. He provided for his wife and five children.

Judge Culver states, "Personally I have always been convinced that Anthony Spardute (the applicant) was a victim of circumstances, and that he did not kill the man, although he was with the crowd at the time when the victim was killed. I am convinced that the imprisonment he has undergone is adequate punishment for the part he played in the affair."

The applicant will be on parole for life. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Frank X. Ertl—No. 1409

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Frank X. Ertl, convicted of embezzlement by public officer, in the Court of Quarter Sessions of Blair County, on September 23, 1932, be commuted from two and one-half years to one year, three months expiring on December 23, 1933.

Our reasons for making this recommendation are as follows:

From 1920 to 1932 the applicant was Tax Collector of Allegheny Township, Blair County. In 1929 he began using his personal funds to defray the delinquent taxes of some friends who had met financial reverses and who had appealed to him for help. The taxes were not paid and to recover his losses, he used some of the money collected for taxes to speculate in the stock market. An audit of his books disclosed a shortage. His arrest followed. He pleaded guilty to embezzlement by public officer, and was sentenced to a term of imprisonment of from two and one-half to five years in the Western State Penitentiary. On December 23, 1933, he will have served one-half of his minimum sentence, and our recommendation is that a commutation be made effective as of that date.

The applicant had an excellent reputation prior to his conviction. His conduct and employment records in the penitentiary have been excellent. The supervisor of paroles recommends clemency.

The applicant will be on parole until 1937. Employment has been assured by Fluke Auto Service, Altoona, Pa.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of John Stoner—No. 1422

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Stoner, convicted of breaking and entering, larceny, in the Court of Quarter Sessions of Juniata County, on September 2, 1930, be commuted from four years to three years, one month, expiring on October 2, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to breaking and entering and larceny. He was sentenced to the Western State Penitentiary for from four to nine years. He has served over three-fourths of his minimum sentence. We believe he has been sufficiently punished.

Mr. J. Harry Messersmith, the Parole Officer of Glenn Mills, has secured employment for the applicant and will act as his sponsor.

Applicant will be on parole until 1939.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Thomas James Dowling—No. 1437

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Thomas James Dowling, convicted of statutory rape, in the Courts of Oyer and Terminer and Quarter Sessions of Wyoming County, on June 20, 1931, be commuted from five years to two years, four months, expiring on October 20, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of statutory rape, and was sentenced to the Eastern State Penitentiary for from five to fifteen years. We believe he has been sufficiently punished. Our reasons follow:

(a) This is the applicant's first offense.

(b) His conduct while in prison has been excellent.

(c) He has served almost one-half of his minimum sentence.

(d) His wife and five children are in urgent need of his support.

The trial district attorney, trustees of the penitentiary and supervisor of paroles are in favor of clemency.

The applicant will be on parole until 1946. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of William Barr—No. 1441

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William Barr, convicted of statutory rape in the Court of Oyer and Terminer of Allegheny County on October 13, 1931, be commuted from four years to two years, expiring on October 13, 1933.

Our reasons for making this recommendation are as follows:

In 1931, the applicant was convicted of statutory rape. The report from the Board of Trustees of the Western State Penitentiary states, "the plaintiffs of the case were known to be prostitutes, altho one of them was under age. Further, the charge was the outcome of a feud between the two families involved and the litigious temperament of the father of one of the girls. It is not likely that any moral or physical harm was done to the girls." The district attorney states that the sentence of the court was too severe and that he is in favor of a commutation. The supervisor of paroles also recommends a commutation. Prior to the conviction, the applicant was never involved in any trouble. We believe he has been sufficiently punished.

The applicant will be on parole until 1939. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of George W. Hutchison—No. 1447

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of

the Board of Pardons recommend that George W. Hutchison, convicted of aggravated assault and battery in the Court of Quarter Sessions of Allegheny County, on April 8, 1927, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant, a special police officer for the Pennsylvania Railroad Company, caused the arrest of an employee of the Company for stealing. This employee in turn caused his arrest for aggravated assault and battery, alleging that the applicant, in order to secure a confession, had hit him on the mouth. The applicant was indicted and convicted of the charge. Sentence was suspended and he was ordered to pay the costs. Some time later the costs were placed on the county.

The Sheriff of Allegheny County wishes to appoint the applicant as a deputy, but because of an Act of June 23, 1931, cannot do so. A pardon will enable the Sheriff to make the appointment. The District Attorney of Allegheny County, trial judge and supervisor of paroles recommend a pardon.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of David L. Miles—No. 1450

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above aplication having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of David L. Miles, convicted of robbery and attempt to commit robbery, in the Court of Quarter Sessions of Dauphin County on March 31, 1932, be commuted from two and one-half years to one year, seven months, expiring on October 31, 1933.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to robbery and attempt to commit robbery. He was sentenced to the Eastern State Penitentiary for from two and one-half to five years. He has served more than one-half of his minimum sentence.

The trial judge states, "I am heartily in accord with the prayer of this petition. I have been in conference with the district attorney who is also in favor of the pardon being granted. Without the testimony of this man we could not have convicted the chief criminal in the hold-up in the upper end of the county. His was the master mind, while the applicant for pardon here was only one of his tools. I think he should have some consideration at your hands as his testimony helped us to bring to justice a man whom the people of the county say was just a common nuisance and a criminal." We agree with the judge's conclusion.

The applicant will be on parole until 1937. Employment is assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of John Katsanikas—No. 1451

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Katsanikas, convicted of conspiracy, arson, setting fire to goods with intent to defraud insurers, in the Court of Quarter Sessions of Washington County, on August 17, 1932, be commuted from two years to one year, two months, expiring on October 17, 1933.

Our reasons for making this recommendation are as follows:

In 1932, the applicant was influenced by an arson ring into having his home insured and set on fire for the purpose of collecting the insurance. No lives were imperiled by the fire.

The trial district attorney states, "The imposition of these different sentences indicates that the Court recognized the difference in degrees of guilt, and also that the Court took into consideration the previous records of these particular defendants and their good reputations in the communities in which they resided. I have conferred with the sentencing judge with reference to these cases since notice and copies of these applications were served upon this office, and have been informed by him, and am advising your Board, that had the Act of Assembly fixed a lesser term than two years as a minimum sentence (that being the term which the Court imposed in each of these cases), the Court would have acted accordingly."

The supervisor of paroles and warden of the Washington County Jail recommend clemency. We are in accord with these recommendations.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

WM. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re Application of Paul Zaken—No. 1452

October Session, 1933.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Paul Zaken, convicted of conspiracy, arson, setting fire to goods with intent to defraud insurers, in the Court of Quarter Sessions of Washington County, on August 17, 1932, be commuted from two years to one year, two months, expiring on October 17, 1933.

Our reasons for making this recommendation are as follows:

In 1932, the applicant was influenced by an arson ring into having his home insured and set on fire for the purpose of collecting the insurance. No lives were imperiled by the fire.

The trial district attorney states, "The imposition of these different sentences indicates that the Court recognized the difference in degrees of guilt, and also that the Court took into consideration the previous records of these particular defendants and their good reputations in the communities in which they resided. I have conferred with the sentencing judge with reference to these cases since notice and copies

of these applications were served upon this office, and have been informed by him, and am advising your Board, that had the Act of Assembly fixed a lesser term than two years as a minimum sentence (that being the term which the Court imposed in each of these cases), the Court would have acted accordingly."

The supervisor of paroles and warden of the Washington County Jail recommend clemency. We are in accord with these recommendations.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor,

RICHARD J. BEAMISH,
Secretary of the Commonwealth,

WM. A. SCHNADER,
Secretary of Internal Affairs,

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

COMMUNICATION FROM THE SECRETARY OF WAR REQUESTING CESSION OF JURISDICTION OVER THE CARLISLE BARRACKS MILITARY RESERVATION AND NEW CUMBERLAND GENERAL DEPOT.

WAR DEPARTMENT,
Washington

June 6th, 1933.

Honorable Gifford Pinchot, Governor of Pennsylvania, Harrisburg, Pennsylvania.

Dear Governor Pinchot:

Areas at Carlisle Barracks, Pennsylvania, have been in military use from the Revolutionary War period to the present time, except while occupied for an Indian school from 1879 to about 1918. The first purchase of some 27.67 acres was made in 1801. Additional tracts have been acquired from time to time since that date. However, the War Department has been unable to find any record that the State of Pennsylvania has ever ceded jurisdiction of the United States over that part of Carlisle Barracks known as the "Main Reservation" which contains approximately 161.38 acres. An Act of the State Legislature approved February 15, 1901, ceded jurisdiction over a detached portion of the Reservation known as the "Farm Tract."

In connection with the World War the United States acquired as a site for a General Depot the fee simple title to approximately 843.25 acres of land located about two and one-half miles southeasterly of the Borough of New Cumberland and approximately seven miles southeasterly of Harrisburg in York County, Pennsylvania. It has been determined to retain this property as a permanent military post.

In order that these tracts may be properly administered by the Federal Government as a part of the military establishment, it is deemed necessary that the United States have exclusive jurisdiction over them. Therefore there has been prepared and is inclosed draft of an act of cession of jurisdiction with a view to the submission of the same to the State Legislature for its consideration and the enactment thereof, if it meets with approval.

In preparing a description of the boundaries of the lands over which cession of jurisdiction is desired, the War Department has used a metes and bounds description of each tract in its entirety, these descriptions being taken from surveys and maps of the Reservation made by the Quartermaster Corps of the Army. In doing this the War Department has followed the method adopted by the General Assembly of Pennsylvania in the Act of April 25, 1929, (Laws of Pennsylvania 1929, p. 755), by which Act jurisdiction over the Army Air Depot and Flying Field in Dauphin County, Pennsylvania, was ceded to the United States. This method of description rather than a description parcel by parcel as described in the deeds of conveyance by the United States is considered desirable for the following reasons: Each main tract was acquired in a number of more or less irregular tracts or parcels, many of which were very small. If jurisdiction should be ceded over these lands parcel by parcel it would probably be found necessary, in the event any crime should be committeed on the reservation, to prove upon which particular parcel it occurred in order that the Federal authorities might exercise jurisdiction. In some instances it might be very difficult or even impracticable to secure such proof. It follows from this situation that any act of cession of jurisdiction over these reservations, to be of the most practicable value to the United States, should describe each main tract by a metes and bounds description of its exterior boundaries.

Accompanying the draft of the proposed act of cession are maps of Carlisle Barracks Military Reservation and New Cumberland General Depot, dated February, 1932 and April, 1933, respectively, upon which are shown the exterior boundaries of the respective reservations.

It is requested that the draft of the proposed act of cession, together with this letter and other papers above referred to, be submitted by you to the Legislature now in session, and that you use your good offices in securing early action thereon.

Sincerely yours,

GEO. H. DERN,
Secretary of War.

3 Inclosures
Draft of act of cession
Map Carlisle Barracks Mil. Res.
Map New Cumberland General Depot

An Act to cede jurisdiction to the United States over that portion of the Carlisle Barracks known as the "Main Reservation" located in Cumberland County, and over the tract of land and buildings occupied by the New Cumberland Depot located in York County.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the jurisdiction of the State of Pennsylvania is hereby ceded to the United States of America, for the occupation and use for purposes of national defense and for the erection and maintenance of the necessary buildings for the military or other public use of the United States, over all that tract or parcel of land situate approximately one and one-half miles northeasterly of the Town of Carlisle in Cumberland County, State of Pennsylvania, comprising that portion of Carlisle Military Reservation known as the "Main Reservation" and over all that tract or parcel of land comprising the New Cumberland General Depot situate in York County, State of Pennsylvania, on the southerly shore of the Susquehanna River, about two and one-half miles southeasterly of the Borough of New Cumberland, and approximately seven miles southeasterly of the City of Harrisburg, which tracts are more particularly described as follows:

Main Reservation, Carlisle Barracks

Beginning at an iron pipe on the westerly side of Pratt Avenue near the entrance gate to the post, and running thence by true bearings:

(1) North sixty degrees forty-nine minutes fifty seconds East (N. 60° 49′ 50″ E.), a distance of eight hundred fifty-eight and no hundredths feet (858.00′) to an iron pipe; thence:

(2) South twenty-one degrees three minutes ten seconds East (S. 21° 03′ 10″ E.), a distance of thirty-three and no hundredths feet (33.00′) to an iron pipe; thence:

(3) North seventy-three degrees forty-six minutes fifty seconds East (N. 73° 46′ 50″ E.), a distance of ninety-nine and fifty hundredths feet (99.50′) to an iron pipe; thence:

(4) North thirty-two degrees three minutes ten seconds West (N. 32° 03′ 10″ W.) crossing Letort Spring Run a distance of one hundred fourteen and no hundredths feet (114.00′) to an iron pipe; thence:

(5) North sixty-six degrees fifty-six minutes fifty-seconds East (N. 66° 56′ 50″ E.), a distance of thirty-seven and seventy hundredths feet (37.70′) to an iron pipe; thence:

(6) North twenty-six degrees forty-nine minutes fifty seconds East (N. 26° 49′ 50″ E.) crossing the said Run a distance of one hundred sixty-five and no hundredths feet (165.00′) to an iron pipe: thence:

(7) North sixty-three degrees sixteen minutes ten seconds East (N. 63° 16′ 10″ E.) crossing the said Run a distance of one hundred twenty-three and seventy hundredths feet (123.70′) to an iron pipe; thence:

(8) North seventeen degrees sixteen minutes ten seconds East (N. 17° 16′ 10″ E.) crossing said Run a distance of sixty-six and no hundredths feet (66.00′) to an iron pipe; thence:

(9) North eighty-four degrees sixteen minutes ten seconds East (N. 84° 16′ 10″ E.), a distance of sixty-six and no hundredths feet (66.00′) to an iron pipe; thence:

(10) South thirty-three degrees one minute fifty seconds East (S. 33° 01′ 50″ E.), a distance of eighty and eighty hundredths feet (80.80′) to an iron pipe; thence:

(11) North fifty-five degrees five mnutes East (N. 55° 05′ E.), a distance of ninety-nine and no hundredths feet (99.00′) to an iron pipe; thence:

(12) North thirty-six degrees ten minutes forty seconds West (N. 36° 10′ 40″ W.), a distance of one hundred thirty-four and seventy hundredths feet (134.70′) to a point in the center line of the said Letort Spring Run, and iron pipe being placed in line, on the bank of said Run, eight feet (8′) from end of course; thence:

Along the center line of said Letort Spring Run, the old channel thereof, the following 43 courses:

(13) North forty-eight degrees forty-one minutes forty seconds East (N. 48° 41′ 40″ E.), a distance of fourteen and seventy-eight hundredths feet (14.78′) to a point:

(14) North fifty-eight degrees ten minutes ten seconds East (N. 58° 10′ 10″ E.), a distance of fifty-six and thirty-nine hundredths feet (56.39′) to a point:

(15) North seventy-four degrees fifty-seven minutes forty seconds East (N. 74° 57′ 40″ E.), to a point:

(16) North sixty-two degrees nine minutes ten seconds East (N. 62° 09′ 10″ E.), a distance of ninety-five and one hundredths feet (95.01′) to a point:

(17) North fifty-one degrees fourteen minutes ten seconds East (N. 51° 14′ 10″ E.), a distance of forty-four and seventy-two hundredths feet (44.72′) to a point:

(18) North sixty degrees twenty-three minutes twenty seconds East (N. 60° 23′ 20″ E.), a distance of ninety-eight and two hundredths feet (98.02′) to a point:

(19) North fifty-eight degrees forty-four minutes thirty seconds East (N. 58° 44′ 30″ E.), a distance of one hundred sixty-three and twenty hundredths feet (163.20′) to a point:

(20) North sixty-seven degrees eight minutes thirty seconds East (N. 67° 08′ 30″ E.), a distance of eighty-two and thirty-four hundredths feet (82.34′) to a point:

(21) North sixty-six degrees thirty-two minutes ten seconds East (N. 66° 32′ 10″ E.), a distance of fifty-one and forty-eight hundredths feet (51.48′) to a point:

(22) North thirty-six degrees fifty-five minutes ten seconds East (N. 36° 55′ 10″ E.), a distance of twenty-six and twenty-six hundredths feet (26.26′) to a point:

(23) North fifty-seven degrees fifty minutes fifty seconds East (N. 57° 50′ 50″ E.), a distance of two hundred and no hundredths feet (200.00′) to a point:

(24) North sixty degrees five minutes thirty seconds East (N. 60° 05′ 30″ E.), a distance of one hundred twenty and fifty-two hundredths feet (120.52′) to a point:

(25) North fifty-six degrees fifty-two minutes fifty seconds East (N. 56° 52′ 50″ E.), a distance of one hundred ten and thirty-seven hundredths feet (110.37′) to a point:

(26) North sixty-six degrees sixteen minutes thirty seconds East (N. 66° 16′ 30″ E.), a distance of sixty-nine and fifty-six hundredths feet (69.56′) to a point:

(27) South sixty-two degrees fifty-five minutes fifty seconds East (N. 62° 55′ 50″ E.), a distance of sixty-two and twenty-three hundredths feet (62.23′) to a point:

(28) North sixty-one degrees thirty-four minutes twenty seconds East (N. 61° 34′ 20″ E.), a distance of thirty-two and fifty-two hundredths feet (32.52′) to a point:

(29) North twenty degrees forty-one minutes zero seconds East (N. 20° 41′ 00″ E.), a distance of fifty-one and ten hundredths feet (51.10′) to a point:

(30) South sixty-two degrees thirty-two minutes ten seconds East (S. 62° 32′ 10″ E.), a distance of eleven and forty-nine hundredths feet (11.49′) to a point:

(31) South sixty-two degrees fifteen minutes thirty seconds East (S. 62° 15′ 30″ E.), a distance of forty-nine and thirty-six hundredths feet (49.36′) to a point:

(32) South sixty-five degrees eighteen minutes fifty seconds East (S. 65° 18′ 50″ E.), a distance of one hundred thirty and seventy-seven hundredths feet (130.70′) to a point:

(33) North twenty-four degrees fifteen minutes twenty seconds East (N. 24° 15′ 20″ E.), a distance of forty-one and eighty-eight hundredths feet (41.88′) to a point:

(34) North sixty-five degrees forty-seven minutes thirty seconds East (N. 65° 47′ 30″ E.), a distance of twenty-one and thirteen hundredths feet (21.13′) to a point:

(35) South sixty-one degrees four minutes zero seconds East (S. 61° 04′ 00″ E.), a distance of thirty-two and fifty-eight hundredths feet (32.58′) to a point:

(36) South twenty-six degrees twenty-eight minutes zero seconds East (S. 26° 28′ 00″ E.), a distance of thirty-eight and fifty-nine hundredths feet (38.59′) to a point:

(37) South seventy degrees fifty-four minutes ten seconds East (S. 70° 54′ 10″ E.), a distance of twenty-nine and sixty hundredths feet (29.60′) to a point:

(38) North forty-five degrees forty-nine minutes twenty seconds East (N. 45° 49′ 20″ E.), a distance of forty-two and sixty hundredths feet (42.60′) to a point:

(39) South seventy-eight degrees fifty-seven minutes zero seconds East (S. 78° 57′ 00″ E.), a distance of twenty-three and forty-six hundredths feet (23.46′) to a point:

(40) South seventy-eight degrees eight minutes forty seconds East (S. 78° 08′ 40″ E.), a distance of seventy-two and thirty-seven hundredths feet (72.37′) to a point:

(41) South twenty-five degrees five minutes twenty seconds West (S. 25° 05′ 20″ W.), a distance of fifty-five and twenty-five hundredths feet (55.25′) to a point:

(42) South nine degrees thirty-three minutes forty seconds East (S. 9° 33′ 40″ E.), a distance of twenty-eight and twenty-one hundredths feet (28.21′) to a point:

(43) South sixty-eight degrees three minutes fifty seconds East (S. 68° 03′ 50″ E.), a distance of sixty-seven and fifty-two hundredths feet (67.52′) to a point:

(44) North eighty-seven degrees seventeen minutes fifty seconds East (N. 87° 17′ 50″ E.), a distance of eighty-one and eighty hundredths feet (81.80′) to a point:

(45) North sixty-eight degrees forty-three minutes forty seconds East (N. 68° 43′ 40″ E.), a distance of sixty-seven and thirteen hundredths feet (67.13′) to a point:

(46) South seventy-four degrees fifty-two minutes thirty seconds East (S. 74° 52′ 30″ E.), a distance of twenty-two and forty-six hundredths feet (22.46′) to a point:

(47) South eighty-four degrees twenty-eight minutes thirty seconds East (S. 84° 28′ 30″ E.), a distance of twenty-four and thirty-nine hundredths feet (24.39′) to a point:

(48) North fifty-nine degrees sixteen minutes zero seconds East (N. 59° 16′ 00″ E.), a distance of fifty-four and twenty-one hundredths feet (54.21′) to a point:

(49) North thirty-three degrees thirty-three minutes thirty seconds East (N. 33° 33′ 30″ E.), a distance of fifty-six and thirty-five hundredths feet (56.35′) to a point:

(50) North thirteen degrees twenty-six minutes ten seconds West (N. 13° 26′ 10″ W.), a distance of forty-three and ninety-eight hundredths feet (43.98′) to a point:

(51) North twenty-seven degrees forty minutes zero seconds West (N. 27° 40′ 00″ W.), a distance of forty-eight and sixty-two hundredths feet (48.62′) to a point:

(52) North ten degrees six minutes ten seconds East (N. 10° 06′ 10″ E.), a distance of thirty-four and twenty-eight hundredths feet (34.28′) to a point:

(53) North fifty-one degrees eighteen minutes twenty seconds East (N. 51° 18′ 20″ E.), a distance of fifty-two and fifty-three hundredths feet (52.53′) to a point:

(54) North sixty-five degrees zero minutes fifty seconds East (N. 65° 00′ 50″ E.), a distance of sixty-five and eighty-four hundredths feet (65.84′) to a point:

(55) South eighty-five degrees three minutes fifty seconds East (S. 85° 03′ 50″ E.), a distance of fifty-five and ninety-four hundredths feet (55.94′) to a point in the westerly line of a County Road, said point bearing North eight degrees twenty-one minutes West (N. 8° 21′ W.) and distance fifteen feet (15′) from an iron pipe on the bank of said Run, said point also bearing South thirteen degrees forty-eight minutes East (S. 13° 48′ E.) and distant two hundred eighty and seventy-eight hundredths feet (280.78′) from an iron pipe, in the center line of said County Road; thence:

Along the westerly line of the said County Road, the following two (2) courses:

(56) South eight degrees twenty-one minutes East (S. 8° 21′ E.), a distance of one hundred sixty-nine and eighty-nine hundredths feet (169.89′) to a fence post set in concrete:

(57) South twenty-seven degrees forty minutes ten seconds East (S. 27° 40′ 10″ E.), a distance of one thousand two hundred fifty-two and nine hundredths feet (1,252.09′) to an iron pipe in the northerly line of the "Poor Farm Road"; thence:

(58) South forty-nine degrees forty-eight minutes fifty seconds West (S. 49° 48′ 50″ W.), along the northerly line of said Farm Road a distance of two thousand five hundred eighty-six and thirteen hundredths feet (2,586.13′) to an iron pipe in the northerly right-of-way line of the Pennsylvania Railroad (Cumberland Valley Division) said pipe being thirty feet (30′) northerly, measured at right angles, from the center line of the main track; thence:

Along the northerly line of said right-of-way of the Pennsylvania Railroad the following five (5) courses:

(59) North eighty-four degrees seven minutes West (N. 84° 07′ W.) parallel to and thirty feet (30′) distant from this said center line of the main track, a distance of seventeen and sixteen hundredths feet (17.16′) to an iron pipe.

(60) North twenty-nine degrees forty-seven minutes West (N. 29° 47′ W.), a distance of thirty-six and ninety-three hundredths feet (36.93′) to an iron pipe, said pipe being sixty feet (60′) northerly, measured at right angles, from the said center line of the main track;

(61) North eighty-four degrees seven minutes West (N. 84° 07′ W.), parallel to and sixty feet (60′) distant from the said center line of the main track, a distance of one thousand three hundred seventy-two and seventy-one hundredths feet (1,372.71′) to an iron pipe in the center line of Garrison Lane;

(62) South twenty-two degrees fifty-eight minutes West (S. 22° 58′ W.), along the center line of said Garrison Lane, a distance of forty-seven and eight hundredths feet (47.08′) to an iron pipe; said pipe being fifteen feet (15′) northerly, measured at right angles from the said center line of the main track;

(63) North eighty-three degrees twenty-minutes thirty seconds West (N. 83° 20′ 30″ W.), a distance of seven hundred forty-one and five hundredths feet (741.05′) to an iron pipe, said pipe being six feet (6′) easterly, measured at right angles, from the easterly edge of the aforementioned Letort Spring Run; said pipe being also twenty-five feet (25′) northerly, measured at right angles, from the center line of the said main track; thence:

Along a line parallel to and six feet (6′) easterly of the easterly edge of the said Letort Spring Run the following five courses:

(64) North twenty-two degrees fifty-seven minutes thirty seconds East (N. 22° 57′ 30″ E.), a distance of two hundred eighty-five and ninety-six hundredths feet (285.96′) to a point:

(65) North eight degrees seven minutes thirty-seconds East (N. 8° 07′ 30″ E.), a distance of one hundred twenty-five and seventeen hundredths feet (125.17′) to an iron pipe;

(66) North five degrees forty-five minutes thirty seconds West (N. 5° 45′ 30″ W.), a distance of one hundred ninety-eight and twenty-seven hundredths feet (198.27′) to a point:

(67) North two degrees forty-four minutes fifty seconds West (N. 2° 44′ 50″ W.), a distance of two hundred and twenty hundredths feet (200.20′) to a point;

(68) North twelve degrees thirteen minutes fifty seconds West (N. 12° 13′ 50″ W.), a distance of seventy-one and eighteen hundredths feet (71.18′) to an iron pipe; thence:

(69) North forty-nine degrees thirty-seven minutes fifty seconds East (N. 49° 37′ 50″ E.), a distance of four hundred twenty-six and sixty-four hundredths feet (426.64′) to the point of beginning,

Containing an area of one hundred sixty-one and thirty-six hundredths acres (161.36 A.), more or less.

The above described tract or parcel of land is shown on map number 6394-100, entitled "Carlisle Barracks, Pa., Boundary Map" dated February, one thousand nine hundred and thirty-two, filed in the Office of The Quartermaster General, Washington, D. C.

The evidence of the purchase of the lands constituting the tract or parcel over which jurisdiction is hereby ceded is recorded in the Office of the Recorder of Deeds of Cumberland County, Pennsylvania.

New Cumberland General Depot.

Beginning at a stone monument in the southerly right-of-way line of the Pennsylvania Railroad (Northern Central Branch) said stone monument marking the most easterly corner of tract and being one hundred (100) feet distant from the center line between the four (4) main tracks of said Railroad and running thence by true bearings:

(1) South twenty-three degrees twenty-six minutes West (S. 23° 26′ W.), a distance of eight hundred fifty-six and fifty hundredths (856.50) feet to a point in the center line of Mountain Road; thence

Along the center line of said Mountain Road the following seventeen (17) courses:

(2) North seventy-four degrees three minutes West (N. 74° 03′ W.), a distance of one hundred nineteen and no tenths (119.0) feet to a point;

(3) South two degrees fifty-seven minutes West (S. 2° 57′ W.), a distance of one hundred ninety-one and eighty hundredths (191.80) feet to a point;

(4) South fifty-three degrees twenty-nine minutes West (S. 53° 29′ W.), a distance of four hundred eighty-eight and twenty hundredths (488.20) feet to a point;

(5) North eighty-nine degrees twenty-eight minutes West (N. 89° 28′ W.), a distance of three hundred thirteen and seventy hundredths (313.70) feet to a point;

(6) South fifty-eight degrees twenty-seven minutes West (S. 58° 27′ W.), a distance of one hundred five and ten hundredths (105.10) feet to a point;

(7) South sixty-eight degrees fifty-three minutes West (S. 68° 53′ W.), a distance of eighty-three and forty hundredths (83.40) feet to a point;

(8) South eighty-eight degrees fifty-one minutes West (S. 88° 51′ W.), a distance of one hundred forty-nine and eighty hundredths (149.80) feet to a point;

(9) North sixty-eight degrees twenty-eight minutes West (N. 68° 28′ W.), a distance of one hundred eight and forty hundredths (108.40) feet to a point;

(10) North eighty-three degrees ten minutes West (N. 83° 10′ W.), a distance of ninety-five and fifty hundredths (95.50) feet to a point;

(11) North seventy-eight degrees ten minutes West (N. 78° 10′ W.), a distance of five hundred thirty-eight and fifty hundredths (538.50) feet to a point;

(12) North seventy-five degrees eight minutes West (N. 75° 08′ W.), a distance of one hundred sixty-nine and eighty hundredths (169.80) feet to a point;

(13) North eighty-two degrees twenty-four minutes West (N. 82° 24′ W.), a distance of one hundred twenty-nine and twenty hundredths (129.20) feet to a point;

(14) North seventy-five degrees forty-six minutes West (N. 75° 46′ W.), a distance of three hundred eight and sixty hundredths (308.60) feet to a point;

(15) North seventy-six degrees thirty-minutes West (N. 76° 30′ W.), a distance of one thousand four hundred and eighty (1,480) feet to a point;

(16) North eighty-one degrees thirty-six minutes West (N. 81° 36′ W.), a distance of one thousand seventy-seven (1,077) feet to a point;

(17) North seventy-four degrees fifty minutes West (N. 74° 50′ W.), a distance of three hundred (300) feet to a point;

(18) North sixty-six degrees fifty-five minutes West (N. 66° 55′ W.), a distance of three hundred (300) feet to a point; thence:

(19) North thirty-five degrees thirteen minutes East (N. 35° 13′ E.), approximately a distance of one thousand seven hundred ninety and fifty hundredths (1,790.50) feet to a point in the center line of Marsh Run Road; thence:

Along the center line of said Road, the following eight (8) courses:

(20) North fifty-six degrees twenty-four minutes West (N. 56° 24′ W.), a distance of one hundred twenty-nine and fifty hundredths (129.50) feet to a point;

(21) North forty-nine degrees forty-two minutes West (N. 49° 42′ W.), a distance of one hundred forty-four and no hundredths (144.00) feet to a point;

(22) North forty-three degrees nine minutes West (N. 43° 09′ W.), a distance of one hundred seventy-one and no hundredths (171.00) feet to a point;

(23) North twenty-nine degrees nine minutes West (N. 29° 09′ W.), a distance of six hundred sixty-eight and twenty hundredths (668.20) feet to a point;

(24) North twenty-six degrees fifty-three minutes West (N. 26° 53′ W.), a distance of one hundred forty-six and ten hundredths (146.10) feet to a point;

(25) North eighteen degrees fourteen minutes West (N. 18° 14′ W.), a distance of three hundred thirty-three and seventy hundredths (333.70) feet to a point;

(26) North sixty-four degrees forty-five minutes West (N. 64° 45′ W.), a distance of one thousand one hundred eighty and ninety hundredths (1,180.90) feet to a point;

(27) North sixty degrees nineteen minutes West (N. 60° 19′ W.), a distance of nine hundred twenty and ten hundredths (920.10) feet to the point of intersection of the center line of said Marsh Run Road with the center line of a road bearing southwesterly; thence:

(28) South twenty-eight degrees eighteen minutes West (S. 28° 18′ W.), along the center line of said road, a distance of two thousand twenty-five and no hundredths (2,025.00) feet to the center line of a road bearing northwesterly; thence:

Along said road the following three (3) courses:

(29) North eighty-seven degrees thirty minutes West (N. 87° 30′ W.), a distance of one hundred twelve and no hundredths (112.00) feet to a point;

(30) North sixty-eight degrees one minute West (N. 68° 01′ W.), a distance of three hundred twelve and twenty hundredths (312.20) feet to a point;

(31) North seventy-seven degrees six minutes West (N. 77° 06′ W.) crossing State Highway No. 333, a distance of one hundred seventeen and eighty hundredths (117.80) feet to a point; thence:

(32) North twelve degrees fifty-four minutes East (N. 12° 54′ E.), a distance of six thousand four hundred fifty-two and no hundredths (6,452.00) feet following, in part, the westerly line of Township Road to a point in the center line of the Old Baltimore Turnpike; thence:

Along the center line of said Turnpike, the following two (2) courses:

(33) South eighty-five degrees thirty-eight minutes West (S. 85° 38′ W.), a distance of two hundred forty-two and no tenths (242.0) feet to a point;

(34) North eighty-two degrees nineteen minutes West (N. 82° 19′ W.) a distance of two hundred seventy-one and no tenths (271.0) feet to a point; thence:

(35) North eleven degrees forty-one minutes East (N. 11° 41′ E.) a distance of three hundred seventy-nine and no tenths (379.0) feet to a point in the southerly line of the right of way of the said Pennsylvania Railroad (Northern Central Branch); thence:

Along the said southerly right of way line, the following eleven (11) courses;

(36) South seventy-five degrees seven minutes East (S. 75° 07′ E.) a distance of one thousand five hundred thirty-one and forty hundredths (1,531.40) feet to a point.

(37) South fourteen degrees fifty-three minutes West (S. 14° 53′ W.) a distance of seventy and no hundredths (70.00) feet to a stone monument;

(38) South seventy-five degrees seven minutes East (S. 75° 07′ E.) a distance of five hundred sixty-three and five hundredths (563.05) feet to the point of beginning of a curve to the right, having a radius of one thousand nine hundred forty-seven and no tenths (1,947.0) feet;

(39) Along the arc of said curve a distance of one thousand ninety-five and thirty-four hundredths (1,095.34) feet to the point of tangency of said curve, said point bearing South fifty-nine degrees zero minutes East (S. 59° 00′ E.) and distant one thousand eighty and ninety-five hundredths (1,080.95) feet from beginning of course;

(40) South forty-two degrees fifty-three minutes East (S. 42° 53′ E.) a distance of one thousand three hundred seven and eighty hundredths (1,307.80) feet to a stone monument marking the point of beginning of a curve to the right, having a radius of one thousand seven hundred ten and no tenths (1,710.0) feet;

(41) Along the arc of said curve a distance of nine hundred forty-two and seventy hundredths (942.70) feet to a point marking the end of curve, said point bearing South twenty-six degrees forty-five minutes East (S. 26° 45′ E.) and distant nine hundred thirty and eighty-three hundredths (930.83) feet from the beginning of course;

(42) South sixteen degrees fifty minutes East (S. 16° 50′ E.) a distance of four hundred seventy-one and seventy-six hundredths (471.76) feet to a stone monument marking a point on a curve to the left, having a radius of two thousand eight hundred ninety-five and no tenths (2,895.0) feet;

(43) Along the arc of said curve a distance of five hundred eighty-six and twenty-seven hundredths (586.27) feet to a point on said curve, said point bearing South fourteen degrees fifty-one minutes East (S. 14° 51′ E.) and distant five hundred eighty-five and twenty-seven hundredths (585.27) feet from beginning of course;

(44) South twenty degrees thirty-nine minutes East (S. 20° 39′ E.) a distance of two hundred sixty and twenty-seven hundredths (260.27) feet to a point;

(45) South sixteen degrees fifty minutes East (E. 16° 50′ E.) a distance of two thousand seventy and eighty hundredths (2,070.80) feet to a point;

(46) South thirty-two degrees forty minutes West (S. 32° 40′ W.) a distance of seventeen and twenty hundredths (17.20) feet to a stone monument marking a point on a curve to the left having a radius of three thousand five hundred thirty-eight (3,538.00) feet;

(47) Along the arc of said curve a distance of three thousand seven hundred sixty-eight and twenty-one hundredths (3,768.21) feet to a stone monument, the point of beginning, said stone monument bearing South fifty-one degrees nineteen minutes East (S. 51° 19′ E.) and distant three thousand five hundred ninety-two and sixty-two hundredths (3,592.62) feet from beginning of course;

There is excepted, however, from this tract, the C. Henry Shearer Tract, which is described as follows:

Beginning at a point in the center line of Marsh Run Road, said point bearing South seven degrees fifty-five minutes East (S. 7° 55′ E.) and distant two thousand one hundred sixty-nine and fifty hundredths (2,169.50) feet from a stone monument, said monument being the identical one referred to in Course No. 46 of the main description, and running thence by the following approximate true bearings:

(1) South eighty-six degrees thirty-four minutes East (S. 86° 34′ E.) along the center line of said Marsh Run Road, a distance of five hundred fifty-four and four-tenths (554.4) feet to a point; thence

(2) South nine degrees twenty-six minutes West (S. 9° 26′ W.) a distance of five hundred (500) feet to a point; thence

(3) North eighty-six degrees forty-nine minutes West (N. 86° 49′ W.) a distance of seven hundred seventy-eight and eight-tenths (778.8) feet to a point; thence

(4) North thirty-two degrees twenty-one minutes thirty seconds East (N. 32° 21′ 30″ E.) a distance of five hundred seventy-two and one hundredth (572.01) feet to the point of beginning,

Containing an area of seven and sixty-five hundredths (7.65) acres, more or less.

All of the above described tract or parcel of land, excepting the C. Henry Shearer Tract, contains an area of eight hundred and forty-three and twenty-five hundredths (843.25) acres, more or less, and is shown on Map 6271-113 entitled "New Cumberland General Depot, Pennsylvania." Boundary Map "scale 1″—300′," dated April, one thousand nine hundred and thirty-three, on file in the Office of The Quartermaster General, Washington, D. C.

The evidence of the purchase of the lands constituting the tract or parcel over which jurisdiction is hereby ceded is recorded in the office of the Recorder of Deeds of York County, Pennsylvania.

Section 2. The jurisdiction so ceded to the United States of America is granted upon the express condition that the said State of Pennsylvania shall retain concurrent jurisdiction with the United States, in and over the tracts of land aforesaid, in so far that civil process in all cases, and such criminal process as may issue under the authority of the State of Pennsylvania against any person or persons charged with crimes committed outside the said tracts or parcels of land, may be executed thereon in the same way and manner as if this jurisdiction had not been ceded. The United States shall retain such jurisdiction so long as the said tracts or parcels of land shall be used for the purposes for which jurisdiction is ceded, and no longer.

Section 3. That if at any time hereafter, any additional lands adjoining those above described shall be purchased by the United States for use of the said Carlisle Barracks Military Reservation or the New Cumberland General Depot, respectively, or for any other military purpose, this act shall

be construed to vest in the United States jurisdiction over such additional lands, to the same extent as is vested by this act over the tracts or parcels above described.

PROCEEDINGS BEFORE THE COMMITTEE APPOINTED UNDER A RESOLUTION TO MAKE AN INVESTIGATION OF CHARGES MADE BY MR. A. LEO WEIL, SR., BEFORE THE WAYS AND MEANS COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

Proceedings Before a Committee
of the
House of Representatives
On November 21, 1933, in the House Caucus Room
Under a Resolution to Make an Investigation of
Charges Made By
MR. A. LEO WEIL, SR.,
Before the Ways and Means Committee
At a Public Hearing Held on November 20, 1933.

COMMITTEE:
MORTON WITKIN, CHAIRMAN.

JAMES K. RUBY	A. J. WHITE HUTTON
WILLIAM McELWEE, JR.	THOMAS B. WILSON

The meeting was called to order in the House Caucus Room by the Chairman, Mr. Witkin.

Mr. WITKIN. This meeting is called pursuant to a House Resolution passed on November 20, 1933, which reads as follows:

In the House of Representatives, November 20, 1933.

Whereas, At a hearing this afternoon before the Ways and Means Committee of the House of Representatives, statements were made by A. Leo Weil, Esq., as follows:

"Don't misunderstand me, we are perfectly willing to pay our full share of the taxes. We don't object to that at all. We are today, we always have been, and we always will be willing to stand up with the other citizens of the Commonwealth and carry our share of the burden, but we are not going to be treated as an outlaw, we are not going to be treated as an organization engaged in that business that when they want the money they feel that you can go to them and get it, and they used to get it, and not legitimately and properly, but by devious and various means, and we have already had applications for payment of certain amounts, so that when you pass your control bill and put it in the hands of the State Control Stores, parties who say they can control things, and if we would pay them a certain amount they will see we get five-sixths of the business"; and

Whereas, Such statements cannot go unchallenged by this House, but the Members thereof and the people of this Commonwealth are entitled to know the truth or falsity of such charges; therefore be it

Resolved, That the Speaker of the House of Representatives is hereby authorized to appoint a committee of five Members of this House whose duty it shall be to fully and impartially investigate the charges set forth in the preamble hereof, and make report thereof to the House as early as possible;

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

The foregoing is a true and correct copy of the resolution adopted by the House of Representatives, the twentieth day of November, one thousand nine hundred and thirty-three.

M. K. BURGNER,
Resident Clerk,
House of Representatives.

GROVER C. TALBOT,
Speaker,
House of Representatives.

Mr. WITKIN. Mr. A. Leo Weil, may I ask you to step up here please.

Q. What is your full name?
A. A. Leo Weil.
Q. What is your residence?
A. Pittsburgh, Pennsylvania.

Mr. A. LEO WEIL was sworn by the Chairman of the Committee and testified as follows:

BY MR. WITKIN:

Q. Mr. Weil, in a proceeding before the Ways and Means Committee on Monday, November 20th, you are reported on page 84 of the transcript of the notes of the testimony therein taken as having made the following statement:

"We have already had applications for payments of certain amounts, so that when you pass your control bill and put it in the hands of the State Control Stores, parties who say they can control things, and if we would pay them a certain amount they will see we get five-sixths of the business."

I now ask you on behalf of this Committee who the parties were that made that statement to you.

A. If you will permit me I will answer that question by reading this statement.

Mr. WITKIN. Mr. Weil, it is the sense of this Committee that you first answer who the persons were, and then later if you care to submit a statement we will be glad to have you do so.

A. I don't know.

Q. Mr. Weil, you made the statement that certain parties said that they could control things and "if we will pay them a certain amount." Is that statement made by you a true and correct statement?

A. It was.

Q. If it is a true and correct statement, from whom did you get that information?

A. From an officer of our company.
Q. What is the name of the officer of the company?
A. Louis Rosensteel.
Q. What is his address?
A. New York City.
Q. What office does he hold in what company?
A. He is the President of the Schenley Products Company.
Q. Who were present when that statement was made to you?
A. I don't recall exactly. There were three or four other members of the company including my son.
Q. Your son's full name is what?
A. A. Leo Weil, Jr.
Q. Where was the statement made?
A. In the office of the company in New York City.
Q. Who did Mr. Rosensteel say made that proposition?
A. He did not say anyone by name.
Q. Was there any mention made in any other manner other than by name as to who the person was?
A. Yes.
Q. What person was mentioned or what officer was designated as the person who made the statement. What person did Mr. Rosensteel describe as being the person who made the statement?
A. I believe I can give you—
Q. We prefer to have you answer our questions.
A. Just a moment, I have certain rights as a witness. This statement will go to the public if you don't want to hear it. I will present it to the press. I will decline to answer any questions until I read this statement.
Q. You refuse, Mr. Weil, to tell us who the person was who was described as the person by Mr. Rosensteel?

A. No one was described.

Q. Mr. Weil, I now ask you directly in the statement that you made, that you said Mr. Rosensteel said that certain person said that if he was paid, a certain person was paid a certain amount, he was to get you five-sixths of the business, was that person designated or described in any manner so that you would know who was referred to by Mr. Rosensteel?

A. It was not, and if you will permit me to read this statement, you can ask the questions intelligently if you want to develop the facts.

Mr. WILSON: Mr. Weil, this committee don't intend that you shall conduct yourself that way. This is a committee of inquiry by the Pennsylvania Legislature, and we don't intend to have you act that way before the committee.

THE WITNESS: I propose to keep within my rights, whether in Court or anywhere else, and I am in my rights here.

BY MR. WITKIN:

Q. Are you in a position to give the committee any information as to who the certain persons were that made this proposition. You have certain rights for the purpose of this inquiry is to ascertain who that person was, do you know?

A. I do not.

Q. You mean to say that without knowing who that person was that you made this statement which I have quoted to you before the Ways and Means Committee yesterday?

A. I made that statement upon the authority of Schenley Products Company.

Q. In that conference you referred to the president of that company saying to you, along with others, that a certain person had said that if a certain amount of money was paid, that your company could get five-sixths of the business, is that true?

A. No.

Q. What did Mr. Rosensteel say that caused you to make that statement?

A. He said that two people, he was informed, had went to this other officer, that two people called upon that officer and made that proposition.

Q. Did he say who that officer was?

A. Yes sir.

Q. Who was that officer?

A. I have forgotten which one it was.

Q. How many officers are there in that company that you know of?

A. There is a president and vice-president.

Q. Who is the president?

A. Mr. Rosensteel.

Q. What is the name of the vice-president?

A. I really don't know who the vice president is of the Schenley Products Company.

Q. What is the name of the secretary?

A. I don't know that.

Q. Did Mr. Rosensteel mention the name of the officer who had received this information?

A. No.

Q. Do you know the officer who did receive the information?

A. I think I do.

Q. What is his name?

A. I think it is Harold Jacoby.

Q. Where is he located? What officer is he of the company?

A. I don't know what office he holds in the Schenley Products Company, but I know he is the president of the Joseph H. Finch Company.

Q. Where is that located?

A. It is located at Schenley, Pennsylvania.

Q. Was Mr. Jacoby one of those present that were present at this meeting when Mr. Rosensteel made that statement?

A. According to my best recollection, yes.

Q. Can you tell us who besides Mr. Jacoby, Mr. Rosensteel, your son and yourself were present?

A. I don't recall who the others were, but there were several others present.

Q. Did Mr. Jacoby make any statement?

A. No sir.

Q. Did Mr. Rosensteel make any statement who the person was in Mr. Jacoby's presence?

A. No sir.

Q. Was the name mentioned at any time as to who made this proposition?

A. No sir.

Q. Was anyone described in his official capacity as to who made the proposition?

A. No sir.

Q. Didn't you testify that the man was not designated by name, that he was designated in some manner?

A. I did not.

Q. Do you mean to say that there was no possible statement made by any of the persons present at that meeting which would indicate any of them who could possibly have made this proposition?

A. There was nothing said in that statement which would indicate the name, description or designation of the party who made that statement, or the parties who made that statement.

Q. Mr. Weil, is it correct that upon the mere statement of Mr. Rosensteel not backed up by any corroborative evidence, not backed up by any authoritative information, you appeared before the Ways and Means Committee at a public meeting, and publicly charged certain persons made application for certain amounts of money in order to have this legislation put into enactment?

A. Put into what?

Q. Enacted, made a law. Do you not understand the last question?

A. I will let you draw your own conclusions. I stated the facts and I don't argue the questions with the Chairman.

Q. Mr. Weil, you appeared before the Ways and Means Committee, did you not?

A. I did.

Q. And when you were asked, as appears on page 88 of the testimony. "The Chairman: May I say, Mr. Wilson, that in line with that you may rest assured that in short order there will be a proper resolution introduced in the House to sift these charges.

"Mr. WILSON: We won't let that go by without finding out who is doing it.

"Mr. WEIL: You will find us ready to assist in every way possible." Did you not so state?

A. I did.

Q. Did you not also state that you were taking measures yourself that would be more efficacious than ours to bring these parties to justice?

A. I did.

Q. What steps have you taken to bring these parties to justice?

A. I decline to state.

Q. You know who the parties are whom you are trying to bring to justice?

A. I do not.

Q. What could you possibly mean by stating that you are taking measures to bring certain parties to justice when you now state that you do not know who those parties are?

A. I can only furnish the brains for the statement and not the brains to understand them.

BY MR. WILSON:

Q. What is the meaning of that?

A. Just exactly what I said.

I insist upon entering upon this record an objection.

BY MR. WITKIN:

Q. Will you be a gentleman?

A. I am going to be a gentleman.

Q. If you are, you will sit down and let the Chairman ask you a question.

A. I insist upon entering into the record an objection. I have appeared here to b eexamined and cross-examined, and the manner in which I have been treated by this Committee I consider a disgrace and improper and not worthy of the Committee of this Legislature.

Mr. WITKIN: If the Chairman of the Committee were to state what he thinks of the witness, the newspapers would not be able to print it. May I say to you, Mr. Weil, that you came before this committee voluntarily, and if necessary subpoena you in order to have you appear here today?

A. That is untrue.

Mr. WITKIN: I will call other members of the House who were present, and you only stated that you might appear, that you didn't know, that you would see what you could do about it, and if that answer was not satisfactory, I told you that we would subpoena you.

The WITNESS: I don't propose to let that statement go unchallenged. I said to you that I would appear, but that I could not appear at 5 o'clock, because I expected to be before the Senate at that time, but that if I could get through I would appear, and then in a gentlemanly manner you stated to me "Very well, we will have to subpoena you," and I said, "Very well, go ahead."

Mr. WITKIN: I am not interested in any personal differences between you and me, and we will assume that for the purposes of this inquiry.

BY MR. WITKIN:

Q. Why do you decline to state what measures were taken to bring these parties to justice?

A. Because they are confidential communications between my client and myself.

Q. Who is your client?

A. The Schenley Products Company.

Q. We are not asking you what your client told you. We are asking you what you are doing, whether you personally have taken any measures to bring these parties to justice when you made these remarks?

A. I decline to answer that question.

Q. On what ground do you decline to answer that?

A. For the reason that it would be revealing a confidential matter between counsel and client, and that it would absolutely prevent the consummation of what we are seeking to accomplish.

Q. Do I understand you to say or infer that you do know who the parties responsible are, and that you are making an effort to bring them to justice, but that you don't want this Committee to know just what is being done?

A. That is absolutely untrue.

Q. What is your position with bringing the parties to justice if you don't know the names of the parties. Will you explain to us how they can be brought to justice?

A. They undoubtedly cannot be brought to justice until their names and identity is disclosed, but every lawyer knows there are various ways of ascertaining the identity and finding out who it was, even if you don't know when you started your investigation.

Q. Is Mr. Jacoby in Harrisburg?

A. He was this afternoon.

Q. Did you speak to Mr. Jacoby since yesterday?

A. Yes, sir.

Q. You knew you were going to be requested to appear before this Committee?

A. I did.

Q. Did you ask Mr. Jacoby, or did you make any inquiry of him to ascertain who the persons were made this proposition to him?

A. I did.

Q. Did he tell you?

A. He told me he didn't know their names.

Q. Do you know where Mr. Jacoby is now?

A. No, sir.

Q. Have you spoken to any other officer of your company since yesterday with a view of ascertaining who the parties were who made this statement?

A. I have not.

Q. Has Mr. Jacoby left Harrisburg to your knowledge?

A. I don't know if he has left, he said he was going to leave.

Q. Do you know where he is stopping?

A. He was stopping at the Penn Harris Hotel.

Q. Do you know his exact address in New York?

A. I do not. They were changing their offices, they were moving.

Q. Do you know what the new address is?

A. I do not.

Q. Are you counsel for Mr. Rosensteel?

A. No sir, for the company.

Q. I ask you whether you will advise Mr. Rosensteel to appear before this Committee?

A. I decline to answer that question.

Q. Why do you decline to answer that question?

A. Because it will involve disclosures and advice between counsel and client.

Q. Don't you think the public interest, where charges of graft and bribery are concerned, are of greater importance than the relation between counsel and client, especially when it means bringing to justice men who are endeavoring to stullify the State of Pennsylvania?

A. At times under certain conditions, yes; and at other times under certain conditions when the results to be accomplished are very questionable, no.

Q. What do you think under the present condition as it exists before this Committee and this Legislature?

A. I don't think anything can be accomplished by the methods being pursued by this Committee.

Q. Don't you think that the Legislature ought to procure all the facts when the statement was made by a responsible lawyer of Pittsburgh, as you are?

A. I believe it is entirely proper for the Legislature to obtain in a proper way all of the facts with relation to any statement made, such as I made.

Q. Do you not realize that you, being the only person that made that statement, that you now stand in the position that you are the only person to whom we can apply in an endeavor to arrive at who the persons are?

A. Yes sir.

Q. Don't you think you ought to cooperate with us to the fullest extent to ascertain who they are?

A. Yes.

Q. And don't you think you could assist us in so doing by having the president of the company you represent voluntarily before this Committee, and bring him and Mr. Jacoby in in an endeavor to assist this Legislature?

A. I would think so, but I would be bound by my relations to them as their counsel, by the relation of counsel to client. That is their privilege as well as mine.

Q. May I ask you, will you advise them that that is the proper thing to do and leave the determination of that to them?

A. I would not hesitate to tell them to give you all of the information in their possession that would lead to a discovery of these parties.

Q. Therefore I take it that you will advise them, that it is the proper thing for them to appear before this Committee?

A. That is a different question.

Q. Will you advise Mr. Rosensteel and Mr. Jacoby to voluntarily appear before this Committee. Being residents of other States, they are not subject to subpoena; will you advise them to voluntarily appear here so that we may arrive at the truth or falsity of this charge?

A. I would not.

Q. Why not?

A. Because I would not have them come here as I have, and be insulted.

Q. Why is it that yesterday, when you appeared before the Ways and Means Committee, and you were asked who the persons were, that you did not state that you did not know who they were?

A. I think I did so state, but I am not so sure.

The CHAIRMAN: Let me read you from page 85 of the testimony: "The Chairman: I take it, Mr. Weil, that it is the duty of every citizen that we be informed of any such applications having been made with respect to what the State Control Commission would do if you went along." And your answer was: "Mr. WEIL: Let me say to you, Mr. Chairman, we are taking measures ourselves, that would be efficacious to bring these parties when and if the opportunity occurs to the bar of justice and the punishment, and we can do it more successfully than we can do through a committee of thirty or forty or fifty men." And I further read, in answer to a statement the Chairman made, you said: "We will be very happy to take up that suggestion later." And again on page 87, "Mr. WILSON: Who connected with your company would know of this effort or these suggestions in that the Pennsylvania Legislature might find out who was making these representations. We are much interested in knowing who is doing it." And your answer was, "Mr. WEIL: We all are, and more of that will be heard in the future." I ask you whether or not in any statement that you made yesterday you indicated directly or indirectly that you did not

know the names of the persons who made the propositions that you publicly stated?

A. You may interpret it as you please, but I answered your question as I deemed proper.

Q. I ask you here, did you in answer to any of the questions propounded to you by members of the Committee, state to the Committee that you did not know who made these representations?

A. For the simple reason, if you want to know the reason, that it would have interfered with the measure that we had undertaken to ascertain who the parties were, and to have disclosed all of these facts would simply impeded and prevented the efforts that we were making.

Q. So I take it that you now state that there are some facts within your knowledge that you did not wish to disclose yesterday?

A. That is not true.

Q. Did you not so state?

A. I didn't.

Q. Did you not state that the reason you didn't know the names was because of certain facts, if disclosed, would impede or prevent the bringing of the persons to justice?

A. I did not.

Q. What facts did you refer to?

A. The fact that we didn't know who they were.

Q. There were no facts you could give us yesterday concerning who the persons were, is that right?

A. Yes.

Q. And there are no facts you now have that you can produce there by the statement you made before the Committee yesterday?

A. I decline to answer that question, because they are insulting questions.

Q. I ask you now whether or not you have any facts that you can give this committee to substantiate the statements you made yesterday?

A. I have the facts I stated.

Q. Have you any facts to substantiate the charges you made?

A. I have the facts I stated at the time I made the statement to the committee.

Q. Have you any facts to substantiate the statement of yesterday, "We have already had applications for certain amounts," have you any facts to substantiate that statement?

A. Nothing except the statement of the officers to that effect.

Q. And from whom did the statement eminate, if you know?

A. Yes, I told you so Monday, from Mr. Rosensteel.

Q. And where Mr. Rosensteel got the information, you say you don't know?

A. No sir.

Q. And you don't know of any applications to your knowledge that were made to your company?

A. I do not.

Q. If you know of any amounts of money that were asked for?

A. No sir.

Q. I ask you if you have any facts to substantiate your other statement: "When you pass your control bill and put it into the hands of the State Control Stores, the parties when they control things if we pay them a certain amount." Have you any facts to substantiate who the parties were, how much money was asked for, and how much was to be paid?

A. I have the facts of that proposition being made from the statement of the officers of the corporation. I have no facts, and there are none to my knowledge, as to what amount they demanded, or how they proposed to go about it, or the names of the parties, or who they were.

Q. Have you any facts to substantiate the other statement: "If we will pay them a certain amount they will see that we get five-sixths of the business."

A. I have the fact that officers of the company told me that statement was made.

Q. Did you hear anything, anyone at any time, give a statement, other than the officers to whom you referred, that if certain money was paid you could get five-sixths of the business?

A. I was not present.

Q. You are a practicing lawyer?

A. I hope so.

Q. For how long?

A. Fifty-four years.

Q. In the city of Pittsburgh?

A. Not all of the time. Part of the time in the city of Bradford, the home of Senator Wilson.

Q. You agree with us that the charges you made yesterday are of the same character?

A. I do.

Q. And do you realize that when you make these charges there ought to be substantiative proof of the charges, do you not?

A. I think that the facts by the statement of the Chairman that the charges were made is a misapplication and a perversion of what I said. What I said, as quoted by the Chairman and as contained in the record, that these propositions were made to the company, and I referred to them as my having been informed that they were so made. I made no direct charges myself, because I had no direct facts upon which to make them, but I stand on the statement I made.

Q. Do I understand you, Mr. Weil, to say at the present time you have no charges to make against anyone?

A. I certainly have not.

Q. And that any charges or innuendos that may have been drawn from your statement, were not intended by you to be charges against anyone, is that correct?

A. I am not responsible for the innuendo of any kind.

Q. Are you responsible for the statement of your tongue?

A. Sometimes, generally.

Q. Are you responsible for the ones you made yesterday before the Ways and Means Committee?

A. Absolutely.

Q. Are you responsible for the statement, or do you wish to restrict it, wherein you said this: "There are parties who say they can control things if we will pay them a certain amount, they will see that we get five-sixths of the business." Do you stand on that statement, or do you wish to restrict it, or do you wish it to remain in the record?

A. I wish it to remain in the record, I stand on the statement.

Q. Do you consider this statement was made by you against unknown people, or do you not?

A. Yes sir.

Q. And therefore when the Chairman of the Committee drew the conclusion they were charges, you agreed with the Chairman of the Committee?

A. Not charges by me.

Q. Charges emanating from some other source made by someone else?

A. That the company so informed me.

Q. On whose behalf were you making this statement?

A. On behalf of my client.

Q. Who was your client?

A. The Schenley Products Company.

Q. Do I understand you that the statement you made as recorded on page 84 of the testimony, that the statement was made by you solely as attorney for the Schenley Products Company, that the statements were made by me on information furnished to me by the president of the Schenley Products Company," and you made them as their counsel?

A. I made them as a representative of the company and as their attorney.

Q. So your position is this, that your client, whom you have just mentioned, made certain direct charges with relation to bribery and graft, and that you merely repeated them as their mouthpiece, is that correct?

A. I decline to answer that question.

Q. On what grounds do you decline to answer the question?

A. It is not true, and I don't care to go into an argument with the Chairman of the Committee. If the question were politely and gentlemanly put, I would be glad to answer it.

Q. I don't care to argue with the witness. Will the reporter read the previous question

(Question read.)

Q. Is that correct?

A. No.

Q. You have just stated to us that you didn't make these charges?

A. It is no use mincing words. The witness has certain rights before a Committee of the Senate.

Q. What rights are being interfered with?

A. By asking questions in a manner that is unfair to the witness and by this statement on the record, misstatements on the record. For example, you used an expression in your question, "The mouthpiece of your client." That is absolutely unfair and unjust, to put it in that form.

Q. We will reformulate the question. You have said to this Committee today that you did not make the charges. Have you not so stated?

A. Yes.

Q. I asked you who made the charges?

A. And I told you I repeated what I was informed by the president of the Company.

Q. So that, Mr. Weil, we are in accord, that the company you represent are the ones who made the charges, and not you?

A. I won't make it the charges, but the statement of the facts.

Q. So that this statement that appears in the record you wish the Committee to look upon as the statement from the company and not from you?

A. Absolutely.

Q. We have finally arrived at that.

A. I have stated that from the beginning.

Q. Will you state what, if anything, you have done since yesterday to ascertain who the persons were who made these offers?

A. I talked with Mr. Jacoby. There was no one else here that had any knowledge on the subject.

Q. Did you call Mr. Rosensteel or endeavor to talk to him?

A. I did not.

Q. Did you call anywhere else?

A. I did not.

Q. I have one concluding question to ask you. Do you mean to tell this committee that you have absolutely no recollection of the identity of the person who Mr. Rosensteel said was the party who made these charges or requests or applications?

A. I never made that statement. I never at any time said it was a question of recollection. I stated emphatically that he didn't mention the name, and he didn't know the name. Why do you put it "my recollection." That is what I referred to as unfairness on the part of the Chairman to the witness.

Q. Mr. Weil——

A. There is an audience, understand that.

Q. When you are through, let me know.

A. You will find out when I am through.

Q. Have you finished?

A. In a minute, yes.

Q. Mr. Weil, when these statements were made by Mr. Rosensteel, did you ask him who made them?

A. Yes.

Q. Did he tell you?

A. He said he didn't know.

Q. Did you ask Mr. Jacoby at the time who made them?

A. Yes.

Q. Did he tell you?

A. He said he didn't know.

Q. Did you make any other effort at that time to ascertain who made the statement?

A. I made several efforts by inquiry to Mr. Jacoby as to whether he could give me some information as to the identity, and he said he could not.

Q. And that was the only information you had that brought about your statement yesterday before the Committee?

A. I said that before, I had it from the officers of the company, and on that basis I made that statement.

BY MR. WILSON:

Q. Before the Committee yesterday you stated that "You will find it," I take it, referring to your company "ready to assist you in every possible way." Now, you realize that we have a duty upon us to find out this matter that has been publicly stated at the hearing. What can you do now, what will you do now, to assist this Committee in getting to the bottom of this matter and finding out the facts of this transaction and who is attempting or pretending that they could influence officials of the State of Pennsylvania?

A. Just as soon as we can ascertain who the parties were; just as soon as the measures which we have already put on foot develop the information that gives us the names of the parties, who they are, and so on, I will be only too happy to give them to this Committee or to any other authoritative body in the State, and not only that, but we expect to make them public by prosecution if we can get the information substantially direct.

BY MR. WILSON:

Q. We appreciate that and are not disputing the fact.

Mr. CHAIRMAN: The Chairman of the Committee disputes the fact, Mr. Wilson.

BY MR. WILSON:

Q. What can you give as a lead for this Committee by which we can find the information, and you appreciate it is our duty to do it. What information can you give us on which we can make an investigation to find this out, Mr. Weil?

A. I am afraid none.

Q. Did you make an effort yesterday to find out where this took place and what was said?

A. Yes sir.

Q. What did he say to you, Mr. Weil, what did he tell you?

A. He said that the two men called upon him and made the proposition, and that he was indignant and told them to get out, that his company would not engage in any such proposition as that. He said he realized afterward that he had been hasty, instead of letting them go on and calling into conference other members of the company, so they could have found out who the parties were, and I gave him instructions then, I said, "As your counsel, if any propositions of a similar character is made, my advice to you is to arrange in some way that others will be present to hear the proposition, and I feel in that way you can get the names of the parties and all about it."

Q. Can you give us any information from which we can get started?

A. I am sorry I cannot; I have been trying my very best, Senator Wilson, to get the information, to start on myself.

Q. You know that we have a police force in Pennsylvania, a very efficient police force?

A. Sometimes.

Q. I take it that the State Police Force of Pennsylvania are as efficient a force of police as there are in the United States?

A. I think so.

Q. Can you give us any information, and we call on you formally in accordance with your statement, "You will find us ready to assist you in every possible way." We are asking you to give us some light as to this transaction, so that we may place the proper officers of the State of Pennsylvania on a proper investigation, and which will be much more efficient than what your company can make?

A. I doubt that, but I repeat again, that I will be very glad, sir, as soon as we obtain information that would be available, which could be followed up by the State Police or any other authority better than we could, I will be very glad to give it to you.

Q. Would you have Mr. Jacoby come to Pennsylvania with a view that he could consult with our State Police, with a view that we might run down these people?

A. I will try to arrange that, but after all, it is a very short trip from Harrisburg to New York or to Pittsburgh at Schenley, where you have a part of your State Police. Mr. Jacoby is up there frequently at the Schenley Plant, and no doubt arrangements could be made from time to time at any place you might designate, and I will advise him to give them all of the information he has without any hesitation.

Q. Will you advise Mr. Jacoby to appear before this Committee so that we can find out what he knows first-hand, he is the officer to whom the offer was made and the people of Pennsylvania would very much like to know what he knows about this thing, because he can testify first-hand?

A. I think I have answered that question, and I don't want to answer it again. I would not advise any client of mine to appear before the Committee under the circumstances, because I believe he would be insulted as I was.

BY MR. WITKIN:

Q. If the present Chairman retires from the Chairman of this Committee, would you be willing to so advise him?

A. If the present Chairman will resign from the Committee and appoint some other of these gentlemen here, or anybody else as Chairman of the Committee to conduct the in-

vestigation, I would advise Mr. Jacoby come before the Committee and give him all of the information he has.

Q. You are anxious to get rid of this Chairman?

A. I don't think the Chairman has been courteous.

BY MR. WILSON:

Q. I don't think that that position is worthy of you, Mr. Weil, and your position in Pennsylvania, or your company. I don't think that it is a position that you can afford to take, and I say that in all friendliness. We have been friends for many years, we come out of the same law office.

A. Yes, and I hope that friendliness will continue.

Q. I don't think that that statement is worthy of you. This investigation goes far beyond the members of this Committee, it goes to the question of whether this business is going to be conducted properly, and I think you should make on your own terms what you said, and give us all possible assistance.

BY MR. HUTTON:

Q. Mr. Weil, as I gather, your remarks boiled down to a few words are that Mr. Rosensteel knows nothing about this matter except as he got it from Mr. Jacoby; is that correct?

A. From Mr. Jacoby, and from, I think, other members of the company. That is, he didn't get it personally, that all approaches were through other representatives in the Philadelphia office, and he repeated it to Mr. Rosensteel.

Q. So then he got it from Mr. Jacoby and other representatives in Philadelphia offices, and also from others?

A. He got it from those gentlemen and also from a telephone conversation which the party had with one of the officers in one of the offices of the company.

Q. Then Mr. Rosensteel would be an important witness?

A. No, he would not know anything about it, except what had been reported to him.

Q. Who would be the most important witness?

A. Mr. Jacoby is the most important witness, and also the representative of the company in Philadelphia who was approached, these two men would be.

BY MR. WITKIN:

Q. Who is that representative?

A. I don't know his name.

BY MR. HUTTON:

Q. Does Mr. Jacoby know his name?

A. Oh, yes.

Q. You spoke of two men havng approached Mr. Jacoby?

A. Two men called at his office in New York and made this proposition that I stated.

Q. Now, that was aside from the report that Mr. Jacoby received from the Philadelphia representative?

A. Yes sir, that was a different party.

Q. Did Mr. Jacoby indicate when that approach was made by these two men?

A. He didn't give me the exact date. He gave me to understand it was quite recently.

Q. Did he know these two men?

A. No. That has been stated before by me, that he didn't know them and he didn't have their names.

BY MR. WITKIN:

Q. How soon after this occurred were you advised?

A. I was advised of it last Sunday.

Q. Did you take any steps to communicate with the Pennsylvania authorities, some legally constituted police authorities after you were advised of it?

A. I did not.

Q. You took no steps at all?

A. Not such as you ask.

Q. So the first time you were advised of this on Sunday of the present week?

A. This last Sunday.

Q. What time on Sunday were you advised?

A. I was there from 2.30 until 5 something in the afternoon, when we took the 6 o'clock train for Harrisburg.

Q. From that time on you were busily engaged in Harrisburg?

A. Pretty busy.

Q. So you had no time to take measures yourself?

A. I gave orders, as I generally do. I don't do the work myself.

Q. You gave orders, but you took no measures yourself?

A. I gave instructions to officers of the company what they should do.

Q. Did you communicate with any Pennsylvania authorities?

A. No sir.

Q. Do you think it was your duty to do so?

A. No.

Q. Now, Mr. Weil, the Committee takes the position that you were wrong in your attitude with respect to this Committee, and the Chairman of this Committee is very anxious to see Mr. Jacoby before this Committee, so much so that he is willing to let your views prevail with respect to insulting questions. May I ask that the Chairman will refrain from asking Mr. Jacoby any questions, whether insulting or proper, will you produce Mr. Jacoby here tomorrow, will produce him?

A. If he remains over tonight, I will be very glad to have him come before the Committee some time tomorrow, which will be mutually agreeable.

Q. And if not you will promise this Committee at this time that you will produce Mr. Jacoby in the next few days?

A. I cannot say I will promise to produce Mr. Jacoby. He is a busy man, has large interests, and is sometimes in New York and sometimes in Cincinnati and sometimes in Schenley.

Q. You will promise to produce him——

A. Don' t let us put it "produce him." I will advise him to come, and I believe he will come.

Q. You will advise him to appear before this Committee, as quickly as possible.

A. Yes.

BY MR. WILSON:

Q. I am much interested in this Philadelphia transaction. How can we find out what the name of this man was in Philadelphia?

A. I think Mr. Jacoby knows it, not the name of the name of the man who approaches, but the name of the man who was approached.

Q. Could you not get that for us, don't you think it is fair for a company of your size, to assist the Legislature to get this name for us as soon as possible, so that we can find out what this man knows?

A. I will be very glad to, if Mr. Jacoby is still in town. He was telling us this afternoon that he had a very important engagement, that he would have to leave this morning. If he is in town, I can get it this evening and give it to you tomorrow, if I am in town, and if I am not, I will send it by mail.

Q. We are very much interested. You are a member of the Bar and we think you as an attorney that appears before the Legislature should have some respect for the Legislature and assist them.

A. I will be very glad to do what I can.

BY MR. WITKIN:

Q. Will the Sergeant-at-Arms appear before the Committee?

(The Sergeant-at-Arms appeared.)

Mr. WITKIN: The Sergeant-at-Arms will secure a subpoena and go to the Penn-Harris Hotel and see if he can secure Mr. Jacoby and summon him before this House. We will take this matter in our own hands.

BY MR. McELWEE:

Q. Do I understand there were really three representations made, one in the City of New York, one in the city of Philadelphia, and one over the telephone, from some person in Pennsylvania to somebody in New York?

A. I don't know as to the telephone conversation, whether that was from somebody in Pennsylvania, or whether it was somebody in New York. I don't have that information. I know there was a telephone conversation that Mr. Jacoby told me about, but the representation in Philadelphia was to their representative in Philadelphia, and the two parties appeared in New York at the office of the company.

Q. You do know that the telephone message was received by the company in New York, but you don't know where it emanated from?

A. I do not.

Q. How many agents of your company are there in the city of Philadelphia?

A. I don't know.

Q. Was it in your main office in the city of Philadelphia?
A. I really don't know that.

BY MR. RUBY:

Q. Do you have any other information that would aid this Committee in its inquiry here today?

A. No sir.

Mr. WILSON: I suggest that Mr. Weil be invited to file with the Committee the statement he offered to make. I think he should be allowed to make the statement.

Mr. WEIL (Reading): I said in my remarks on Wednesday before the Ways and Means Committee, "Don't misunderstand me, we are perfectly willing to pay our fair share of the tax. We don't object to that at all. We always have been and always will be willing to stand up with the other citizens in the Commonwealth and carry our burden, but we are not going to be treated as an outlaw, we are not going to be treated as an organization engaged in the business that when you want money you can go to them and get it as you used to get it, not legitimately and properly, but by diverse and various means. We have already had applications for payment of certain amounts, so that when you pass your control bill and put it into the hands of State Control Stores, there are parties who said they can control things if we will pay them a certain amount, they will see that we get five-sixths of the business. Now, those things are worthwhile considering. These are things that can be done, but human nature must be taken into consideration when they are done, because otherwise it results in bribery and corruption in spite of everything that you can do."

I do not know that I can add anything new to this statement. The statement was made to me in New York Sunday last, by one of the officers of the company who was informed of these facts by other officers and representatives. He did not go into details. He gave me no names, and the parties who made these approaches were unkown to the officers of our company, and they were turned down with the statement that no such proposition would be given consideration.

One of the conversations occurred by telephone, and one of the conversations was reported by a representative of the company in Philadelphia, and another one of the conversations was by a call from the gentleman who made the statements above quoted.

The officers of our company entered into no negotiations with any of them, and informed them positively and emphatically that they would not be interested in any such proposition. As their counsel, I advised the officers that if any such propositions were subsequently made, they should take every means to ascertain the identity of the parties and to get the propositions in such a way as they could be absolutely proven, and not to depend upon the testimony of any single individual.

I am still of the same opinion that human nature must be taken into consideration in establishing any of these agencies where favoritism would be worth millions of dollars to certain parties dealing with such agencies.

The history of some of those States and countries which have adopted the State Stores confirm the foregoing opinion.

This statement is not confidential and if given to the public by the Committee, I reserve the right to see that I have been properly quoted.

By Mr. WITKIN:

Q. Mr. WEIL (addressing Mr. A. Leo Weil, Jr.), may I ask you if you will agree to appear before the Committee without notice as a witness that your father testified that you were one of the persons who was present at that conference?

A. I would be perfectly willing to be heard.

A. LEO WEIL, Jr., called and affirmed.

Mr. WITKIN: Mr. Weil, what is your address?

A. 721 Park Building, Pittsburgh.

Mr. A. Leo Weil, Sr. on account of his name, dont' take it out on him.

Mr. WITKIN: I have no personal interest in this matter, and I never let get out of room what happens in a room. If you think I have any ill feeling in this matter, you are mistaken. I am here only as a legislator, and as a legislator, I must say that I think the charges made in the case are a loseness of the tongue without ability to substantiate the charges.

Mr. WITKIN: Mr. Weil, Jr., it has been testified by your father that you and this person had a conference which was held on Sunday, I believe, in New York,—was it—

A. Yes sir, in New York.

Q. Were you present.

A. I was.

Q. Who else was present beside yourself?

A. My father, Mr. Rosensteel, Mr. Jacoby during a portion of the time. Several officers whose names I don't recall, of the National Distillers Company, and also three or four attorneys.

Q. Whose names you do or do not recall?

A. I recall the name of Mr. Breend.

Q. What is his full name?

A. That's all I know, Mr. Breend.

Q. Where from?

A. New York .

Q. How do you spell it?

A. B-r-e-e-n-d.

Q. I suppose that you would have no difficulty in getting his full name for the benefit of the Committee?

A. No.

Q. Now, Mr. Weil, will you tell us just what took place at that conference and what was said with respect to the subject matter before this Committee?

A. I don't think I should say what took place at that conference.

Q. Only with respect to the subject matter before this Committee, I said.

A. The statement was made by Mr. Rosensteel that the company or its officers had been approached on a number of occasions from parties in Pennsylvania who were willing to guarantee to the company for a consideration to obtain for it, I think the proportion was five-sixths of the liquor business.

Q. What else, if anything, do you recall?

A. As I recall he stated that there was some telephone conversation and an approach in New York by two parties, two men. He stated that he, himself, in view of this thorough something having been reported to him by the representatives of the company who had been called upon or so listed.

Q. Did he mention any particular name of the person who conveyed the information to him.

A. I don't believe he did, but I believe Mr. Jacoby mentioned that, that the two parties who had called, had called upon him.

Q. Did Mr. Jacoby indicate who the two parties were?

A. No; quite to the contrary. He said he did not.

Q. Did Mr. Jacoby state where they called upon him, when they called upon him.

A. No; except that it was quite recently. That is, when I say, "recently" I think he said within—he said within a week or two weeks, I believe.

Q. Was there any query or question directed to Mr. Jacoby as to why nothing had been done or whether anything had been done during that period of time up to the time that you were at the conference?

A. I couldn't answer that question, because I think it was about that time that some additional parties came to this meeting and it sort of broke up in different rooms after that. I was in another room talking with some of the other gentlemen. In other words, we were not all in one room at one time.

Q. Do you also represent this company, the Schenley Products Company, or are you associated with your father?

A. I am.

Q. Is there any light whatsoever that you can give to this Committee that would tend to substantiate the statements as made by your father at a public hearing before the Ways and Means Committee yesterday?

A. Of course, that is a pretty broad question, and I think I could answer it by stating it that I have personally known the officers who made the statements to my father and from my personal knowledge of them I would say that I absolutely believe that they would never have uttered or made such a statement unless the facts were absolutely true.

Q. And from your personal knowledge of them, Mr. Weil, I take it, we will say, you thoroughly believe, that, they also would want to co-operate with this Committee, irrespective of who the Chairman was.

A. I imagine so; at least, until they meet the Chairman.

Q. Now that you have answered me so pleasantly I have no other questions to ask you.

Mr. WILSON. Do you know who the agent is in regard to whom your father testified, in Philadelphia.

A. No; I don't know who the party is.

Q. Can't you obtain it for us?

A. I don't think that there will be any difficulty in getting the name.

Q. That is all right, I am interested in getting the name of this party in Philadelphia and the facts in regard to what happened in Philadelphia, because Mr. Weil does not seem to have the facts.

Mr. WEIL, Sr. The name of the agent in Philadelphia no difficulty about that whatever.

Mr. WILSON. Just as an ordinary matter of business, couldn't you have your company get that agent up here before this Committee, tell him to appear before this Committee so that he could be heard? Couldn't the facts in regard to the matter be placed before this Committee. Can't we get some information regarding it? It is not a question of cross examination, it is a question of having reputable people co-operate in running the facts down, because this is supposed to have taken place not only in New York, but also in this Commonwealth.

Mr. WEIL. Are you asking me a question?

Mr. WILSON: Yes; I am.

A. Insofar as the Philadelphia situation is concerned I know nothing about that phase of it, but in direct reply to your question, I refer you to what my father has already stated, namely that we will be glad to give to this Committee the names of the parties as soon as we are able to get them from Mr. Jacoby.

The CHAIRMAN: We would probably have them by tomorrow?

Mr. WEIL, Sr. I think so. If he isn't here, I will telegraph; that is, if I am here.

Mr. RUBY. Mr. Weil, Jr., when you heard that this proposition had been made in New York, did it strike you as a startling proposition?

A. Not a bit.

Q. Did you make any inquiry as to whether or not Mr. Jacoby had any reason to believe that the men who promised to deliver five-sixths of the business had the ability to deliver it?

A. No; other than to discuss the matter and suggest probably the same parties were calling upon other distillers and making the same proposition.

Q. Did Mr. Jacoby say whether or not they gave any assurance respecting their powers to deliver five-sixths of the business?

A. No; I recall that interview, it was somewhat short and abrupt.

Q. Did Mr. Jacoby indicate whether or not he was ready to believe that they could, or whether he doubted if they could.

A. Oh, no. He did not go into that phase of it with them. As I said, my understanding from Mr. Jacoby was that his interview with these gentlemen was exceedingly short and abrupt. He went into no details with them.

Q. When this proposition was stated at the meeting in New York, that you attended, did it cause any extended discussion.

A. As I say, we were discussing it when some other parties came in. The meeting, or at least the one I was attending at that particular moment sort of broke up and I happened to go into another room at the time and I don't know what took place thereafter with those particular parties.

Mr. HUTTON: I think, Mr. Weil, what Mr. Ruby means, was it merely casual or was it brought up as a serious matter.

A. No; it was brought up in connection with a discussion pertaining to the stores system in which the statement was made that already an approach had been made to the company.

The CHAIRMAN: Are there any other questions?

Mr. McELWEE: If I understand you right, Mr. Weil, that according to your information these gentlemen who came to Mr. Jacoby in New York did not disclose their identity.

A. That is my understanding; at least not to me, and Mr. Jacoby did not know who they were.

Q. They just walked in and just up and told him that they could deliver five-sixths of the liquor business in Pennsylvania.

A. Oh, I don't know whether they gave him names at the time, and he didn't remember what their names were or any of those details. I do know that he previously stated that he did not know who the parties were.

THE CHAIRMAN: Mr. Weil, before we adjourn this meeting, copies of the transcript of the testimony will be available to you. Are you going to be in Harrisburg tomorrow?

A. Mr. WEIL, Sr. I don't know.

THE CHAIRMAN: What we are anxious to get from you by tomorrow is the name of this Philadelphia representative.

Mr. WEIL. As I said, if I am not here I will send it to you by mail.

THE CHAIRMAN. Will you send it to us by messenger or by telephone?

Mr. HUTTON: We would like to get through with this matter as quickly as possible.

Mr. WEIL, Sr. If Mr. Jacoby is in town, I will get it and send it right over to you. Shall I address it to the Chairman?

THE CHAIRMAN: If you have no objections, you may address it to the Chairman. Further, pardon me, I would like to ask the committee to stay in session as Mr. Jacoby is on his way. The Seargeant-at-Arms has reached Mr. Jacoby.

A. LEO WEIL, Sr. recalled by the Chairman.

Mr. WEIL, Sr., I call your attention to a piece of your testimony I forgot to read, page 104: Mr. Wilson said to you: "would it be possible, Mr. Weil, for you to give us the names of the people who approached your clients in order to save the expense and trouble of a legislative investigation?" and your answer: "it would be possible, but we don't propose to do it at this time." In view of your testimony today, may I ask you to explain your answer of yesterday, wherein you told Mr. Wilson that it would be possible for you to give us the names, but that you were not going to do it at that time.

A. For the simple reason that at that time, I supposed, Mr. Jacoby had the names. Afterwards I found that he didn't—that is all.

Q. So that your answer was predicated upon the fact that you thought Mr. Jacoby had the names.

A. Yes; I thought he had the names or could get them at any time. I took it for granted that he had the names. I was very much surprised when I found otherwise. The truth of the matter, if you will permit an explanation—I don't care whether it goes on the record or not: when these two men called on Mr. Jacoby, Mr. Jacoby, practically kicked them out of the office. That's what it amounts to.

Mr. WILSON. What is this office in New York?

A. It is the Schenley Products Company.

Q. Do they run a distinct office of their own?

A. Oh, yes. Your see, they own the Joseph H. Finch Company and the Sam Thompson distillery and three or four others, and this is the office of the Schenley Products Company and these constituent companies.

HAROLD JACOBY, having beend uly sworn was examined and testified as follows:

THE CHAIRMAN: What is your full name?

A. Harold Jacoby.

Q. And your residence?

A. 451 West End Avenue, New York.

THE CHAIRMAN: For the benefit of the newspaper men, we will stop at ten minutes to seven. That will give us about ten minutes.

Q. Mr. Jacoby, it has been testified by Mr. Weil, Sr., that you conveyed directly or indirectly through Mr. Rosensteel, the president of your company or an officer thereof, certain information with reference to two men having contacted you personally, and who made the statement to you that upon the payment of a certain amount of money, they would be able to give your company, five-sixths of the state's liquor business. Were you so contacted?

A. I was contacted, but I am sorry to state that I think Mr. Weil, has misstated or rather incorrectly stated on part.

Q. Will you just tell us who contacted you?

A. I don't know their names, sir.

Q. Personally, were you contacted.

A. Yes.

Q. When were you contacted?

A. I think it was something less than three weeks ago.

Q. And where?

A. In my office.

Q. Where?

A. New York City

Q. How many men came to see you?
A. Two.
Q. Do you know their names?
A. I don't remember their names. I think I have their names in my office, as I told Mr. Weil, but I am not sure of that.
Q. Do you have a secretary?
A. Yes.
Q. What is her name?
A. My secretary's name?
Q. A man or a woman.?
A. A lady.
Q. Her name?
A. Miss Augustine.
Q. Her full name?
A. Belle Augustine, I think, Belle Augustine.
Q. And she is still in your employ?
A. Yes.
Q. And under your system, would it have been necessary for these gentlemen to have given their names to your stenographer to see you.
A. They usually do.
Q. Do you know whether the card was given to you.
A. Yes; they presented a card.
Q. Did they present one card or two cards?
A. One card with two names on it.
Q. Was that card a printed card or were their names written on the card, do you recollect?
A. I don't remember that.
Q. Do you know what the description of those men was? Had you ever seen them before?
A. No.
Q. Can you give us a description of either or both of these men?
A. One of them was a man that I should say weighed at least two hundred pounds, quite a large man. The other one was an ordinary sized man. That is the best description I could give.
Q. With respect to the man who weighed two hundred pounds, was he stout or thin?
A. He was stout.
Q. Was he tall or short?
A. Well, he was rather tall.
Q. Was he light or dark?
A. To the best of my recollection—I am not so sure I remember that.
Q. Did he have a mustache or not?
A. I don't think he did, I see many people—I couldn't picture these men.
Q. No, but I am trying to get your best recollection. Do you recall whether he was bald-headed or had hair?
A. No; I don't think he was bald-headed.
Q. Do you remember any definite marks on his face or on his hands, that would be a means of identification?
A. I think I would know him if I saw him.
Q. Do you recall any particular marks of identification?
A. No sir.
Q. And you have given us the best description that you know?
A. Yes.
Q. How about his age, how old was he?
A. I think this man was about fifty.
Q. Did he state his connection with any company?
A. No.
Q. Any group or company or organization, or association?
A. None whatsoever.
Q. The other man, was he tall or short?
A. He was a middle sized man.
Q. Was he thin or stout?
A. Average sized, I suppose he would weigh about one hundred sixty pounds.
Q. Do you recall any distinguishing marks on this man?
A. I don't.
Q. Did they appear to be Americans or foreigners?
A. They were Americans.
Q. Did you ask them their names?
A. I had their card.
Q. Do you know where that card is now?
A. I think I have it—I am not sure.
Q. Have you made any effort since yesterday to ascertain whether the card is still in your office?
A. I did not.
Q. May we ask you so to do?
A. Yes.
Q. And if you have that card, will you produce it before this Committee?
A. I will be very glad to.
Q. Will you tell us now the conversation that took place between you—was any one else present at the conversation?
A. No.
Q. Now, what was the conversation between you and the other two men?
A. They walked in. Our office is, or our business is to sell whiskey at wholesale, you no doubt know.
Q. Pardon me, you have a private office?
A. Yes; and we give a distributorship or an exclusive distributorship rights on certain of our brands. These two men came in, and they stated that they were from Philadelphia, and they told me who they were; that they were prepared to go in the whiskey, and they would like to get the distribution of our brands for the state of Pennsylvania, but I told them that the state of Pennsylvania was a very large territory, and it took quite an organization to cover it. They said, "no, I don't think it is going to take a very large organization to cover it, because the state of Pennsylvania is going to have state controlled liquor stores." I told them "that's news to me; possibly they knew" but if such was the fact I didn't think we could give any distributorship out for the state of Pennsylvania. I will repeat as nearly as I can what they said.
Q. That is all you can do?
A. Well, our connections in the state of Pennsylvania are satisfactory. We have been informed that state liquor stores, state controlled liquor stores will be established in Pennsylvania. We have got our connections there, and if there are to be state stores we are going to be the ones to supply them. If we can get your line—I don't say we will handle all the liquor from you, because that would not look right, but possibly eighty per cent. of it will be your liquor to go in the stores." That about ended the conversation. There were a few more words. I told them that we were not interested at all if the state was going to have their own system. I suggested that we sell them direct any of the drugs.
Q. Was there any conversation about paying a certain amount of money?
A. No; there was not.
Q. Was there anything indicative that they were to receive any bribes of any kind or to pay or to be paid?
A. No; the only information I could gather from the conversation was that they were able to supply liquor to the control stores.
Q. And all they asked you was for the right to be the Pennsylvania distributors of your company?
A. Correct, sir.
Q. Was it a query, one that would occur in the ordinary course of your business?
A. Well, I wouldn't say that it was ordinary. It was to be a distributorship——
Q. I mean the fact that two persons had walked in to see you, and sought an interview with you, had endeavored to seek an opportunity to be the Pennsylvania distributors of your company, that that of and in itself was nothing unusual?
A. No.
Q. Now, was there anything other than their statement that they thought they could get eighty per cent. of the business for your company? Was there any comment or remarks that led you to believe that they were endeavoring to have you pay them a certain amount of money to engage them?
A. They mentioned some names that didn't mean a thing to me, about so and so or Mr. John Jones or whatever they were.
Q. Do you recall them?
A. I don't.
Mr. WILSON. I don't understand that.
A. In other words, they were connected with Mr. Witkin in Pennsylvania; some man was supposed to be somebody; some man that was supposed to stand for somebody.
Q. Mr. WITKIN. Let us get this record straight. They didn't mention Mr. Witkin?
A. I said, they were supposed to stand for something in Pennsylvania. It didn't mean anything to me.

Q. You don't recall the name now?
A. I do not.
Q. You have no recollection of that name at all? You couldn't write it down?
A. No.
Q. In connection with mentioning that name, did they make any statement to you concerning the payment of any sum of money whatsoever?
A. No sir.
Q. So that there was no information that you gave to Mr. Weil, or Commissioner Rosensteel with respect to any two men at any time coming to you and stating that upon the payment of a certain sum of money they would be able to deliver a certain portion of the state's business?
A. I didn't state that; no.
Q. And you never so stated that either to Mr. Weil, junior or to Mr. Weil, senior?
A. No sir.
Q. And you never stated it to Mr. Rosensteel?
A. No.
Q. And the only statement that you made to Mr. Weil, junior, or Mr. Weil, senior, or Mr. Rosensteel, or any other person was the same statement as nearly as possible the same as you have given to this Committee?
A. I don't think I even gave it as fully. We read in the papers some notices of these State stores or this bill being proposed in Pennsylvania, and that recalled to me this particular visit, "here's two fellows that had a little bit of information sooner than anybody else, and they were ready to start——" to use the phrase that is generally used—"they are starting on graft before the thing starts."
Q. There was no argument between you and those two men?
A. No sir.
Q. And there was nothing that took place between you and those two men that caused you to become highly indignant or highly insulted and to order them out of the place?
A. No sir; I told them that we didn't want to have anything to do with them if they were going to have State Stores.
Q. And I assume that you then said "Good-bye" in the natural way as you do in any interview that takes place.
A. Yes sir.
Q. Did you at any time tell Mr. Weil, Sr., or Mr. Weil, Jr., that you had ordered these men out of your place, had become highly indignant, highly offended by reason of their attitude in asking you for something.
A. I don't know about the highly indignant. I have repeated, as nearly as I can, what I told them, that we were not interested in that kind of business.
Mr. WILSON. How did the interview end?
A. Just as I told you, that we would not be interested in any business like that, if they had controlled stores.
Q. You were present in New York when this was discussed, were you not?
A. It was very likely talked about.
Q. Do you remember about that?
A. Yes.
Q. Who discussed it there besides yourself?
A. I think at a meeting Mr. Rosensteel mentioned it, if I remember correctly. Now, I am not sure that he did.
Q. What did he say?
A. We have always believed—I don't mean by this——
Q. What did Mr. Rosensteel say?
A. Well, I have told you. I say, we have always believed that state controlled liquor stores are very hard to manage.
Q. These orations against State controlled stores will not prevail anything. I have asked you a question real civilly and I would like to have your answer.
A. What was it?
Q. I asked you what he said in New York.
A. I cannot tell——
Q. No, I don't want you to give an oration about state stores. It is not going to get us any place anywhere, because as far as the House is concerned state stores have been very well determined. Now, will you kindly answer my question? What the president of the company, Mr. Rosensteel, stated in your presence?
A. I would hate to try and repeat what he said. To the best of my recollection he spoke about the graft beginning already for government controlled stores; mentioning this very instance that I am telling you.
Q. Just what was said as nearly as you can remember?
A. That is positively as near as I can get it, if you gentlemen want me to tell you what he said.
Q. Just simply answer the question, what he said, by telling what the president of the company said, not what was said at other times, but what he said. What was said last Sunday afternoon.
A. That the graft under state controlled stores was all ready starting, and repeated that men had already been in the office.
Q. What did he say then?
A. —men had already been in the office, claiming that they controlled the situation, and they wanted to buy liquor to supply State controlled stores.
Q. Is that all he said?
A. No sir, he spoke much longer.
Q. What else? What was the rest?
A. The rest was a talk about the history of state controlled liquor stores which you don't want to hear.
Q. The Committee would very much like to have you tell to the best of your recollection, in your own words, what the president of your company said last Sunday?
A. Have I not covered it?
Q. I wish you would be kind enough to cover it again?
A. Among other things he said was that the graft connected with state controlled liquor stores was already started in Pennsylvania. The men had already approached the companies stating that they were able to control the purchases for such stores.
Q. Is that as you recollect it all that he said about this transaction, about these men that came there.
A. I think that he mentioned about one other instance. I don't know whether it refers to this particular state or not.
Q. Let us get his conversation?
A. That's as nearly as I can remember what he said.
Q. What he said; yes?
A. I have just told you several times before, I wasn't very much interested in it.
Q. Did he also mention a transaction that took place in Philadelphia when some representative of your company was approached?
A. I think he did.
Q. What did he say about that?
A. I think he mentioned two occasions, but of course that was hearsay to him.
Q. What did he say about them?
A. That some one in Philadelphia had been approached, that they were able to control the purchases for the state of Pennsylvania.
Q. Will you give us just as closely as you can what he said about the transaction?
A. I am sorry, I would like to give it to you I am trying to give it to you, but I didn't pay enough attention to repeat that conversation.
Q. That is unfortunate, but all you can give us is your recollection?
A. That is all.
Q. Will you give us your best recollection of what he said about the Philadelphia transaction?
A. The same member approached there.
Q. Do you know who was approached there in Philadelphia?
A. I think it was a representative of our company in Philadelphia.
Q. Can you give us the name of that man?
A. I am not positive that that is correct.
Q. Can you give us the name of the man that you think it was in Philadelphia?
A. I think it was a man by the name of Rappaport.

BY THE CHAIRMAN.

Q. He is the representative of your company in Philadelphia?
A. The representative just acts as a salesman. He is the exclusive salesman of our goods.
Q. Do you know where his place of business is in Philadelphia?
A. I can find that out for you. I don't recall the street and number.
Q. Do you know what street it is on?
A. No sir. I have never been in his office.

Q. Do you know how to spell his name?
A. R-A-P-P-O-P-O-R-T, I think. I am not sure that he was the man. I think he was.
Q. I don't like to take too much time, but I would like to know as near as possible what he said about Philadelphia?
A. I have already told you all I know. I would like to tell you everything.
Q. All you can tell us, of course, is what you remember?
A. That's positively it.
Q. What did he say about Philadelphia?
A. I told you everything.
Q. What did he say?
A. That two men had also approached our man in Philadelphia.
Q. Did he say who had approached him?
A. No.
Q. Did he say what they said when he approached this man in Philadelphia?
A. Something about they were able to control the purchase of whiskey in the State of Pennsylvania.
Q. Did he say anything else about what they said?
A. Not that I can recall.
Q. Did he say anything about a telephone call conversation, about a demand that they made in a telephone conversation?
A. No; I said that.
Q. What were the facts in regard to that?
A. Some one had called me up from Philadelphia, and wanted to know when they could come up and see me personally, and I told him I was very busy, and had to know his business. So he said Pennsylvania is going to have liquor controlled stores, and he would like to make arrangements to have an interview with me and I asked him what his connection was with the State of Pennsylvania. "All those things I will tell you when I see you," and I said I wasn't interested.
Q. When was this?
A. Maybe two weeks ago, ten days ago—recently.
Q. Can't you place the call any closer than that?
A. No; I am afraid I can't.
Q. Did the man give you his name?
A. The telephone call came from a man, that I have been trying to remember that name ever since Mr. Weil spoke to me and this came out in the newspapers. The call came on long distance. It came from Philadelphia.
Q. Where were you when you received that call?
A. In my office.
Q. What is the telephone number of your office?
A. Columbus 5-5500 it was at that time. We have moved since that time.
Q. At that time it was the telephone number?
A. Yes.

BY MR. WITKIN.

Q. Where was your office at that time?
A. 1819 Broadway.

BY MR. WILSON.

Q. And that telephone call came to office about when?
A. About ten days or two weeks ago.
Q. About what time of the day was it?
A. About—it was in the morning.
Q. Do you have many telephone calls from Philadelphia?
A. From Philadelphia, I wouldn't say we do, no. At least, I don't have many. I have calls from all over.
Q. Have you given us the substance of what this man said?
A. Yes.
Q. He didn't offer you anything at all over the telephone, did he?
A. No. He said he wanted to see me personally.

BY THE CHAIRMAN.

Q. No one has ever contacted you with respect to any money or any sum of money whatsoever for the purpose of getting you a certain portion of the state business?
A. No sir.
Q. And you have never told any one that they did?
A. No sir.
Q. The Committee wants to beg your pardon for ushering you in so fast, but your name came up, and we understood you were leaving town today, and the Committee thought that they would like to have you here if possible, and that was the reason that the Sergeant at Arms asked you to come here?
A. Entirely all right.

The CHAIRMAN. The committee thanks you for appearing here and testifying.

Mr. WILSON. What connection do you have with the Schenley Distilleries Corporation?
A. You mean the Schenley Products Company.
Q. What connection do you have with the company?
A. I am president.
Q. You are president of the company?
A. Yes sir.
Q. What measures have you taken, as president, to investigate this matter and find out about it?
A. Since I have mentioned it to Mr. Weil, we are attempting now to find these men, as to who they were. We paid no attention to them at the time. I would like to state this as many times as people come in, to make statements about this, that and the other thing.
Q. It made no impression particularly upon you, did it?
A. This particular one?
Q. Yes?
A. Well, when two or three come in—
Q. I don't understand?
A. When there were two or three approachers.
Q. From Philadelphia and the telephone connection?
A. Yes.
Q. On this particular transaction or not?
A. Not the first one, it didn't to me.
Q. It didn't disturb you very much evidently?
A. No sir.

The CHAIRMAN. In other words there was nothing so unusual in any of these conversations that would cause you to take measures or to apprehend and bring to justice these men who came to see you in your office, in your New York Office?

A. When these men come in—we had many men that came in who could deliver anything from the United States down to Canada, but we can't pay very much attention to them, so there wasn't very much attention paid to these two men, but at the time that same report came out about the Pennsylvania situation, then we recalled these transactions.

Q. But there were no measures taken by you to bring these men to justice at that time?
A. No; not before this.
Q. First of all you will try to ascertain the names of these two men?
A. Yes sir.
Q. And second of all you will try to ascertain whether or not the Philadelphia gentleman, is Mr. Rappaport or is it not, and will you convey that information, you need not come here personally, by communicating with the Chairman or any member of this Committee; and third, if you yourself can locate—well, we will make it "effort"—what telephone number that telephone conversation came from in Philadelphia, where it was a person to person call. We would appreciate your getting that information and advising the Committee. Now there is one other question suggested by one of the members of the Committee: do you have any information or any substantive proof to substantiate the statement made by Mr. Weil, senior, that there were certain applications that had been made that upon the payment of certain amounts of money, certain persons could get your company five-sixth of the State business or any portion thereof?
A. I am sorry, Mr. Weil, misunderstood that that was the statement.

Mr. WILSON. Were you present in the House yesterday when these statements were made during the hearing?
A. No sir; unfortunately I had occasion to go out to the telephone to find out what the New York State law is. The question was whether the New York State law was sales law in or out of the State, and I called up New York, so when I came in Mr. Weil was on another subject, and I was not there.
Q. But you think that that is very important, Mr. Jacoby, this information? Time is very important to this Committee?
A. It is to everybody.
Q. It is important to us because the Legislature beyond doubt, a long session it looks like to me,

BY THE CHAIRMAN.

Q. May we ask, Mr. Weil, Sr. and Mr. Weil, Jr., and Mr. Jacoby, that you will endeavor to supply this Committee between now and tomorrow, or as early as possible, with the information requested, and, further, if there are any other person or persons wheresoever situate, with whom by getting in contact whereby we can procure any further light upon the statement made by Mr. Weil, Sr.? The Committee will appreciate it. This Committee wishes to dispose of this matter speedily and properly, and promptly make a report to the House of Representatives, in order that the public may be apprised as to whether or not the charges are based upon proper merit, or whether they are based on mere hearsay or looseness.

(No answer).

BY MR. WILSON.

Q. This was a personal call to you, was it not?

A. I don't know about that. We have a telephone operator there, and she called up that Philadelphia was calling.

(Adjourned until Wednesday, November 22, at 2 o'clock P. M.)

Harrisburg, Pennsylvania,
Wednesday, November 22, 1933.
2 o'clock, P. M.

The Committee met pursuant to adjournment.

PRESENT:

(Members of the Committee as before noted.)

THE CHAIRMAN. Neither the Chairman nor the members of the Committee have received any word from either Mr. Weil, Sr., Mr. Weil, Jr., or Mr. Jacoby with reference to the inquiries that were made of them at yesterday's meeting. With respect to the names of the two men in question, with reference to a visit at the office of Mr. Jacoby, nor did any of these gentlemen supply any member of the Committee with the name of the Philadelphia representative, the Philadelphia agent or representative who was mentioned in connection with these alleged efforts in these proceedings. These gentlemen were requested by the Sergeant-at-Arms, Mr. Visor, to appear before this Committee at this time, but the statement has ben made by Mr. A. Leo Weil, Jr., to the effect that they were actively engaged before the Senate Finance Committee, and therefore, could not appear before this Committee. The Committee, in its desire speedily to ascertain all the facts are in order to assure all of the facts being placed before the Committee, has issued a subpoena and has caused the said subpoena to be served upon each one of these three gentlemen, directing their appearance before this Committee on Monday, the 27th day of November at 5 o'clock P. M., in the House Caucus Room.

The Committee has also decided to write a letter to Mr. Rosensteel requesting his appearance before this Committee at that time.

(Adjourned until Monday, November 27, 1933, at 5 o'clock, P. M.)

Public Hearing Held on November 20, 1933

MORTON WITKIN, Chairman

James K. Ruby — A. J. White Hutton
William McElwee, Jr. — Thomas B. Wilson

SOL RAPPAPORT,
Represented by ABRAHAM WERNICK, Esq.

The CHAIRMAN. At the last hearing of this Committee a letter, dated November 22nd, 1933, was forwarded to Louis Rosensteel, c/o the Schenley Products Company, New York, copy of which letter will be placed in the record.

(The said letter reads as follows:)

November 22, 1933.

Mr. Louis Rosensteel,
20 W. Fortieth Street,
c/o Schenley Products Company,
New York City.

Dear Sir:

Your name has been mentioned by A. Leo Weil, Sr., A. Leo Weil, Jr., and by Harold Jacoby before the Legislative Inquiry Committee with respect to a statement made by A. Leo Weil, Sr., before the Ways and Means Committee at a public hearing held on Monday, November 20, 1933.

The Committee is desirous of procuring any and all information pertaining or relating to the statement made by A. Leo Weil, Sr., as well as to any of the facts connected with the alleged improper approaches of certain persons to the officers of your company with respect to the procurement of certain business for your company.

May we ask that you, in the interests of the Commonwealth of Pennsylvania and in the interests of justice, voluntarily appear before this Committee on Monday, November 27, 1933, at five o'clock p. m., then and there to give us any and all information that you may have pertaining to the subject of this inquiry.

I herewith inclose a copy of the resolution passed by the House of Representatives, in order that you may be fully apprised as to the nature of the inquiry.

You are a citizen of the State of New York and not subject to our subpoena, but we trust you will see your way clear voluntarily to appear before this Committee.

Yours very truly,
MORTON WITKIN,
Chairman.

The CHAIRMAN. The following reply was received from Mr. Rosensteel:

The Willard Hotel
Washington, D. C.
November 26, 1933.

Honorable Morton Witkin, Chairman,
Ways and Means Committee,
House of Representatives,
Harrisburg, Pennsylvania.

Dear Mr. Chairman:

My office advises me of the receipt of a letter from you requesting me to appear before your Committee on next Monday, November 27th.

I deeply regret that I am unable to comply with your request, owing to the fact that I have for some days past been in Washington and my presence there will be necessary on Monday in connection with the Federal Codes and Marketing Agreements pertaining to our industry. I assure you, however, I would not be able to give you anything further than what has already been given to you by Mr. Jacoby.

If I can be of any assistance to you, I would appreciate it very much if you would let me know at my New York office.

Respectfully,
Louis Rosensteel.

The CHAIRMAN. I take it, members of the Committee, that at this time Mr. Rosensteel, being in New York, outside of the jurisdiction of the State of Pennsylvania, cannot be compelled by subpoena to appear before this Committee, and that further action with reference to Mr. Rosensteel will be taken by this Committee at a future time.

Harold Jacoby was summoned by the Sergeant-at-Arms to appear before this Committee at this hearing at this time. I am in receipt of the following affidavit and telegram from Mr. Jacoby which I shall read:

State of New York }
County of New York } ss.

Harold Jacoby, being duly sworn deposes and says: I have personally made a diligent and thorough search for the names of the individuals who called upon me and for the card to which my testimony referred.. I have, notwithstanding such thorough and diligent search, been unable to find the names of such individuals or such card I can, therefore, add nothing to the testimony I have heretofore given to the Committee of the House of Representatives, before whom I testified. I have testified under oath to all of my knowledge concerning the matter about which the inquiry was made.

I have returned to New York City and am not well. I would find it exceedingly difficult and inconvenient if I were obliged to attend the hearing at Harrisburg scheduled for November 27th, 1933.

I shall be available and will give further testimony if the Committee deems it necessary at any future time it may be designated.

I therefore trust that the necessity of my presence in Harrisburg on November 27, 1933, will be dispensed with.

Harold Jacoby.

Sworn to before me
this 26th Day of November, 1933.
E. William Masters.

Notary Public, New York County,
Clerks No. 121, Registers No. 5-M-394,
Commission Expires March 30, 1935.

Received at 11 North Third St., Harrisburg, Pa.
1933 Nov. 26 PM 10 11

NA36 145 NL-HJ NEW YORK NY 26
Morton Witkin, Chairman Ways and Means Committee—
House of Representatives Harrisburg, Penna.

Since leaving Harrisburg Wednesday necessary go Washington appear before AAA Committee now drafting code for distillery business stop completed work there Friday returned my office New York Saturday morning immediately instituted thorough personal search for names individuals and card referred to my recent testimony regret advise despite best efforts unable to find any trace of card stop impossible therefore for me add in any way to testimony I already gave you and your Committee in Harrisburg stop for two or three weeks been under terrific strain working day and night and advised trip to Harrisburg will retard my recovery therefore since can add nothing to testimony already given trust your Committee will dispense with my presence stop if not possible trust my appearance can be deferred until time I am physically able to make trip stop letter and affidavit covering above facts being mailed you today—

Harold Jacoby.

THE CHAIRMAN: I am also in receipt of the following letter from Mr. Jacoby:

Schenley Distillers Corporation
20 West 40th Street
New York City

Telephone Columbus 5-5500

November 26th, 1933.

Mr. Morton Witkin,
Chairman Ways and Means Committee,
House of Representatives,
Harrisburg, Penna.
My dear Mr. Chairman:

Since leaving Harrisburg on Wednesday night, it was necessary for me to go to Washington to appear before the A. A. A. Committee, who are now drafting a code for the distillery business, and did not complete my work there until Friday night. I returned to New York Saturday morning and immediately upon my arrival at my office, I began a personal and thorough search to try to find the names of the individuals and the card to which my recent testimony referred, and regret to advise you that I have not been able to find any trace of the card. It will be impossible, therefore, for me to add, in any way, to the testimony I have already given to you and your Committee when last in Harrisburg.

For the past two or three weeks, I have been under a terrific strain, working both day and night and, at the present time, I am not at all well, as you will note from the enclosed affidavit, and have been advised that a trip to Harrisburg would retard my recovery. As I could add nothing to the testimony I have already given and, as a trip to Harrisburg would, under the circumstances, be both difficult and inconvenient, I trust that your Committee will dispense with the necessity of my presence.

If such is not the case, I trust that my appearance may be deferred until such time as I am physically able to make the trip and, should you find it necessary that I appear before you again at a later date, I will certainly do so.

Assuring you of my earnest desire to co-operate with you and your Committee to the utmost of my ability, I am,

Very truly yours,
Harold Jacoby.

THE CHAIRMAN: The question of requiring or not requiring Mr. Jacoby's appearance before this Committee will be taken up at a later time.

May I also advise the Committee that I met Mr. A. Leo Weil, Jr., who together with A. Leo Weil, Sr., was subpoenaed to appear at this meeting, in the lobby of the Penn-Harris Hotel at ten o'clock, Wednesday night, November 22nd. The purpose of subpoening the two Weils was for the purpose of ascertaining the name of the Philadelphia Representative. Mr. A. Leo Weil, Jr., handed me a letter which reads as follows:

Harrisburg, Pennsylvania.

The Penn-Harris,
Hon. Morton Witkin,
Chairman Ways and Means Committee
House of Representatives
Harrisburg, Pa.

Dear Mr. Witkin:—

The name of the gentleman referred to as "Rappaport" by Mr. Jacoby in Philadelphia, whose full name and address was to be furnished is

Mr. Sam Rappaport,
Keystone Sales Co.,
Philadelphia, Pa.

At the present time it is impossible to secure a more accurate address but no doubt this will suffice.

Very truly yours,
A. Leo Weil, Jr.

I took it upon myself to tell Mr. Weil that if the name was correct and if we were able to locate and subpoena Mr. Rappaport to be here, I believed the Committee would back up my excuse, although these gentlemen had been subpoenaed to appear at this hearing, because that was the only purpose they would not be required to appear.

I may say to the Committee that we immediately located Mr. Rappaport, and Mr. Rappaport was subpoenaed by the Sergeant-at-Arms and Mr. Harry Visor (at the request of the Chairman), who gave an affidavit saying that he was subpoenaed, and I understand that Mr. Rappaport is now with his counsel ready to testify.

I will also enter upon the record a registry receipt card with reference to the letter which was sent to Mr. Rosensteel, the letter having been sent by registered mail, and I ask that the registry card be spread upon the record.

The said registry card reads as follows:

Post Office Department, official business, registered article. No. 7691. Insured parcel. Return to Morton Witkin, House of Representatives, Harrisburg, Pennsylvania. Return receipt. Received from the Postmaster the registered or insured article, the original number of which appears on the face of this Card.

Schenley.
Millovitz.

Date of Delivery, 11/23, 1933.

It was moved, duly seconded and agreed that the action of the Chairman in the premises be verified or confined by the Committee.

SOL RAPPAPORT, being duly sworn, was examined and testified as follows:

Mr. WERNICK: I want to say, Mr. Chairman, that the witness told me on Saturday when he was subpoenaed and raised the question of whether, having been lawfully subpoenaed, he was entitled to witness fees and mileage. I think that the Committee should pay him his witness fee and his mileage because he is a poor man. He is working for this company on a commission basis, and has made very little.

(Discussion off the record, at the request of the Chairman).

Mr. WITKIN. What is your business?

A. I have been representing Joseph S. Finch and Company of Philadelphia for quite a number of years.

Q. Do you represent any other company? Distilling Companies?

A. Yes; the Schenley Industrial Alcohol Company.

Q. Any other company?

A. No sir.

Q. Do you represent the Schenley Products Company?

A. Well, the Joseph S. Finch Company is a subsidiary to the Schenley Products Company.

Q. So that you are really the representative of both companies, the Schenley Products Company as well as the Finch Company?

A. Yes sir.

Q. And now Mr. Rappaport, it is has been testified before this Committee that certain information with respect to a bribe or alleged bribe was obtained through the Philadelphia representative of the Finch Company or the Schenley Products Company, and it was further stated that the name of that Philadelphia representative was believed to be Rappaport, and it was subsequently given to us as Sam Rappaport. Was any such offer ever made to you?

A. No sir.

Q. Have you ever been in contact with any person or persons who came to you either directly or indirectly and suggested anything that was improper with the procurement of business to you as a representative of the company that you represent or as an individual?

A. Not to me.

Q. Did you ever make any statement to any member of the Schenley Products Company or any member of the Joseph S. Finch Company that such a situation had arisen with respect to you?

A. No sir.

Q. Did you ever report to A. Leo Weil, Jr. or Mr. A. Leo Weil, Sr., that you had been improperly approached with respect to the procurement of State business?

A. No sir.

Q. Do you have any knowledge whatsoever of any matter that ever arose whereby these gentlemen would have been authorized mentioning your name to such person who was believed to be the person through whom that information was obtained?

A. I don't have such knowledge. The only thing I did for the company, was try and sell merchandise for them.

Q. It was testified at a public hearing before the Ways and Means Committee on Monday, November 20th, by A. Leo Weil, as follows: "We have already had application for the payment of certain amounts so that when you pass your control bill and put it into the hands of State Control Stores, there are parties who said they can control things if we will pay them a certain amount. They will see that we get five-sixths of the business." Do you have any light to throw upon that statement made by A. Leo Weil, Sr.?

A. Not any—

Q. Did anyone ever come to you and offer you any amount of money whatsoever, or anything of value, and suggest to you that if you paid a certain amount of money or anything of value, that they would get, or see to it that your company got five-sixths of the State's business, or any portion of the State's business?

A. No sir.

Q. Did you ever make any such statement to A. Leo Weil, Sr. that such was the case?

A. No sir.

Q. Did you ever make any such statement to A. Leo Weil, Jr. that would lead him to believe that such was the case?

A. I don't know the Weils, neither of them.

Q. Did you ever make a statement to Harold Jacoby who is president, I believe, of the Finch Company, that such a proposition had been made to you?

A. No sir.

Q. Did you ever make such a statement to Louis Rosensteel, president of the Schenley Products Company, or an officer of that company that such a statement had been made to you?

A. No sir.

Q. Was any such statement ever made to you?

A. No sir.

Q. Was there any statement made to you by which you could infer that the persons who were making it intended to offer you a certain amount, and they would see to it that you would get a certain amount of the State business?

A. I tell you, I had an inquiry to use my influence with the Schenley Products Company and the Joseph S. Finch Company for large quantities of liquor for delivery after repeal. That's the only thing I know.

Q. Will you make it clear?

A. I said I had inquiries by different people who wanted me to go to New York and contact the New York Office and purchase large quantities of liquor to be delivered after repeal.

Q. In other words, what you mean is that certain people came to you who wanted to buy through your company large quantities of liquor that they intended to use in the State of Pennsylvania after repeal?

A. Not——yes, I didn't say "in Pennsylvania"—I said to buy large quantities of liquor.

Q. But was there anything said in any of those conversations with respect to the passage of the bill for State Control Liquor Stores or anything about the persons who would be able to ge business for your company from the State of Pennsylvania?

A. There was no mention of that. In fact, there wasn't even talk in the newspapers about it at that time; that all these things took place, these offers took place before election, and we had no knowledge or anything even about this new bill for State ownership.

Q. These inquiries that you referred to were regular inquiries in the course of your business?

A. Regular inquiries in the course of our business.

Q. And they were merely inquiries of yours to purchase large quantities of liquor from your company for legal and proper consumption?

A. Yes sir.

Q. There was nothing irregular about any of these conferences?

A. No sir.

Q. Was there any conversation about your dealing in any illegal transaction during the past six months or year or at any time?

A. No sir.

Q. Have you ever talked to Harold Jacoby about this situation?

A. No.

Q. Did you ever have any conversation with Harold Jacoby wherein there was anything suggested with respect to graft or bribery?

A. No sir.

Q. Did you ever talk with any of the other gentlemen, A. Leo Weil, Jr., A. Leo Weil, Sr., or Louis Rosensteel, with respect to such a proposition?

A. No sir.

Q. In other words, I take it from your answer that nothing has occurred to your knowledge that would in any way reflect upon any person or persons who had ever come to you concerning any proposition dealing with liquor?

A. Right.

Q. When did you last speak to Mr. Jacoby?

A. Mr. Jacoby, I spoke to him the week of October 16th.

Q. Since that time have you had any conversation with him?

A. Last Saturday, I spoke to him.

Q. By telephone?

A. By telephone.

Q. And what did your conversation relate to, without giving us the conversation at this time?

A. I called him on the phone on Saturday afternoon and told him I was subpoenaed, and I wanted to know what it was all about.

Q. And what did he tell you?

A. He told me to tell the truth?

Q. And did you have any conversation with him last Saturday, wherein he said that he had mentioned your name before this Committee as being the source of the information about certain offers or bribes or corruption or graft?

A. No sir. I just asked him—I told him that I was subpoenaed and I wanted to know what it was all about.

Q. Did he tell you what it was all about?

A. He said Weil mentioned my name, unfortunately, and that is all there is to it.

Q. Did he tell you in what respect Mr. Weil mentioned your name?

A. No; I knew that from the newspapers.

Q. Did you have any conversation with Mr. Rosensteel during the past month?

A. I asked for Mr. Rosensteel over the telephone and they said that he wasn't there, and then I asked for Mr. Harold Jacoby and they connected me with him.

Q. Do you know either of the Weils?

A. No sir.

Q. Did you have any conversation with them?

A. No sir.

Q. When was the last time you had any conversation with Louis Rosensteel, either by telephone or otherwise?

A. I had no conversation, except he greeted me and said "hello" to me.

Q. When was that?
A. About three months ago at the New York Office.
Q. And you had no conversation with him with respect to any other matter except a casual "hello" and "good-bye?"
A. That's all.
Q. When was the last time you had any conversation with Mr. Jacoby, beside the telephone conversation you just referred to?
A. The week of October 16th. Monday was the 16th. That week, I spent about three or four days in New York trying to put through a big deal, and it didn't materialize right away.
Q. Did that have anything to do with state liquor stores?
A. None whatsoever, because the buyer——
Q. Let that out. That doesn't have anything to do with this, however.
A. No sir.
Q. Did you ever have any other conversation with Mr. Jacoby in the past three or four months?
A. I don't think so; no.
Q. Now, Mr. Rappaport, do you know or can you tell us or can you throw any light upon the reason that your name was mentioned by these gentlemen before this Legislative Inquiry Committee?
A. Possibly they mixed me up with somebody else?
Q. Do you know of any other person or persons in Philadelphia who represent the Schenley Products Company or the Finch Company?
A. There is one other person.
Q. What is his name?
A. Benjamin Kabeck. He is my partner.
Q. He is in partnership with you?
A. He is in partnership with me.
Q. Did he, to your knowledge, have any conversation with any one, concerning the matters that I have just placed before you?
A. As far as I know, he didn't.
Q. Did you discuss it with him since you were subpoenaed to ascertain whether he did or not?
A. I certainly did.
Q. What was his reply?
A. He didn't know anything about it.
Q. Are there any other representatives in Philadelphia beside your partner or yourself of either the Schenley Products Company or the Finch Company?
A. Well, we have a fellow by the name of Robertson but as far as I know, he knows nothing about it.
Q. What is his full name?
A. Edward C. Robertson.
Q. Where is he located?
A. In the same office.
Q. In your office?
A. Yes sir.
Q. Did you ever have any conversation with him since you were subpoenaed?
A. Yes sir.
Q. Was he able to throw any light upon this subject?
A. No sir.
Q. Do you know, of your own knowledge, whether or not he knows of any proposition that was made to him concerning the payment of money in order to procure certain State business?
A. They told me they weren't approached by anybody.
Q. Do you know of any other representative of either of these two companies in Philadelphia?
A. No; these two companies have no other representatives.

BY MR. WILSON:
Q. Has anybody approached you or your partner or your company, representing that they could control the purchase of liquor in Pennsylvania?
A. No sir; if they were approached, I would know about it, because they would tell me about it.
Q. Yes; I take that to be so. Have you or your associates been approached by anybody who represented that they were able to influence or control the purchase of liquor in Pennsylvania after this repeal?
A. I don't quite understand your question.
Q. I mean this: Did anybody come to you or your associates or your business house and say or represent to you people that they could influence either the State of Pennsylvania or the purchasing agent in the State of Pennsylvania who controlled the sale of liquor, so that you would have a very large part of it.
A. No sir; the only thing I was approached on was by people asking me to get the distribution of the Schenley's whiskies for them in Philadelphia, but there was no talk about Pennsylvania.
Q. That is all right, if anybody came to you, but did anybody come to you and represent or say that they would be influential in deciding what liquor Pennsylvania would buy, or getting you a large share of what was sold in this State?
A. No sir.
Q. Or anything to that effect at all?
A. No sir.
Q. Did anybody come around saying that they had influence, and say that a large part of that liquor that was sold, all your liquor was sold, and give you an advantage in the State at all?
A. No sir.
Q. You or your associates? You would know if it came to your associates?
A. Yes sir.
Q. Did anything happen at all?
A. No sir.
Q. And it has been testified here that you were approached, you or your associates were approached, and this—the Philadelphia representatives of these people were approached and given to understand that under certain circumstances these parties had control, so that they would get a large part of the liquor. Did any such thing happen at all?
A. No sir.
Q. And no basis for these things at all?
A. No sir.

BY THE CHAIRMAN:
Q. And did anybody promise you a position or profit or make you any promise for the purpose of paying you, so that your company would get—did anybody promise you any position or profit for this purpose?
A. I don't get that question.
Q. Did anybody ever promise you any position besides money, or tell you that you would get some job if you did certain things in connection with the liquor stores and that your company would get most of the business?
A. You mean in connection with the State Liquor Stores?
Q. Yes.
A. No sir.

Mr. McELWEE: Do I understand that there was some gentleman came to you for the purpose of buying liquor in large quantities?
A. Yes sir.
Q. How many of them were there?
A. I had them for about two months. Practically every day somebody would come, but they weren't real buyers. I found out that they were possibly contact men or go between men, but they weren't real buyers.
Q. Was there ever at one time two men who came together for the same purpose, that you recall?
A. Yes.
Q. How long ago was that?
A. You mean for which; for the purpose of buying?
Q. Yes.
A. Yes.
Q. Did they say whom they wanted to buy for?
A. When I questioned them, who was the buyer, I couldn't get any information, and I just sat there talking to them, and told them that I wasn't interested. I wanted to know who was the buyer, and I wanted to make sure who was the buyer before I would talk to them.
Q. Did anybody ever represent themselves to be the agent of the State of Pennsylvania?
A. No sir.

By MR. WILSON: Or able to influence the State of Pennsylvania to buy your liquor?
A. No sir.

Mr. McELWEE: In any of these conversations, did they refer to any prominent political figure in the Commonwealth?
A. No sir.
Q. As a friend of theirs?
A. No sir.

The CHAIRMAN: Mr. Rappaport, the Committee wants to thank you for being here.

Adjourned sine die.

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BANKS, building and loan associations, fiduciaries, etc., to invest moneys in bonds of Federal Home Owners' Loan Corporation, authorizing

House Bill No. 81.
Read in place in House by Mr. Shreiner, 120.
Referred to Committee on Banking, 120.

BANKS, CLOSED, resolution (House) by Sarig, directing Secretary of Department of Banking to explain delay in liquidating, 367; adopted, 430. (Communication from Secretary of Banking, 1073-1075).

BANKS, savings institutions, building and loan associations, trustees and other fiduciaries to invest moneys and funds in bonds issued by Federal Home Owners' Loan Corporation, authorizing

Senate Bill No. 18.
Read in place in Senate by Mr. Reed, 82.
Referred to Committee on Banks and Building and Loan Associations, 82.

BANKS, savings institutions, building and loan associations, trustees and other fiduciaries to invest moneys and funds in bonds issued by Federal Loan Banks, authorizing

Senate Bill No. 67.
Read in place in Senate by Mr. Harris, 302.
Referred to Committee on Banks and Building and Loan Associations, 302.

BANKS, savings institutions or trust companies from provisions thereof, amending Intangible Personal Property Tax Law of 1933, by excluding interest bearing accounts in

Senate Bill No. 17.
Read in place in Senate by Mr. Coyne, 82.
Referred to Committee on Finance, 82.
Reported without amendment, 164.
First reading, 173.
Second reading and recommitted to Committee on Judiciary General, 202-203.
Re-reported without amendment, 231.
Third reading and final passage, 235-236.
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Signed by President, 469.

Remarks on, by
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In House (No. 161).
Referred to Committee on Ways and Means, 203.
Reported without amendment, 336.
First reading, 336.
Second reading, 390-391.
Third reading and final passage, 455-458.
Signed by Speaker, 517.

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BANKS, trust companies, etc., in bonds of Home Owners' Loan Corporation, authorizing investment of funds by political subdivisions.

House Bill No. 91.
Read in place in House by Mr. O'Keefe, 175.
Referred to Committee on Banking, 175.

BANKS (see also Loaning Money, Personal Property Tax).

BARNHARDT, WALTER L., Representative from Schuylkill County (Fourth District).

BATCHELOR, ALONZO S., Senator from Forty-seventh District (Beaver and Lawrence Counties).

Bills reported by
No. 105 (House No. 16).
Amending Act of 1933, authorizing courts of common pleas to stay writs of execution against, and tax sales of certain real property in certain cases, 784.

No. 169 (House No. 153).
Joint resolution approving proposed amendment to Constitution of United States relative to child labor, 784.

Resolutions, concurrent, offered by
Authorizing adjournment of Legislature until November twentieth, 35.

BAUMER, HERMAN E., Senator from Thirty-fifth District (Cambria County).

Motion by, to
Dispense with further reading of Journal, 707.

Resolution offered by
Tendering thanks of Senate to Hon. Harry B. Scott, President pro tempore of Senate for fair and efficient manner in which he has performed his duties, 1016.

BECHTEL, DAVID WHITEHOUSE, Representative from Schuylkill County (Fourth District).

Bill introduced by
No. 105.
Amending Beverage License Law of 1933, by providing for distribution of license fees to school districts in townships of second class, 216.

Motion by, to
Reconsider vote on motion to arrange and print all amendments to Liquor Control Bill before Committee of the Whole vote on same, 157.

Remarks by, on
House resolution discharging Committee on Railroads and Railways from further consideration of House Bill No. 60, known as the "Full Crew Bill," 494.

Question of personal privilege raised by, on
Vote on adoption of amendments to House Bill No. 10 (Liquor Control Bill), 321.

BEECH, GEORGE V., Representative from Allegheny County (Tenth District).

Bills introduced by
No. 168.
Supplementing Vehicle Code of 1929, providing a special license for operators of commercial motor vehicles, and giving Department of Revenue and Highway Patrol certain powers relating thereto, 313. (by request).

No. 169.
Authorizing erection and construction by Department of Property and Supplies of State Tuberculosis Sanatorium, and making appropriation, 313.

BEECH, GEORGE V.—Continued.

Remarks by, on
Bill No. 169, authorizing erection and construction by Department of Property and Supplies of a State Tuberculosis Sanatorium, 512.

BEER (see Liquor Control).

BELL, HARRY J., Senator from Thirty-seventh District (Fayette County).

Bills introduced by
No. 16.
Supplementing General Appropriation Act of 1933, making appropriation for payment of expenses of printing, telephone, stationery and supplies of General Assembly convened in Extraordinary Session, 82.

No. 119.
Amending City State Highway Law of 1933, by placing upon the Commonwealth the cost of constructing, maintaining and reconstructing certain structures on such streets, 474.

Bills reported by
No. 17.
Amending Intangible Personal Property Tax Law of 1913, by excluding interest bearing accounts in banks, 164.

No. 34.
Authorizing State Treasurer to act as custodian of moneys received from the Federal Government, 262.

No. 43.
Making appropriation to Department of Military Affairs to cover expenses of Adjutant General for handling payment of veterans' compensation, 214.

No. 181 (House No. 245).
Amending Spirituous and Vinous Liquor Tax Law, enabling Pennsylvania to participate in Federal Government tax, 818.

Member of standing committees, 3.

Motion by, for
Executive Session to rise, 41.

Motion by, to
Proceed to consideration of House conc. res. relative to investigation of affairs of Allegheny County Relief Board, 921.

Resolutions offered by
Tendering thanks of Senate to Press for fair and comprehensive manner in which they covered the proceedings, 1016.

BENNETT, EDWARD B., Senator from Thirty-seventh District (Indiana and Jefferson Counties).

Bills introduced by
No. 57.
Establishing as State highways all existing township roads in townships of second class which have not heretofore been established as State highways, 235.

No. 115.
Authorizing municipal subdivisions to issue bonds for purpose of refunding or retiring outstanding bonds, 469.

Bill reported by
No. 143.
Requiring Department of Property and Supplies to provide for air conditioning of Halls of Senate and House, 594.

Member of special committee, 1020.

Resolution, concurrent, offered by
Authorizing adjournment of Legislature until December fourth, 232.

BENNETT, JAMES A., Representative from Philadelphia County, (Twelfth District).

Member of special committee, 653.

BENNETT, JAMES A.—Continued.

Motion by, to
Extend appreciation of House to Dr. Hutton and Mr. Williams for efficient and courteous manner in which they presided over Committee of the Whole, 133.

Questions of parliamentary inquiry raised by, on
Discussion of Committee of the Whole on amendments to Liquor Control Bill, 158-159.

Status of Liquor Control Bill after being reported by Committee of the Whole, 160.

Question of personal privilege raised by, on
Extending to George E. Brennan, dean of newspapermen from Philadelphia, season's greetings and hope for his speedy recovery, 1087.

Remarks by, on
Bill No. 9, known as the Spirituous and Vinous Liquor Floor Tax Bill, 76-77.

Bill No. 18, providing system for old age assistance, 461-462.

Bill No. 145, Joint resolution proposing amendment to Constitution, relative to assistance to mothers, certain blind and aged persons, 641.

Resolutions offered by
Congratulating committee appointed to arrange for Christmas Party on their success, 1073.

Tendering thanks of House to officers and employes for able and efficient manner in which they have attended to their duties, 1072.

BERNHARD, FRANK, Representative from Carbon County.

Bill introduced by
No. 59.
Prohibiting common carriers by railroads hauling trains excessive in length, and providing for enforcement by Public Service Commission, 119.

Motion by, for
Recess, 494.

Question of personal privilege raised on
Vote by Mr. Stevens on House Bill No. 737, on April 12, 1933, 79.

Remarks by, on
Bill No. 60, Full Crew Bill, 692.

House resolution to discharge Committee on Railroads and Railways from further consideration of House Bill No. 59, known as the "Train Limit Bill," 493.

Recommendating action on Full Crew Bill, 602.

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Resolution offered by
Discharging Committee on Railroads and Railways from further consideration of House Bill No. 59, known as the "Train Limit Bill," 493.

BETTING (see Horse Racing).

BEVERAGES (see Liquor Control).

BILLS in House, resolution (House) by Hutton, fixing November twenty-ninth as last day for introduction of, read and adopted, 220.

BILLS not within the subjects announced in the Governor's proclamation, resolution (House) by Hutton, discouraging introduction of, 26.

BILLS not within the subjects announced in the Governor's proclamation, resolution (Senate) by Scott, discouraging introduction of, 3-4.

BILLS, report of Chief Clerk comparing, 1023-1030.

BITUMINOUS (see Coal, Mine Inspectors).

BLIND, making appropriation out of State Stores Fund to Department of Welfare for pensions for

House Bill No. 192.
Read in place in House by Mr. Lose, 316.
Referred to Committee on Appropriations, 316.
Reported without amendment, 407.
First reading, 408.
Second reading, 444.
Third reading and final passage, 514-515.
Returned from Senate with amendments in which House conc., 954-955.
Signed by Speaker, 978.

Remarks on, by
Andrews, 514.
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In Senate (No. 134).
Referred to Committee on Appropriations, 520.
Reported without amendment, 552.
First reading, 555.
Second reading and recommitted, 591.
Re-reported as amended, 746.
Third reading and final passage, 800-801.
Returned from House with Senate amendments conc. in, 919.
Signed by President, 918

BLIND, members of State Council for, nominated and referred to Committee on Executive Nominations, 9; member of, reported, 536; confirmed, 538.

BLIND PERSONS, and administration of act by Department of Welfare, trustees who administer mothers' assistance or by other trustees, providing for and regulating pensions for certain

House Bill No. 193.
Read in place in House by Mr. Lose, 316. Rectenwald, 434.
Referred to Committee on Appropriations, 316.
Reported with amendment, 405.
First reading, 437.
Second reading, and amended, 498-501.
Third reading and final passage, 625-627.
Returned from Senate with amendments in which House conc., 1077-1078.
Signed by Speaker, 1086.

Remarks on, by
Lose, 434.

In Senate (No. 156).
Referred to Committee on Judiciary General, 798.
Reported without amendment, 818.
First reading, 823.
Second reading and amended, 896-900.
Third reading and final passage, 1003-1005.
Returned from House with Senate amendments conc. in, 1021.
Signed by President, 1023.

BLIND PERSONS, imposing duties upon State Treasurer and making appropriation, providing for granting of pensions to certain

House Bill No. 134.
Read in place in House by Mr. Rectenwald, 252.
Referred to Comittee on Appropriations, 252.

BLIND (see also Constitution of Pennsylvania).

BLUMBERG, ARNOLD M., Representative from Philadelphia County, (Third District).

Amendments offered by, to
Bill No. 111 (Senate No. 7), authorizing abatement of certain tax penalties and interest on city taxes in cities of first class, 332.

Bills introduced by
No. 77.
Providing for and regulating old age assistance and burial, 120.

No. 78.
Making appropriation out of The State Stores Fund to Department of Welfare for Old Age Assistance, 120.

BLUMBERG, ARNOLD M.—Continued.

Bills reported by
No. 94.
To repeal Prohibition Enforcement Law of 1933, 257.

No. 252 (Senate No. 77).
Further amending Workmen's Compensation Law, by extending time for appeals from board to courts of common pleas, 872.

No. 256 (Senate No. 118).
To protect owners of mortgaged property during present emergency, 872.

Member of special committee, 1073, 1085.

Motion by, for
House to insist upon its amendments to Senate Bill No. 7, authorizing abatement of certain tax penalties and interest on city taxes in cities of first class, 409.

Motion by, to
Amend motion for Committee of the Whole to report back to House the Liquor Control Bill as amended, so that after being reprinted it will be recommitted to Committee of the Whole, 159.

Questions of parliamentary inquiry raised by, on
Interpretation of vote on House Bill No. 10, (Liquor Control Bill), 288.

Motion for Committee of the Whole to report back to House the Liquor Control Bill as amended, 159.

Remarks by, on
Bill No. 77, providing for and regulating old age assistance and burial, 463-464.

Bill No. 111 (Senate No. 7), authorizing abatement of certain tax penalties and interest on city taxes in cities of first class, 398-399.

Motion to dispense with further proceedings under call of the House with exception that Messrs. Malina and Witkin be asked to enter upon the record their reasons for absence, 655.

Resolution discharging Committee on Elections from further consideration of House Bill No. 163, amending Uniform Primary Election Law, by prohibiting candidates for certain offices from being candidates for more than one party nomination, 556.

BOARD OF REVISION OF TAXES (see Counties of First Class).

BOARDS AND BOARDS OF TRUSTEES (see name of specific Board, Hospital and other Institutions).

BONDS for purpose of refunding or retiring outstanding bonds, authorizing municipal subdivisions to issue

Senate Bill No. 115.
Read in place in Senate by Mr. Bennett, 469.
Referred to Committee on Municipal Affairs, 469.
Reported without amendment, 477.
First reading, 484.
Second reading, 534-535.
Vote on second reading reconsidered and bill passed second reading as amended, 550-551.
Third reading and final passage, 584.
Returned from House without amendment, 919.
Signed by President, 919.

In House (No. 242).
Referred to Committee on Municipal Corporations, 650.
Reported without amendment, 751.
First reading, 751.
Second reading, 829.
Third reading and final passage, 973.
Signed by Speaker, 1084.

BONDS (see also Banking, Banks, Borough Act, Building and Loan Code, Cities of Second Class, Federal Government, Finance and Revenue, Home Loan, Mortgaged Property, Veterans' Compensation).

BOROUGH ACT of 1927, by lengthening time for which assessment bonds for street and sewer improvements may be issued, amending General

House Bill No. 56.
Read in place in House by Mr. Turner, 118.
Referred to Committee on Boroughs and Townships, 118.
Reported without amendment, 228.
First reading, 254.
Second reading, 326-327.
Third reading and final passage, 392-393.
Returned from Senate without amendment, 651.
Signed by Speaker, 656.

In Senate (No. 86).
Referred to Committee on Municipal Affairs, 354.
Reported without amendment, 477.
First reading, 483.
Second reading, 534.
Third reading and final passage, 583.
Signed by President, 748.

BOROUGH ACT of 1927, with amendments, conc. res. (House) by McClure, directing Legislative Reference Bureau to have printed five thousand copies of General, read and adopted, 32; read and referred to Committee on Public Printing in Senate, 310; reported without amendment, 536; recommitted to Committee on Public Printing, in Senate, 748; reported as amended and adopted by Senate, 783-784; ret. from House with Senate amendments conc. in, 907; ret. from Senate with amendments in which House conc., 926.

BOROUGHS (see also Firemen's Relief, Municipal Subdivisions).

BOTTLING MALT BEVERAGES by persons other than manufacturers thereof, to provide for licensing and regulation of business of

House Bill No. 29.
Read in place in House by Mr. Schwartz, 48.
Referred to Committee on Judiciary General, 48.

BOYD, HARRY N., Representative from Westmoreland County (Third District).

Bills introduced by
No. 96.
Joint resolution proposing amendment to Constitution, Providing General Assembly may authorize municipalities to appropriate for mother's and old age assistance, 180.

No. 129.
Amending Bituminous Coal Mining Law of 1911, by extending act to mines where five or more persons are employed, and for inspection of such mines by mine inspectors, 218.

No. 164.
Joint resolution proposing amendment to Constitution, relative to assistance to mothers having dependent children, and to certain blind and aged persons, 283.

Bill reported by
No. 27.
Defining and providing for formation of dividend housing companies, 431.

Resolution offered by
Recommending to Pennsylvania Liquor Control Board that it provide for sale of liquors in State Liquor stores in quantities at least as small as pints, 604.

BOYD, JAMES S., Senator from Twelfth District (Montgomery County).

Bill introduced by
No. 120.
Amending First Class Township Law of 1931, by making optional the levying of occupation taxes, 474. (by request).

Bills reported by
No. 44.
Making appropriation to Department of Military Affairs for purchase of supplies, materials and equipment to improve Military Reservation at Indiantown Gap, 231.

BOYD, JAMES S.—Continued.

No. 176 (House No. 138).
Amending Workmen's Compensation Law, by permitting extension of time for hospitalization to ninety days at option of employer or insurer, 784.

Member of standing committees, 3; 38.

Motion by, to
Adjourn, 174.

BRANCATO, ANNA M., Representative from Philadelphia County, (Fifth District).

Resolution, concurrent, offered by
Inviting attention of Congress to need for modern machine tools and equipment for Frankford Arsenal at Philadelphia, 175.

BRANCH BANKS (see Banks).

BRANDT, HERMAN P., Senator from Fortieth District (Allegheny County, part of).

Bill reported by
No. 134 (House No. 192).
Making appropriation to Department of Welfare for pensions for the blind, 552.

BRENNAN, GEORGE E., newspaperman of Philadelphia, a vote of sympathy and hope for his speedy recovery, motion adopted by House to extend to, 1087.

BRENNAN, HARRY H., Representative from Lycoming County.

Bill reported by
No. 225 (Senate No. 62).
Reducing to five days the period during which municipal subdivisions are required to advertise notice of proposed awards of contracts for articles to be used on projects financed by Federal C. W. A., 579.

BREWERIES (see Liquor Control).

BRIDGE AND BRIDGES (see also Federal Government, Finance and Revenue, Soldiers' and Sailors' Memorial).

BRIDGE COMMISSION, member of State, nominated and referred to Committee on Executive Nominations, 11.

BRIDGES, TOLL, and making appropriation, authorizing issue and sale of bonds to defray cost of acquisition of

House Bill No. 102.
Read in place in House by Mr. Rice, 216.
Referred to Committee on Highways, 216.
Reported without amendment, 257.
First reading, 326.
Second reading and amended, 376-378.
Third reading and final passage, 450-451.
Returned from Senate with amendments in which House conc., 930-931.
Signed by Speaker, 951.

In Senate (No. 110).
Referred to Committee on Public Roads and Highways, 467.
Reported with amendment, 553.
First reading, 554.
Second reading, 588.
Over in its order, 723.
Third reading and final passage, 792.
Returned from House with Senate amendments conc. in., 911.
Signed by President, 918.

BRIDGES, TOLL, by providing for purchase of such bridges wholly within the Commonwealth, and providing for payment of cost of acquisition out of Toll Bridge Fund, amending Act of 1927, for acquisition of certain

House Bill No. 103.
Read in place in House by Mr. Rice, 216.
Referred to Committee on Highways, 216.
Reported without amendment, 257.
First reading, 326.
Second reading and amended, 379-381.
Third reading and final passage, 454.
Returned from Senate with amendments, in which House conc., 929-930.
Signed by Speaker, 951.

BRIDGES, TOLL—Continued.

In Senate (No. 111).
Referred to Committee on Public Roads and Highways, 468.
Reported with amendment, 553.
First reading, 554.
Second reading, 589.
Vote on second reading reconsidered and bill passed second reading as amended, 723-724.
Third reading and final passage, 792-793.
Returned from House with Senate amendments conc. in, 911.
Signed by President, 918.

BRIGADIER GENERAL, Pennsylvania National Guard, Edward James Stackpole, Jr., nominated as, 7; referred to Committee on Executive Nominations, 7; reported, 916; confirmed, 917; Robert Morris Brookfield and William Swan McLean, Jr., nominated and referred, 825; reported and confirmed, 917.

BROWN, HON. THOMAS J., writ issued for special election to fill vacancy in Second Legislative District, Lancaster County, caused by death of, 20-21.

BROWN, JOHN E., Representative from Washington County (First District).

Amendments offered by, to
Bill No. 10, known as the Liquor Control Bill, 155.

Bills introduced by
No. 108.
Imposing State tax upon corporations, associations, etc. supplying electric power, natural or artificial gas or telephone service within this Commonwealth, 217.

No. 121.
Requiring wages to be paid in cash, check or other evidence of indebtedness, redeemable in lawful money of the United States, 217.

No. 122.
Amending Act of 1891, relative to company stores, by prohibiting certain contracts for and deductions from wages of employes of mining and manufacturing companies for amounts due owners of stores, 217.

Motion by, to
Dispense with further reading of Journal, 926.

Reconsider vote on Bill No. 43, making it unlawful to evict persons from dwellings under certain conditions, 874.

Questions of parliamentary inquiry raised by, on
Roll call on motion to adjourn, 465.

Rule 77, relative to changing vote, 289.

Remarks by, on
Bill No. 161 (Senate No. 17), amending Intangible Personal Property Tax Law, by excluding interest bearing accounts in banks, etc., 457-458.

Call of the House, 655.

House Rule 81, requiring motions for reconsideration to be made and seconded by members who voted in majority, 690.

Resolution offered by
Deferring date for final adjournment until all bills introduced are reported to House for its action, 324.

BROWN, WILLIAM L., Representative from Allegheny County (Thirteenth District).

Question of personal privilege raised by, on
Vote on motion to discharge committee from further consideration of Old Age Pension Constitutional Amendment on March 28, 1933, 63.

Remarks by, on
Bill No. 169, authorizing erection and construction by Department of Property and Supplies of a State Tuberculosis Sanatorium, 512.

Motion to strike out amendment made by L. P. Kane to Bill No. 10, known as Liquor Control Bill, 132.

BROWNFIELD, HARRY J., Representative from Fayette County (First District).

BUCKMAN, CLARENCE J., Senator from Tenth District (Bucks County).

Amendments offered by, to
Bill No. 15, extending time for collection of delinquent taxes in municipalities for a period of two years from passage of act, 117.

Bill No. 36 (House No. 10), Liquor Control Bill, 245.

Bill No. 64 (House No. 8), Liquor Tax Bill, 344. (Strike-outs).

Bill No. 65 (House No. 17), amending Alcohol Permit Act of 1926, by providing that act shall be administered by Pennsylvania Liquor Control Board, 348.

Bill No. 181 (House No. 245), amending Spirituous and Vinous Liquor Tax Law, relative to participation in Federal Government tax, 903-904.

Bills introduced by
No. 23.
Authorizing municipal subdivisions or quasi public corporations to accept loans and direct grants from agencies of Federal Government for public projects, and to issue bonds in certain manner, 83. (by request).

No. 24.
Requiring public contracts made by State or municipal subdivision to be let only to persons, firms or corporations who abide by code prescribed by National Industrial Recovery Act, 83.

No. 25.
Declaring existence of a State-wide economic emergency, and providing for cooperation with National Industrial Recovery Act, 83. (by request).

No. 26.
Accepting provisions of Act of Congress for establishment of a National Employment System, and authorizing Department of Labor and Industry to cooperate with Federal Employment Service, 83. (by request).

No. 27.
Providing for construction of tunnel between New Jersey and Pennsylvania under the Delaware River, 83.

No. 35.
Creating Milk Control Board, 170.

No. 52.
Amending Milk Dealers' Permit Law of 1929, by extending provisions to all milk, and making acceptance of municipal permits optional with the Secretary of Health, 214.

Bills reported by
No. 1.
Authorizing Governor to accept funds from agencies of Federal Government for construction of public works, 13.

No. 12 (House No. 13).
Amending the 1933 Beverage Tax Law, by restricting act to malt liquors as defined therein, 173.

No. 16.
Supplementing General Appropriation Act of 1933, making appropriation for payment of certain expenses of General Assembly convened in Extraordinary Session, 85.

No. 26.
Accepting provisions of Act of Congress for establishment of National Employment System, 428.

No. 65 (House No. 17)..
Amending Alcohol Permit Act of 1926, by providing that act shall be administered by Pennsylvania Liquor Control Board, and making act consistent with repeal of Eighteenth Amendment, 312.

BUCKMAN, CLARENCE J.—Continued.

No. 89.
Authorizing State Treasurer and Department of Highways to accept funds from Federal Government for construction of public highways and bridges, 364.

Member of Conference Committee, 987.

Member of special committee, 16, 356.

Motion by, for
Recess, 172, 237, 259, 426, 910.

Senate to adopt House conc. res. permitting agents of the Ford Motor Company to become bidders on, motor equipment in this State, 878.

Senate to insist upon its non-conc. in House amendments to Senate Bill No. 35, creating Milk Control Board, 987.

Motion by, to
Adjourn, 46, 365.

Consent to Executive nominations, 19, 37, 41, 46, 87, 211, 235, 260, 482, 538, 592, 747, 917, 1018, 1020.

Dispense with further reading of Journal, 877.

Drop from calendar Bill No. 173 (House No. 66), providing for payment in installments of delinquent taxes in certain cases, 1010-1011.

Postpone Bill No. 11, (House No. 9), known as the Liquor Floor Tax Bill, 168.

Proceed to consideration of Bill No. 36 (House No. 10), Liquor Control Bill, 238.

Proceed to consideration of House conc. res. permitting agents of the Ford Motor Company to become bidders on motor equipment in this State, 878.

Proceed to consideration of report of Conf. Com. on Senate Bill No. 35, creating Milk Control Board, 988.

Recommit Bill No. 1, authorizing Governor to accept funds from agencies of the Federal Government for construction of public works, 36.

Recommit Bill No. 36 (House No. 10), Liquor Control Bill, 237.

Recommit Bill No. 164 (House No. 171), amending Second Class City Law of 1901, by providing for assessment of a less rate of tax upon buildings than upon land, 900.

Reconsider vote on Bill No. 15, extending time for collection of delinquent taxes in municipalities for a period of two years from passage of act, 117.

Resume consideration of Bill No. 11 (House No. 9), known as the Liquor Floor Tax Bill, 170.

Suspend Rule 21, requiring amended bills to be noted on calendar, 260.

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Point of order raised by, on
Motion to suspend Senate Rules 37 and 42 and to place Full Crew Bill on calendar, 818.

Questions of personal privilege raised by, on
Tribute to Department of Highways for efficiency in making icy roads safe for the traveling public, 908.

Vote on motion to discharge Committee on Executive Nominations from further consideration of nomination of P. Stephen Stahlnecker as member of the Public Safety Commission, 909.

Reasons for vote on concurrence in amendments made by House to Bill No. 36 (House No. 10), Liquor Control Bill, 260.

BUCKMAN, CLARENCE J.—Continued.

Remarks by, on
Amendments to Bill No. 36 (House No. 10), Liquor Control Bill, 215.

Bill No. 11 (House No. 9), known as the Liquor Floor Tax Bill, 167-168.

Bill No. 17, amending Intangible Personal Property Tax Law of 1913, by excluding interest bearing accounts in banks and trust companies, 235-236.

Bill No. 85, (House No. 55), making appropriation out of State Stores Fund to State Emergency Relief Board for unemployment relief, 470.

Motion to suspend Rules 37 and 42 and to place Full Crew Bill on calendar, 819.

Report of Conf. Com. on Senate Bill No. 35, creating Milk Control Board, 995-998.

Request that Bill No. 179 (House No. 212), relative to establishment of branch banks, go over in its order, 902.

Senate resolution urging Senate to remain in session until all legislation pending before Senate committees has been given proper consideration, 303.

Resolution offered by
Extending sympathy of Senate to Rev. George P. Donehoo, D. D., Chaplain of the Senate, on his illness, 784.

Resolutions, concurrent, offered by
Authorizing appointment of committee to act in conjunction with House committee to escort Governor to Hall of House for Joint Session, 16.

Authorizing appointment of committee to act in conjunction with House committee to escort Governor to Hall of House for Joint Session, 356.

BUDGET AND ACCOUNTING SYSTEMS for certain political subdivisions of the Commonwealth, providing for, requiring and regulating installation through budget secretary, of

House Bill No. 35.
Read in place in House by Mr. Fitzgerald, 66.
Referred to Committee on Municipal Corporations, 66.
Reported without amendment, 487.
First reading and recommitted, 558.

BUILDING AND LOAN CODE of 1933, by making bonds of Home Owners' Loan Corporation legal investments for such associations, amending

House Bill No. 215.
Read in place in House by Mr. Thomas J. Gallagher, 319.
Referred to Committee on Building and Loan Associations, 319.

BUILDING AND LOAN CODE of 1933, by prohibiting imposition of fines upon shareholders, amending

House Bill No. 165.
Read in place in House by Mr. James E. Lovett, 283.
Referred to Committee on Building and Loan Associations, 283.

BUILDING AND LOAN (see also Banks).

BUILDINGS (see Cities, Evictions, Housing, Real Property, Tax).

BURIAL (see Old Age Assistance).

BUSINESS CORPORATION LAW of 1933, providing for further regulation of shares sold to employes within the scope thereof, supplementing

Senate Bill No. 102.
Read in place in Senate by Mr. Rice, 429.
Referred to Committee on Judiciary General, 429.

BUSSES (see Motor Vehicles).

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CANAL (see Allegheny River Project).

CANDIDATES (see Elections).

CANNON, ANDREW A., Representative from Philadelphia County, (Nineteenth District).

Remarks by, on
Vote on motion for House to sit in Session on December 14th and 15th, 604.

Resolution, concurrent, offered by
Calling upon Reconstruction Finance Corporation and other agencies having charge of President's program to give consideration to rehabilitation of closed industries in Philadelphia, 95.

CAPITOL BUILDINGS (see Air Conditioning).

CAPITOL PARK, and for acquisition of real estate in connection therewith, and making appropriation, for extension of

House Bill No. 32.
Read in place in House by Mr. Rice, 48.
Referred to Committee on Appropriations, 48.

CAPITOL PARK, and for acquisition of real estate in connection therewith, and making appropriation, for extension of

Senate Bill No. 10.
Read in place in Senate by Mr. Reed, 38.
Referred to Committee on Appropriations, 38.
Reported without amendment, 261.
First reading, 280.
Second reading and recommitted, 307-308.
Re-reported without amendment, 551.
Third reading and final passage, 582.

In House (No. 238).
Referred to Committee on Appropriations, 650.
Reported without amendment, 654.
First reading, 654.
Second reading, 769.
Third reading and defeated on final passage, 846-848.

Remarks on, by
Andrews, 846-847.
Woodside, 847.
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CAPITOL PARK, making appropriation to Department of of Property and Supplies for erection of Finance Building in

House Bill No. 33.
Read in place in House by Mr. Rice, 48.
Referred to Committee on Appropriations, 48.

CAPITOL PARK, making appropriation to Department of Property and Supplies for erection of Finance Building in

Senate Bill No. 9.
Read in place in Senate by Mr. Reed, 38.
Referred to Committee on Appropriations, 38.
Reported without amendment, 262.
First reading, 280.
Second reading and recommitted, 307.

CAPUTO, EUGENE A., Representative from Beaver County (First District).

CAREY, FATRICK J., Representative from Philadelphia County, (Eleventh District).

Member of special committee, 1085.

CARLISLE BARRACKS MILITARY RESERVATION and New Cumberland General Depot, communication from Hon. George H. Dern, Secretary of War, requesting cession of jurisdiction over, presented to Senate, 7; to House, 25. (Appendix, page 1134).

CARR, MISS CHARLOTTE E., (see Secretary of Labor and Industry).

CARSON, WALTER, Representative from Washington County (Second District).

Motion by, to
Dispense with further reading of Journal, 555.

CENSUS (see Unemployment).

CERTIFICATES OF PUBLIC CONVENIENCE (see Motor Vehicles).

CHAIN STORES (see Tax).

CHAPLAIN AND RESIDENT CLERK for efficient and courteous manner in which they performed their duties, resolution (House) by Simon, tendering thanks of House to, 1072.

CHAPMAN, LEROY E., Senator from Forty-eighth District (Venango and Warren Counties).

Amendments offered by, to
Bill No. 166 (House No. 196), further amending Workmen's Compensation Law, by extending time for appeals from referee's decision to the board, 904.

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No. 6.
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No. 22.
Amending Act of 1933, authorizing municipalities to borrow money from Reconstruction Finance Corporation to finance certain projects, by extending act to other Federal agencies, 83.

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Member of special committee, 1017.

Motion by, for
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Motion by, to
Recommit Bill No. 22, amending Act of 1933, authorizing municipalities to borrow money from Reconstruction Finance Corporation, by extending act to other Federal agencies, 100.

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Question of personal privilege raised by, on
Punishment for not voting for discharge of Committee of Executive Nominations from further consideration of nomination of P. Stephen Stahlnecker as member of Public Service Commission, 924-925.

Resolution offered by
Authorizing appointment of committee to notify House that Senate is ready to adjourn sine die, 1017.

CHAUFFERS (see Motor Vehicles).

"CHECK OFF" SYSTEM (see Employers).

CHECKWEIGHMAN (see Coal).

CHERVENAK, MICHAEL C. JR., Representative from Cambria County (Second District).

CHEYNEY TRAINING SCHOOL FOR TEACHERS, members of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 11-12.

CHIEF CLERK during his absence, resolution (House) by Hutton, authorizing Resident Clerk of House to perform duties of, 24-25.

CHIEF CLERK of House of Representatives for leave of absence, request of Eugene F. White, presented and granted, 24; 485.

CHIEF CLERK of House of Representatives, resolution (House) by Quinn, requesting resignation of Eugene F. White as, 496-497; referred to Committee on Rules, 656.

CHILD LABOR, majority and minority report of Joint Legislative Committee to investigate, presented to Senate, 87-91.

CHILD LABOR (see also Constitution of United States, Employment, Wages).

CHRISTMAS PARTY COMMITTEE, report of, 1073.

CHRISTMAS PARTY COMMITTEE upon their success, resolution (House) by Bennett, congratulating, 1073.

CHRISTMAS PARTY, invitation of Governor and Mrs. Pinchot extended to members of General Assembly to attend, presented to Senate, 484; to House, 485. House resolution expressing appreciation, 655; acknowledged by Governor, 855.

CITIES OF FIRST CLASS, authorizing abatement of certain tax penalties and interest on city taxes in

Senate Bill No. 7.
Read in place in Senate by Mr. Salus, 37.
Referred to Committee on Municipal Affairs, 37.
Reported with amendment, 85.
First reading, 91.
Second reading, 97.
Vote on second reading reconsidered and bill passed second reading as amended, 116-117.
Third reading and final passage, 164.
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Signed by President, 418.
Approved by Governor, 472-473.

In House (No. 111).
Referred to Committee on Cities, 218.
Reported without amendment, 257.
First reading, 258.
Second reading and amended, 332.
Third reading and final passage, 398-399.
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Returned from Senate with non-conc. receded from, 415.
Signed by Speaker, 431.

Remarks on, by
Malina, 398-399.
Blumberg, 398-399.
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CITIES OF SECOND CLASS, by modifying provision relating to giving of bonds by contractors, amending Act of 1901, for government of

Senate Bill No. 136.
Read in place in Senate by Mr. Mansfield, 522.
Referred to Committee on Municipal Affairs, 522.
Reported without amendment, 538.
First reading, 555.
Second reading, 591.
Third reading and final passage, 726-727.

In House (No. 255),
Referred to Committee on Cities, 855.

CITIES OF SECOND CLASS, creating position of solicitor for Department of City Comptroller, supplementing Act of 1901, for government of

Senate Bill No. 100.
Read in place in Senate by Mr. Mansfield, 364.
Referred to Committee on Municipal Affairs, 364.
Reported without amendment, 482.
First reading, 484.
Second reading, 534.
Third reading and final passage, 583-584.
Returned from House without amendment, 919.
Signed by President, 919.

In House (No. 241).
Referred to Committee on Cities, 650.
Reported without amendment, 755.
First reading, 756.
Second reading, 829.
Third reading and final passage, 973-974.
Signed by Speaker, 1084.

CITIES to acquire lands and provide for erection thereon of dwellings for rental to its citizens, authorizing

House Bill No. 20.
Read in place in House by Mr. Hoopes, 41.
Referred to Committee on Cities, 41.
Reported without amendment, 257.
First reading, 326.
Second reading and amended, 378-379.
Third reading and final passage, 453.

CITIES—Continued.

Remarks on, by
Holmes, J. L., 453.
Perry, D. R., 986.

In Senate (No. 106).
Referred to Committee on Municipal Affairs, 467.

CITIES (see also Elections, Firemen's Relief, Municipal Subdivisions).

CITIES OF FIRST CLASS (see Electors).

CITIES OF SECOND CLASS (see Electors, Tax).

CITIES OF SECOND CLASS A (see Electors).

CITIES OF THIRD CLASS (see Electors).

CITY COMPTROLLER (see Cities of Second Class).

CIVIL WORKS ADMINISTRATION (see Emergency Relief Board, Unemployment Census).

CLAIMS (see Workmen's Compensation).

CLARK, WILLIAM H., Senator from Nineteenth District (Chester County).

Bills reported by
No. 35.
Creating Milk Control Board in Department of Agriculture, 173.

No. 52.
Amending Milk Dealers' Permit Law of 1929, by extending provisions to all milk, and making acceptance of municipal permits optional with the Secretary of Health, 231, 304.

No. 66.
Permanent Registration Act in Cities of Third Class, 581.

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Member of special committee, 3.

Motion by, to
Recommit Bill No. 59, amending Corrupt Practice Election Law of 1906, by stipulating what expenses may be incurred by candidates, 583.

Remarks by, on
Motion to recommit Bill No. 98, amending Uniform Primary Election Law, by substituting additional copies of general return sheet for triplicate party return sheets, etc., 587.

Resolution offered by
Tendering thanks of Senate to officers and employes for efficient manner in which they performed their duties, 1016.

Resolution, concurrent, offered by
Authorizing appointment of committee to act in conjunction with House committee to notify Governor that General Assembly is convened in Extraordinary Session, 2.

CLASSIFICATION (see Constitution, Real Estate).

COAL, BITUMINOUS AND ANTHRACITE, mined, produced or sold in Commonwealth, requiring a checkweighman on every scale, etc., authorizing Department of Internal Affairs to control and regulate weighing of all

House Bill No. 6.
Read in place in House by Mr. O'Connor, 32.
Referred to Committee on Mines and Mining, 32.

COAL, coke, and other solid fuels, providing for appointment of public weighmasters, and imposing certain duties on Department of Internal Affairs, to regulate sale and delivery of

House Bill No. 73.
Read in place in House by Mr. Baldi, 120.
Referred to Committee on Mines and Mining, 120.
Reported without amendment, 320.
First reading, 370.
Second reading and amended, 438-440.
Third reading and final passage, 508-509.

COAL—Continued.

Returned from Senate without amendment, 1031.
Signed by Speaker, 1060.

Remarks on, by
Westrick, 509.

In Senate (No. 142).
Referred to Committee on Mines and Mining, 593.
Reported without amendment, 710.
First reading, 749.
Second reading, 815.
Over in its order, 895.
Third reading and defeated on final passage, 913.
Vote on final passage reconsidered and bill passed finally, 920-921.
Signed by President, 1022.

COAL MINES (see Mine Inspectors).

COALDALE STATE HOSPITAL, members of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 11.

COHEN, HERBERT B., Representative from York County (First District).

Bills reported by
No. 20.
Authorizing cities to acquire lands and provide for erecting thereon of dwellings for rental to its citizens, 257.

No. 209.
Appropriating certain accumulations in Insurance Fund to cities, townships and boroughs for payment to firemen's relief, pension and retirement funds, 406.

Motion by, to
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Questions of parliamentary inquiry raised by, on
Action taken by Committee of the Whole on McClure amendments to Liquor Control Bill, 162.

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Necessity to have strike-out amendments in writing, or made orally, 664-665.

Remarks by, on
Amendments to Bill No. 139 (Senate No. 35), creating Milk Control Board, 869.

Amendments to House conc. res. relative to investigation of Insurance Department, 934-935.

Bill No. 138, amending Workmen's Compensation Law, by permitting extension of time for hospitalization to ninety days at option of employer or insurer, 645-646.

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Resolutions, concurrent, offered by
Amending Resolution No. 83 of 1933, authorizing appointment of Joint Legislative Committee to investigate affairs and records of Insurance Department, 753.

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COMMERCE and prevent unfair competition, and defining fair prices, to regulate

House Bill No. 98.
Read in place in House by Mr. Hough, 180.
Referred to Committee on Judiciary General, 180.

COMMERCE—Continued.

Reported without amendment, 487.
First reading, 558.
Second reading, 619-620.
Third reading and defeated on final passage, 686-688.

Remarks on, by
Rhodes, 686-687.
Hough, 686-688.
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COMMERCIAL MOTOR VEHICLES (see Motor Vehicles).

COMMISSIONERS OF DEEDS, nominated and referred to Committee on Executive Nominations, 7; reported and confirmed, 41.

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COMMITTEE, CONFERENCE, in House, 1045; in Senate, 987.

COMMITTEE, JOINT LEGISLATIVE, appointed by House conc. res. of March 13, 1933, to investigate number of disabled or partially disabled veterans effected by curtailment of Federal aid, report of, presented to Senate, 878. (Transcript of Testimony, 879-882).

COMMITTEE, JOINT LEGISLATIVE, to determine exact cost of manufacture and importation of spirituous alcoholic beverages, conc. res. (House) by Gartner, authorizing appointment of, 375-376; adopted in House, 495; read and referred to Committee on Appropriations in Senate, 520-521.

COMMITTEE, JOINT LEGISLATIVE, to investigate affairs and records of Insurance Department, conc. res. (House) by Cohen, amending Conc. Res. No. 83 of 1933, authorizing appointment of, 753; referred to Committee on Insurance in Senate, 911-912; adopted, as amended, in House, 934-935.

Remarks on, by
Cohen, 934-935; Hutton, 935; T. B. Wilson, 935.

COMMITTEE JOINT LEGISLATIVE, to investigate conditions at the Eastern Penitentiary, conc. res. (House) by Baldi, authorizing appointment of, 367; read and referred to Committee on Judiciary General in Senate, 477; adopted in House, 490-491; reported without amendment in Senate, 785-786; conc. in by Senate, 916; ret. from Senate conc. in, 952; House committee appointed, 1073.

Remarks on, by
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COMMITTEE, JOINT LEGISLATIVE, to investigate conditions at Philadelphia Hospital for Mental Diseases, known as Byberry, conc. res. (House) by Malina, authorizing appointment of, 753.

COMMITTEE, JOINT LEGISLATIVE, to investigate conduct and administration of affairs of the Insurance Department, conc. res. (Senate) by Parkinson, authorizing appointment of, read and referred to Committee on Insurance, 925.

COMMITTEE, JOINT LEGISLATIVE, to investigate wages and labor conditions of children, majority report and minority report of, presented to Senate, 87-91.

COMMITTEE to act in conjunction with House committee to escort Governor to Hall of House for Joint Session, conc. res. (Senate) by Buckman, authorizing appointment of, 16; ret. from House conc. in, 16; Senate committee appointed, 16; conc. in by House and House committee appointed, 26; Joint session held and address by Governor, 27-32.

COMMITTEE to act in conjunction with House committee to escort Governor to Hall of House for Joint Session, conc. res. (Senate) by Buckman, authorizing appointment of, 356, ret. from House conc. in, 356; Senate committee appointed, 356; conc. in by House, and House committee appointed, 400; Joint Session held and address by Governor, 401-405.

COMMITTEE to act in conjunction with House committee to notify Governor that General Assembly is convened in Extraordinary Session, conc. res. (Senate) by Clark, authorizing appointment of, 2; ret. from House conc. in, 3; Senate committee appointed, 3; Senate committee reports, 3; conc. in by House, 23; House committee appointed, 24; House committee reports, 24.

COMMITTEE to act in conjunction with House committee to notify Governor that General Assembly is ready to adjourn sine die, conc. res. (Senate) by Homsher, authorizing appointment of, 1017; ret. from House conc. in, and Senate committee appointed, 1020; Senate committee reports, 1022; conc. in by House, and House committee appointed, 1083; House committee reports, 1087.

COMMITTEE to escort members of Senate to Hall of House for Joint Session, resolution (House) by Heffernan, authorizing appointment of, 26; committee appointed, 26; committee reports to Senate, 16; to House, 27.

COMMITTEE to escort Senate to Hall of House for Joint Session, resolution (House) by Heffernan, authorizing appointment of, 366; committee appointed, 366; committee reports to Senate, 356; to House, 401.

COMMITTEE to investigate charges and ascertain expenses, wages, etc. of State Emergency Relief Board in various counties, resolution (House) by Quinn, authorizing appointment of, 429-430; adopted, 597.

COMMITTEE to investigate charges made by A. Leo Weil, Esq., regarding distribution of liquor business by State stores, resolution (House) by Witkin, authorizing appointment of, read and adopted, 94-95; committee appointed, 121; committee reports, 935-937. (see Appendix, page 1138).

COMMITTEE to notify House that Senate is organized, resolution (Senate) by Reed, authorizing appointment of, 2; committee appointed, 2; committee reports to Senate, 3; to House, 23.

COMMITTEE to notify House that Senate is ready to adjourn sine die, resolution (Senate) by Chapman, authorizing appointment of, 1017; committee appointed, 1017; committee reports to Senate, 1021; to House, 1087.

COMMITTEE to notify Senate that House is organized, resolution (House) by Peelor, authorizing appointment of, 23; committee appointed, 23; committee reports to Senate, 3; to House, 25.

COMMITTEE to notify Senate that House is ready to adjourn sine die, resolution (House) by Heffernan, authorizing appointment of, 1072; committee appointed, 1072; committee reports to Senate, 1021; to House, 1087.

COMMITTEE to study liquor control, resolution (House) by Andrews, authorizing appointmtnt of, 252-253; adopted, 497.

COMMITTEES having labor and social legislation under consideration to call meetings, resolution (House) by Hoopes, directing chairmen of, 253; adopted as amended, 321-324.

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COMMITTEES, SENATE, by President pro tempore, resolution (Senate) by Homsher, authorizing appointment of all, 2.

COMMITTEES, STANDING, of House, 42, 181, 196.

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COMMITTEES, STANDING, of Senate, resolution (Senate) by Graff, authorizing discharge of all, 1016.

COMMODITIES (see Prices).

COMMON CARRIERS (see Motor Vehicles, Railroads, Public Service Commission).

COMMUNICATIONS (see Petitions and Communications).

COMPANY STORES (see Wages).

COMPARING BILLS, report of Chief Clerk, 1023-1030.

COMPENSATION (see Salaries, Workmen's Compensation).

CONLEY, THOMAS, Representative from Allegheny County (Third District).

CONNER, PATRICK, Representative from Philadelphia County (Twenty-first District).

Amendments offered by, to
Bill No. 88, making appropriation out of General Fund to Pennsylvania Liquor Control Board for administration and enforcement of Liquor Control Act, 323.

Bill introduced by
No. 2.
To restrain and regulate sale of vinous and spirituous malt or brewed liquors, and providing for licensing thereof by courts and Department of Revenue, 32.

Bills reported by
No. 17.
Amending Act of 1926, creating Pennsylvania Alcohol Permit Board, by making act consistent with repeal of the Eighteenth Amendment, 180.

CONNER, PATRICK—Continued,

No. 88.
Making apropriation out of General Fund to Pennsylvania Alcohol Permit Board for enforcement of Liquor Control Act, 228.

No. 190.
Amending Sproul Highway Law, by providing for payment by county of damages agreed upon without hearing before court when no exceptions are filed to agreement, 406.

No. 228 (Senate No. 42).
Joint resolution creating a Liquor Control Investigation Commission, 577.

Motion by, to
Adjourn, 780.

Dispense with further reading of Journal, 47.

Resolution offered by
Extending sympathy of House to widow of the late Hon. William W. Roper, 556.

CONSTITUTION OF PENNSYLVANIA, authorizing municipalities to appropriate money for assistance to mothers having dependent children and to aged persons, Joint resolution proposing amendment to Section 7 of Article 9 of

House Bill No. 144.
Read in place in House by Mrs. Wilson, 256.
Referred to Committee on Constitutional Amendments, 256.
Reported without amendment, 487.
First reading, 488.
Second reading, 563.
Third reading and final passage, 629-630.

Remarks on, by
Wilson, Mrs., 630.
Sowers, 630.

In Senate (No. 152).
Referred to Committee on Pensions and Gratuities, 708.

CONSTITUTION OF PENNSYLVANIA, eliminating tax-paying qualification for voters, further amending Election Law of 1874 as amended pursuant to Amendment No. 5 adopted November 7, 1933, to

Senate Bill No. 124.
Read in place in Senate by Mr. Mansfield, 474.
Referred to Committee on Elections, 474.
Reported without amendment, 482.
First reading, 484.
Over in its order, 535.
Second reading, 540-542.
Third reading and final passage, 584.
Returned from House with amendments in which Senate conc., 1013-1014.
Signed by President, 1018.

In House (No. 244).
Referred to Committee on Elections, 650.
Reported without amendment, 826.
First reading, 826.
Second reading and amended, 941-944.
Third reading and final passage, 1045-1049.
Returned from Senate with House amendments conc. in, 1083.
Signed by Speaker, 1084.

Remarks on, by
McCreary, 1048.
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CONSTITUTION OF PENNSYLVANIA, extending right of assumption of municipal debts by Commonwealth, Joint resolution proposing amendment to Section 9 of Article 9 of

House Bill No. 12.
Read in place in House by Mr. Harry E. Himes, 33.
Referred to Committee on Constitutional Amendments, 33.

CONSTITUTION OF PENNSYLVANIA, limiting vote on municipal loans to property owners, Joint resolution proposing amendment to Section 1 of Article 8 of

House Bill No. 38.
Read in place in House by Mr. McCreary, 66.
Referred to Committee on Constitutional Amendments, 66.

CONSTITUTION OF PENNSYLVANIA, permitting classification of certain institutions for appropriation purposes, Joint resolution proposing amendment to Article 3 of

House Bill No. 7.
Read in place in House by Mr. O'Connor, 33.
Referred to Committee on Constitutional Amendments, 33.

CONSTITUTION OF PENNSYLVANIA, providing that General Assembly may authorize municipalities to appropriate money for assistance to mothers having dependent children, and to aged persons, Joint resolution proposing amendment to Section 7 of Article 9 of

House Bill No. 96.
Read in place in House by Mr. Boyd, 180.
Referred to Committee on Constitutional Amendments, 180.

CONSTITUTION OF PENNSYLVANIA, relative to assistance to mothers having dependent children, and to certain blind and aged persons, Joint resolution proposing amendment to Section 18 of Article 3 of

House Bill No. 145.
Read in place in House by Mrs. Wilson, 256.
Referred to Committee on Constitutional Amendments, 256.
Reported without amendment, 488.
First reading, 489.
Second reading, 567.
Vote on second reading reconsidered and bill passed second reading as amended, 578.
Third reading and final passage, 641-643.

Remarks on, by
Turner, 641.
Wilson, Mrs., 641.
Bennett, 641-642.
Hoopes, 642.
Wilson, T. B., 642-643.

In Senate (No. 153).
Referred to Committee on Pensions and Gratuities, 708.

CONSTITUTION OF PENNSYLVANIA, relative to assistance to mothers having dependent children, and to certain blind and aged persons, Joint resolution proposing amendment to Section 18 of Article 3 of

House Bill No. 164.
Read in place in House by Mr. Boyd, 283.
Referred to Committee on Constitutional Amendments, 283.

CONSTITUTION OF UNITED STATES relative to labor of persons under eighteen years of age, Joint resolution approving proposed amendment to

House Bill No. 22.
Read in place in House by Mrs. Wilson, 42.
Referred to Committee on Constitutional Amendments, 42.

CONSTITUTION OF UNITED STATES relative to labor of persons under eighteen years of age, Joint resolution approving proposed amendment to

House Bill No. 48.
Read in place in House by Mr. Thomas J. Gallagher, 93.
Referred to Committee on Constitutional Amendments, 93.

CONSTITUTION OF UNITED STATES relative to labor of persons under eighteen years of age, Joint resolution ratifying proposed amendment to

House Bill No. 126.
Read in place in House by Mr. Shortz, 218.
Referred to Committee on Constitutional Amendments, 218.

CONSTITUTION OF UNITED STATES relative to labor of persons under eighteen years of age, Joint resolution approving proposed amendment to

House Bill No. 153.
Read in place in House by Mr. Craig, 282.
Referred to Committee on Constitutional Amendments, 282.
Reported without amendment, 487.
First reading, 488.

CONSTITUTION OF UNITED STATES—Continued.

Second reading, 563.
Third reading and final passage, 630-631.
Returned from Senate without amendment, 1082.
Signed by Speaker, 1086.

In Senate (No. 169).
Referred to Committee on Judiciary General, 709.
Reported without amendment, 784.
First reading, 824.
Second reading, 901.
Third reading and final passage, 1006-1007.
Signed by President, 1023.

CONSTITUTION OF UNITED STATES relative to labor of persons under eighteen years of age. Joint resolution approving proposed amendment to

Senate Bill No. 47.
Read in place in Senate by Mr. Salus, 213.
Referred to Committee on Judiciary General, 213.
Reported without amendment, 552.
First reading, 553.
Second reading, 585.
Third reading and final passage, 711-714.
Returned from House without amendment, 1013.
Signed by President, 1018.

Remarks on, by
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Salus, 711-713.
Harris, 713-714.
Snyder, 713-714.
Owlett, 712-713.
Armstrong, 727.

In House (No. 254).
Referred to Committee on Constitutional Amendments, 855.
Motion to suspend Rules 14 and 40 and motion to discharge Committee from further consideration adopted, 858-860.
Motion to suspend Rules 14, 41 and 43 adopted, 860-861.
Reported without amendment, 860.
First reading, 861.
Second reading, 946.
Third reading and final passage, 1049.
Signed by Speaker, 1085.

Remarks on, by
Hoopes, 855-856, 859-860.
Hutton, 859.
Hermansen, 859.
McGregor, 860.
Moore, 1049.

CONTRACTS and to relieve contractors of obligation thereunder in compliance with National Industrial Recovery Act, conc. res. (Senate) by Coyne, authorizing various agencies of Commonwealth and municipal subdivisions to cancel certain, read and referred to Committee on Judiciary General, 17-18.

CONTRACTS for articles to be used on projects financed by Federal Civil Works Administration, reducing to five days the period during which municipal subdivisions are required to advertise notice of proposed awards of

Senate Bill No. 62.
Read in place in Senate by Mr. Mansfield, 238.
Referred to Committee on Municipal Affairs, 238.
Reported without amendment, 249.
First reading, 251.
Second reading, 279.
Third reading and final passage, 306.
Returned from House without amendment, 750.
Signed by President, 816.

In House (No. 225).
Referred to Committee on Municipal Corporations, 335.
Reported without amendment, 579.
First reading, 606.
Second reading, 667.
Third reading and final passage, 778.
Signed by Speaker, 857.

CONTRACTS, PUBLIC, made by State or municipal subdivisions, to be let only to persons, firms or corporations who abide by code prescribed by National Industrial Recovery Act, requiring.

Senate Bill No. 24.
Read in place in Senate by Mr. Buckman, 83.
Refered to Committee on Judiciary General, 83.

CONTRACTS, SUPPLY, and to relieve contractors of obligations thereunder, in compliance with National Industrial Recovery Act, authorizing various political and municipal subdivisions of Commonwealth to cancel certain

Senate Bill No. 4.
Read in place in Senate by Mr. Coyne, 17.
Referred to Committee on Judiciary General, 17.
Reported without amendment, 46.
First reading, 46.
Second reading and recommitted, 84-85.
Re-reported without amendment, 97.
Third reading and final passage, 164.
Returned from House without amendment, 521.
Signed by President, 521.

In House (No. 110).
Referred to Committee on Judiciary General, 218.
Reported without amendment, 407.
First reading, 408.
Second reading, 445.
Third reading and final passage, 516.
Signed by Speaker, 570.

CONTRACTS, SUPPLY, in compliance with Federal regulations, authorizing various political and municipal subdivisions of Commonwealth to cancel certain

House Bill No. 97.
Read in place in House by Mr. McClure, 180.
Referred to Committee on Municipal Corporations, 180.
Reported without amendment, 407.
First reading, 408.
Second reading, 443-444.
Third reading and final passage, 514.
Returned from Senate with amendments, in which House conc., 1075-1076.
Signed by Speaker, 1086.

In Senate (No. 129).
Referred to Committee on Judiciary General, 519.
Reported with amendment, 710.
First reading, 748.
Second reading, 813.
Third reading and amended, 894.
Final passage, 1002.
Returned from House with Senate amendments conc. in, 1022.
Signed by President, 1022.

CONTRACTS (see also Employment, Wages).

CONTRACTORS (see Cities of Second Class, Contracts, Painting).

COOKE, EDWARD J., Representative from Philadelphia County (Fourth District).

CORDIER, ROBERT J., Representative from Lackawanna County (Third District).

Bills introduced by
No. 9.
Imposing State floor tax on alcohol used for beverage purposes between date this act becomes effective and date the 21st amendment to Constitution of United States is ratified, 33.

No. 71.
To provide for permanent personal registration of electors in cities of second class A as a condition of their right to vote, 120.

Bills reported by
No. 73.
To regulate sale and delivery of coal, coke, petroleum coke, briquettes and other solid fuels, 328.

No. 161 (Senate No. 17).
Amending Intangible Personal Property Tax Law, by excluding interest bearing accounts in banks, etc. from provisions thereof, 336.

CORDIER, ROBERT J.—Continued.

No. 196.
Further amending Workmen's Compensation Law, by extending time for appeals fro mthe referee's decision to the board, 487.

Motion by, to
Refer to Committee on Education, House resolution relative to payment of teachers' salaries, 656.

Remarks by, on
Bill No. 9, known as the Spirituous and Vinous Liquor Floor Tax Bill, 75.

Resolutions offered by
Extending sympathy of House to family of the late Hon. John Scheurer, Jr., former Member from Lackawanna County, 933.

Recommending that payment from appropriation to aid financially handicapped school districts should first be made by Superintendent of Public Instruction to such school districts as are in arrears in payment of teachers' salaries, 604-605.

Statement urging modification of examination of personnel for State Liquor Stores, 826-827.

CORONERS (see Deeds).

CORPORATIONS, NONPROFIT, formed for public purposes applying to Federal Emergency Administration for a loan for projects under terms of the NIRA, conc. res. (Senate) by Aron, authorizing Governor to appoint directors and trustees of, read and adopted, 710-711; conc. in by House, 779-780; ret. from House conc. in, 781-782.

CORPORATIONS (see also Banks, Business, Federal Government, Housing, Public Works).

COUNTIES OF FIRST CLASS shall be paid by school districts coextensive therewith, providing that oue-third of cost of board of revision of taxes and of assessors, other than personal property assessors, in

House Bill No. 177.
Read in place in House by Mr. Long, 314.
Referred to Committee on Cities, 314.
Reported without amendment, 488.
First reading, 490.
Second reading, 569-570.
Third reading and final passage, 648.
Returned from Senate without amendment, 933.
Signed by Speaker, 952.

In Senate (No. 154).
Referred to Committee on Municipal Affairs, 708.
Reported without amendment, 746.
First reading, 749.
Second reading, 815.
Third reading and final passage, 895.
Signed by President, 918.

COUNTIES OF SECOND CLASS (see also "Authorities," Real Estate, Recorder of Deeds).

COUNTIES OF FOURTH CLASS (see County Officers, Tax Sales, Taxes).

COUNTIES (see also Assault and Battery, Income Taxes, Municipal Subdivisions, Sheriffs, Taxes).

COUNTY COMMISSIONERS (see Election Officers, Federal Government).

COUNTY EMPLOYMENT SERVICE DISTRICTS, providing for creation of

House Bill No. 178.
Read in place in House by Mr. Hoopes, 314.
Referred to Committee on Counties, 314.

COUNTY OFFICERS in counties of fourth class, fixing salaries of

House Bill No. 84
Read in place in House by Mr. McCreary, 174.
Referred to Committee on Counties, 174.

COUNTY TREASURERS' SALARIES (see Tax Sales, Taxes).

COURTS OF COMMON PLEAS (see Elections, Real Property, Workmen's Compensation, Writs of Eviction).

COYNE, JAMES J., Senator from Forty-third District (Allegheny County, part of).

Bills introduced by
No. 4.
Authorizing various State agencies and municipal subdivisions to cancel certain supply contracts, and to relieve contractors of obligations thereunder in compliance with National Industrial Recovery Act, 17.

No. 17.
Amending Intangible Personal Property Tax Law of 1913, by excluding interest bearing accounts in banks, etc., from provisions thereof, 82.

No. 45.
Making it unlawful to manufacture and market more than one brand of whiskey at the same distillery, 212.

No. 54.
Abating interest, penalties and costs on taxes on real property for 1932, and years prior thereto in certain cases, 232.

Bills reported by
No. 100.
Supplementing Second Class City Law of 1901, creating position of solicitor for Department of City Comptroller, 482.

No. 124.
Further amending Election Law of 1874, as amended pursuant to Constitutional Amendment No. 5 adopted November 7, 1933, eliminating tax-paying qualifications of voters, 482.

Motion by, to
Postpone Bill No. 54, abating interest, penalties and costs on taxes on real property for 1932, and years prior thereto in certain cases, 306.

Recommit Bill No. 88 (House No. 88), making appropriation out of General Fund to Pennsylvania Liquor Control Board for enforcement of liquor control, 425.

Remarks by, on
Taking over of city streets by Departments of Highways, 908.

Resolutions, concurrent, offered by
Authorizing various agencies of Commonwealth and municipal subdivisions to cancel certain contracts and to relieve contractors of obligations thereunder in compliance with National Industrial Recovery Act, 17-18.

CRAIG, HAROLD E., Representative from Beaver County (Second District).

Bill introduced by
No. 153.
Joint resolution approving proposed amendment to Constitution of United States relative to child labor, 282.

Bills reported by
No. 15.
Amending Beverage License Law of 1933, by limiting act malt liquors as defined therein, 43.

No. 16.
Amending Act of 1933, authorizing courts of common pleas to stay writs of execution against, and tax sales of certain real property in certain cases, 257.

No. 136.
To exempt property to value of one hundred dollars from levy and sale on execution and distress for rent, in addition to present exemptions, 407.

No. 212.
Amending Banking Code, by regulating establishment of branch banks, 405.

CRAMER, DAVID C., Representative from Westmoreland County (First District).

CRIMINAL PROCEDURE (see Assault and Battery, Detention).

CRIPPLES (see Employment).

CUMBERLAND VALLEY STATE INSTITUTION FOR MENTAL DEFECTIVES, member of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 10; member of, reported, 536; confirmed, 530.

DAMAGES (see Highway).

DANE, EDWIN E., Representative from Crawford County.

Resolution offered by
Tendering thanks of House to Bureau of Publications and to the Public Printer for efficient manner in which the printing was expedited, 1073.

DAVIES, E. T., Representative from Lackawanna County (Sixth District).

DEEDS, SHERIFF AND CORONER'S, by providing for expiration of minimum time between acknowledgment and delivery of such deeds, amending Act of 1905, relating to

House Bill No. 167.
Read in place in House by Mr. Quinn, 313.
Referred to Committee on Judiciary General, 313.

DEFICIENCY JUDGMENTS (see Judgments).

DeFREHN, CHARLES H., Representative from Cambria County (First District).

Leave of absence granted, 320.

Motion by, to
Dispense with further reading of Journal, 1030.

Reasons for vote on House Bill No. 124, amending Child Labor Law, by prohibiting employment of minors between fourteen and sixteen years of age, except in certain types of work, 686.

Remarks by, on
Bill No. 117, to regulate payment of wages or compensation for labor or service in private employment, 635.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION, member of, nominated and referred to Committee on Executive Nominations, 11; reported, 537; confirmed, 538.

DELAWARE RIVER, providing for construction of tunnel between New Jersey and Pennsylvania under

Senate Bill No. 27.
Read in place in Senate by Mr. Buckman, 83.
Referred to Committee on Public Roads and Highways, 83.
Reported without amendment, 236.
First reading, 250.
Second reading, and recommitted, 262.
Re-reported as amended, 552.
Third reading and final passage, 582.
Returned from House without amendment, 919.
Signed by President, 919.

In House (No. 239).
Referred to Committee on Highways, 650.
Reported without amendment, 751.
First reading, 751.
Second reading, 828.
Third reading and final passage, 972-973.
Signed by Speaker, 1084.

DELINQUENT TAXES (see Taxes).

DENNING, STEPHEN C., Representative from Philadelphia County (First District).

Remarks on, by
Bill No. 17, to regulate payment of wages or compensation for labor or service in private employment, 637.

Resolution offered by
Requesting Auditor General and State Treasurer to furnish certain information relative to surplus balances of State funds, estimated revenues from liquor sales and present financial standing, 638.

DEPOSITORS (see Banking Department).

DEPUTY SHERIFFS (see Sheriffs).

DETENTION of persons in private lockups and on private property for examination pending arraignment, to prohibit

House Bill No. 58.
Read in place in House by Mr. Lane, 118.
Referred to Committee on Judiciary General, 118.

DISTILLERIES (see Liquor Control).

DISTRESS FOR RENT, in addition to present exemptions, to exempt property to value of one hundred dollars from levy and sale on execution and

House Bill No. 136.
Read in place in House by Mr. Sowers, 252.
Referred to Committee on Judiciary General, 252.
Reported without amendment, 407.
First reading, 408.
Second reading, 444.
Recommitted, 497.

DISTRESS FOR RENT (see also Household Goods, Police Power).

DISTRICT AUDITORS (see Elections).

DISTRICTS (see County Employment Service, Elections).

DIVIDENDS (see Banking Department).

DOMESTIC SERVICE (see Employment, Wages).

DONEHOO, REV. GEORGE P., D. D., Chaplain of Senate, on his illness, resolution (Senate) by Buckman, extending sympathy of Senate to, 784.

DOWNEY, GEORGGE E., Representative from Lancaster County (First District).

Member of special committee, 653.

DOWNEY, JOHN J., Representative from Schuylkill County (First District).

DUFFY, EDWARD A., Representative from Philadelphia County (Eighth District).

Motion by, to
Dispense with further reading of Journal, 365.

DUNMIRE, DAN E., Representative from Westmoreland County (Third District).

Bill reported by
No. 121.
Requiring wages to be paid in cash, check or other evidence of indebtedness redeemable in lawful money of the United States, 487.

Remarks on, by
Bill No. 245, amending Spirituous and Vinous Liquor Tax Law of 1933, enabling Pennsylvania to participate in Federal Government tax, 848.

DWELLINGS (see Cities, Evict, Evictions, Tax).

DWYER, HON. CHARLES T., resolution (House) by Spann, extending sympathy of House to widow of the late, 48.

DWYER, HON. CHARLES T., writ issued for special election to fill vacancy in Third Legislative District, Allegheny County, caused by death of, 21.

EALY, CHARLES H., Senator from Thirty-sixth District (Bedford, Fulton and Somerset Counties).

Amendment offered by, to
Bill No. 129 (House No. 97), relative to reimbursement of certain supply contractors for losses sustained, 894.

Bill introduced by
No. 123.
Amending Act of 1933, relating to tax sales of seated lands, by extending provisions thereof to unseated lands, 474.

Bills reported by
No. 4.
Authorizing various State agencies and municipal subdivisions to cancel certain supply contracts, 97.

No. 36 (House No. 10).
Liquor Control Bill, 237.

No. 47.
Joint resolution approving proposed amendment to Constitution of United States relative to labor of persons under eighteen years of age, 552.

EALY, CHARLES H.—Continued.

No. 73.
Amending Workmen's Compensation Law, by extending time for appeals from referee's decision to the board, 552.

No. 75.
Further amending Workmen's Compensation Law, by requiring every compensation agreement to be executed triplicate, and one copy sent to employe, 552.

No. 77.
Further amending Workmen's Compensation Law, by extending time for appeals from board to courts of common pleas, 552.

No. 118.
To protect owners of mortgaged property during present emergency, and restricting right to proceed on mortgage bonds during certain period, 552.

Leave of absence granted, 45.

Motion by, for
Executive Session to rise, 1018.
Recess, 906, 988.

Motion by, to
Adjourn, 925.

Recommit Bill No. 4, authorizing various State agencies and municipal subdivisions to cancel certain supply contracts, 85.

Reconsider vote on Bill No. 173 (House No. 66), providing for payment in installments of delinquent taxes in certain cases, 925.

Question of parliamentary inquiry raised by, on
Senate Bill No. 179 (House No. 212), relative to establishment of branch banks, 902.

Remarks by, on
Bill No. 17, amending Intangible Personal Property Tax Law of 1913, by excluding interest bearing accounts in banks and trust companies, 235.

Resolution offered by
Extending sympathy to family of late Hon. John Merriman Reynolds, former Lieutenant Governor, 915.

EASTERN PENITENTIARY, conc. res. (House) by Baldi, authorizing appointment of Joint Legislative Committee in investigate conditions existing at, 367; read and referred to Committee on Judiciary General in Senate, 477; adopted in House, 490-491; reported without amendment by Senate, 785-786; conc. in by Senate, 916; ret. from Senate conc. in, 952; House committee appointed, 1073.

Remarks on, by
P. Sterling, 490; Baldi, 491.

EASTERN STATE PENITENTIARY, member of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 9; member of, nominated and referred, 164; reported, 359; recommitted, 361; re-reported, 480; confirmed, 482; members of, reported, 536; 538; confirmed, 538.

EDERER, CLARENCE L., Representative from Montgomery County (Third District).

Bills reported by
No. 153.
Joint resolution approving proposed amendment to Constitution of United States relative to child labor, 487.

Member of special committee, 653, 1073.

Motion by, for
Previous question, 462, 603.

Remarks by, on
Bill No. 125, regulating, under police power, the minimum wage which shall be paid to women and minors, 448.

Bill No. 207, amending Female Labor Law, by excepting domestic service in private homes, and further regulating hours of labor, 647.

EDERER, CLARENCE L.—Continued.

Resolution offered by
Modifying civil service examination of truck drivers for State Liquor Stores, 779.

EDUCATION (see School Districts).

EDUCATION, STATE COUNCIL OF, member of, nominated and referred to Committee on Executive Nominations, 8; reported, 916; confirmed, 917.

EIGHTEENTH AMENDMENT (see Liquor Control).

EINSTEIN, MORRIS, Senator from Forty-second District (Allegheny County, part of).

Amendments offered by, to
Motion to suspend Rules 37 and 42 and to place Full Crew Bill on calendar, 819.

Bill introduced by
No. 53.
Creating public "authorities" in counties of second class to enter into agreements with Federal Government relative to National Industrial Recovery Act, 214.

Bills reported by
No. 66.
Permanent Registration, in Cities of Third Class, 469.

No. 136.
Amending Second Class City Law of 1901, by modifying provisions relating to giving of bonds by contractors, 538.

Motion by, for
Executive Session to rise, 482.

Motion by, to
Dispense with further reading of Journal, 231.

Suspend Rule 21, requiring amended bills to be noted on calendar, 919.

Remarks by, on
Bill No. 17, amending Intangible Personal Property Tax Law of 1913, by excluding interest bearing accounts in banks and trust companies, 236.

ELECTION DAY (see Liquor Control).

ELECTION LAW, CORRUPT PRACTICE, of 1906, by stipulating what expenses may be incurred by candidates for nomination and election, amending

Senate Bill No. 59.
Read in place in Senate by Mr. Harris, 237.
Referred to Committee on Elections, 237.
Reported without amendment, 469.
First reading, 483.
Second reading, 525.
Recommitted, 583.

Remarks on, by
Shapiro, 583.
Harris, 583.

ELECTION obtained by fraud with the knowledge of the candidate, to make void an

Senate Bill No. 139.
Read in place in Senate by Mr. Thompson, 539.
Referred to Committee on Elections, 539.

ELECTION OFFICERS, authorizing boards of county commissioners to organize and conduct school of instruction for

Senate Bill No. 96.
Read in place in Senate by Mr. Harris, 363.
Referred to Committee on Elections, 363.

ELECTION RETURNS of Members of House of Representatives, presentation and opening of, 22, 65.

ELECTION RETURNS of Members of House of Representatives, resolution (House) by Wood, authorizing opening of, 22.

ELECTION RETURNS to take cognizance of number of registered or enrolled voters, by parties, of each election district, requiring courts, judges and boards sitting to record, compute and certify

Senate Bill No. 94.
Read in place in Senate by Mr. Harris, 363.
Referred to Committee on Elections, 363.

ELECTION, SPECIAL, to fill vacancy in Second Legislative District, Allegheny County, caused by resignation of Hon. George C. Metzler, writ issued for, 21-22.

ELECTION, SPECIAL, to fill vacancy in Second Legislative District, Lancaster County, caused by death of Hon. Thomas J. Brown, writ issued for, 20-21.

ELECTION, SPECIAL, to fill vacancy in Third Legislative District, Allegheny County, caused by death of Hon. Charles T. Dwyer, writ issued for, 21.

ELECTION, SPECIAL, to fill vacancy in Twenty-second Legislative District, Philadelphia County, caused by death of Hon. Jacob Mathay, writ issued for, 21.

ELECTIONS, by changing time of making registry of voters by registry assessors, amending Act of 1874, relative to

Senate Bill No. 97.
Read in place in Senate by Hr. Harris (by request), 363.
Referred to Committee on Elections, 363.

ELECTIONS, GENERAL, and amending General Election Law of 1893, relative to duties of county commissioners, repealing Act of 1885, regulating advertising of

Senate Bill No. 83.
Read in place in Senate by Mr. Harris, 353.
Referred to Committee on Elections, 353.

ELECTIONS, GENERAL, by changing effect of ballot marking, amending Act of 1893, regulating

House Bill No. 179.
Read in place in House by Mr. Wagner, 314.
Referred to Committee on Elections, 314.

ELECTIONS, GENERAL, by prescribing cash deposit as condition precedent to validity and effectiveness of a nomination paper, and manner of return of such deposit, amending Act of 1893, regulating

Senate Bill No. 99.
Read in place in Senate by Mr. Harris, 363.
Referred to Committee on Elections, 363.
Reported with amendment, 592.
First reading, 595.
Second reading, 727-728.
Third reading and final passage, 790-791.

In House (No. 258).
Referred to Committee on Elections, 857.

ELECTIONS, GENERAL, by providing for arrangement of parties and candidates on ballots, amneding Act of 1893, regulating

House Bill No. 195.
Read in place in House by Mr. Furman, 316.
Referred to Committee on Elections, 316.

ELECTIONS in certain election districts, providing for appointment of district auditors by courts of common pleas to serve at primaries and

Senate Bill No. 58.
Read in place in Senate by Mr. Thompson, 235.
Referred to Committee on Elections, 235.

ELECTIONS, PRIMARY, by eliminating one of the days required of assessors and registry assessors sitting at the polling places, amending Act of 1913, providing for Uniform

Senate Bill No. 95.
Read in place in Senate by Mr. Harris, 363.
Referred to Committee on Elections, 363.

ELECTIONS, PRIMARY, by prohibiting candidates for certain offices from being candidates for more than one party nomination, amending Act of 1913, providing for Uniform

House Bill No. 163.
Read in place in House by Mr. Howard, 283.
Referred to Committee on Elections, 283.
Resolution to discharge committee from further consideration of bill defeated, 555-556.

Remarks on, by
Blumberg, 556.
Howard, 556.

ELECTIONS, PRIMARY, by providing for delivery of ballot box to proper custodian immediately upon completion by election officers of count and canvass of vote, and sealing of ballot box, amending Act of 1913, providing for Uniform

Senate Bill No. 81.
Read in place in Senate by Mr. Harris, 353.
Referred to Committee on Elections, 353.

ELECTIONS, PRIMARY, by substituting additional copies of general return sheet for triplicate party return sheets, regulating form of numbered lists of voters, duties of election officers, etc., amending Act of 1913, providing for Uniform

Senate Bill No. 98.
Read in place in Senate by Mr. Harris, 363.
Referred to Committee on Elections, 363.
Reported without amendment, 539.
Recommitted, 587.

Remarks on, by
Harris, 587.
Clark, 587.

ELECTIONS, PRIMARY, relative to filing of nomination petitions of certain candidates with county commissioners, amending Act of 1913, providing for Uniform

Senate Bill No. 141.
Read in place in Senate by Mr. Salus, 593.
Referred to Committee on Elections, 593.
Reported without amendment, 594.
First reading, 596.
Second reading, 730-731.
Third reading and final passage, 801.

In House (No. 259).
Referred to Committee on Elections, 857-858.

ELECTIONS (see also Constitution of Pennsylvania, Voting Machine Law).

ELECTORS IN CITIES as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote, to provide for permanent personal registration of

(THE PERMANENT REGISTRATION BILL)

Senate Bill No. 60.
Read in place in Senate by Mr. Harris, 237.
Referred to Committee on Elections, 237.

ELECTORS IN CITIES OF FIRST CLASS, by providing system of permanent personal registration for such cities, amending Act of 1919, for the personal registration of

(FIRST CLASS CITY PERMANENT REGISTRATION BILL)

House Bill No. 151.
Read in place in House by Mr. Schwartz, 282.
Referred to Committee on Elections, 282.
Reported with amendment, 486.
First reading, 557.
Second reading, and amended, 606-617.
Third reading and postponed, 673-683.
Resumed, vote on third reading reconsidered and bill recommitted, 773-774.
Re-reported as amended, 826.
Dropped from calendar, 938.

ELECTORS IN CITIES OF FIRST CLASS as a condition of their right to vote at elections and primaries, to provide for permanent personal registration of

(THE FIRST CLASS CITY PERMANENT REGISTRATION BILL)

Senate Bill No. 144.
Read in place in Senate by Mr. Frazier, 593.
Referred to Committee on Elections, 593.
Reported without amendment, 595.
First reading, 596.
Second reading, and amended, 731-745.
Third reading and final passage, 802-813.

In House (No. 261).
Referred to Committee on Elections, 858.

ELECTORS IN CITIES OF SECOND CLASS as a condition of their right to vote at elections and primaries, to provide for permanent personal registration of

(THE PERMANENT REGISTRATION ACT IN CITIES OF SECOND CLASS)

Senate Bill No. 49.
Read in place in Senate by Mr. Harris, 213.
Referred to Committee on Elections, 213.
Reported without amendment, 233-234.
First reading, 250.
Second reading, and recommitted, 264-274.
Re-reported as amended, 469.
Over in its order, 522.
Third reading and final passage, 540.
Returned from House with amendments in which Senate conc., 1000-1001.
Signed by President, 1019.

In House (No. 237).
Referred to Committee on Elections, 598.
Reported with amendment, 871.
Motion to suspend Rules 14, 41 and 43 adopted, 871.
First reading, 872.
Second reading, and amended, 955-965.
Third reading and final passage, 1034-1044.
Returned from Senate with House amendments conc. in, 1061.
Signed by Speaker, 1084.

Remarks on, by
Steedle, 871.
Witkin, 871.

ELECTORS IN CITIES OF SECOND CLASS A as a condition of their right to vote, to provide for permanent personal registration of

(THE PERMANENT REGISTRATION ACT IN CITIES OF SECOND CLASS "A")

Senate Bill No. 19.
Read in place in Senate by Mr. Howell, 82-83.
Referred to Committee on Elections, 83.
Reported without amendment, 86.
First reading, 91-92.
Over in its order, 100.
Second reading, 102-111.
Third reading and final passage, 169.
Returned from House with amendments, in which Senate conc., 469.
Signed by President, 469.
Concurrent resolution recalling bill from Governor, 711.
Resolution returned from House conc. in, 745-756.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 820-823.
Resumed and passed finally, 882-892.
Returned from House with Senate amendments conc. in, 911.
Signed by President, 911.

In House (No. 114).
Referred to Committee on Elections, 219.
Reported with amendment, 300.
First reading, 326.
Second reading, 381-390.
Third reading and final passage, 455.
Returned from Senate with House amendments conc. in, 517.
Signed by Speaker, 517.
Resolution recalling bill from Governor conc. in, 755.
Bill returned from Senate with amendments in which House conc., 931-932.
Signed by Speaker, 952.

ELECTORS IN CITIES OF SECOND CLASS A as a condition of their right to vote, to provide for permanent personal registration of

(THE PERMANENT REGISTRATION BILL, CITIES OF SECOND CLASS "A")

House Bill No. 71.
Read in place in House by Mr. Cordier, 120.
Referred to Committee on Elections, 120.

ELECTORS IN CITIES OF THIRD CLASS as a condition of their right to vote at elections and primaries, to provide for permanent personal registration of

(THE PERMANENT REGISTRATION BILL, CITIES OF THIRD CLASS).

Senate Bill No. 66.
Read in place in Senate by Mr. Mansfield, 302.
Referred to Committee on Elections, 302.
Reported, with amendments, 469.
First reading, 483.
Second reading, and recommitted, 525-534.
Re-reported as amended, 581.
Third reading and final passage, 714-722.

In House (No. 247).
Referred to Committee on Elections, 854.

ELECTORS IN CITIES OF THIRD CLASS, by providing that county commissioners may appoint registrars for each district without nomination petitions, amending Act of 1906, providing for personal registration of

House Bill No. 80.
Read in place in House by Mr. Mason, 120.
Referred to Committee on Elections, 120.
Reported with amendment, 283.
First reading, 326.
Recommitted, 556-557.
Re-reported without amendment, 850.
Dropped from calendar, 938.

EMERGENCY RELIEF BOARD, STATE, in various counties, resolution (House) by Quinn, authorizing appointment of committee to investigate charges and ascertain expenses, wages, etc. of, 429-430; adopted, 597.

EMERGENCY RELIEF BOARD, STATE, to contribute and cooperate with political subdivisions in securing aid from Federal Civil Works Administration urging, conc. res. (House) by Habbyshaw, urging, 253; read and referred to Committee on Municipal Affairs in Senate, 362; adopted in House, 366; reported as amended and adopted in Senate, 594-595; returned from Senate with amendments in which House conc., 653-654.

EMERGENCY RELIEF BOARD, STATE, to instruct local relief boards to exercise care in enforcing requirement that motor vehicle registration plates be surrendered by recipients of relief, resolution (House) by Lane, requesting, 430; adopted, 497.

EMERGENCY RELIEF BOARD, STATE, to investigate affairs of Allegheny County Relief Board, conc. res. (House) by J. R. Lynch, requesting, read and adopted, 597; read and referred to Committee on Appropriations in Senate, 593; reported without amendment 710; conc. in by Senate, 921; ret. from Senate conc. in, 1031.

EMERGENCY STATE INCOME TAX (see Income Tax).

EMHARDT, EDWIN C., Representative from Philadelphia County (Fifteenth District).

EMPLOYERS to adopt in certain cases a "check off" system whereby union dues of employes may be deducted from the wages, authorizing

House Bill No. 5.
Read in place in House by Mr. O'Connor, 32.
Referred to Committee on Labor, 32.
Reported without amendment, 487.
First reading, 489
Second reading, 565.
Third reading and defeated on final passage, 639.
Vote on final passage reconsidered and bill passed finally, 672-673.

In Senate (No. 158).
Referred to Committee on Judiciary General, 709.

EMPLOYES, HOUSE, appointment of certain, 25, 26-27, 32, 181.

EMPLOYES, SENATE, election and appointment of certain, 46, 85.

EMPLOYES (see also Labor and Industry, Workmen's Compensation).

EMPLOYMENT be given to physically handicapped persons, conc. res. (House) by John M. Flynn, urging suitable public, 324; read and referred to Committee on Judiciary General in Senate, 748; adopted in House, 752-753; reported without amendment by Senate, 785; conc. in by Senate, 929; ret. from Senate conc. in, 1031.

EMPLOYMENT OF FEMALES, amending Female Labor Law of 1913, by changing hours for

House Bill No. 149.
Read in place in House by Mr. Powell, 256.
Referred to Committee on Labor, 256.
Reported without amendment, 487.
First reading and recommitted, 558.

EMPLOYMENT OF FEMALES, by excepting domestic service in private homes, and further regulating hours of labor, amending Act of 1913, regulating

House Bill No. 207.
Read in place in House by Mr. O'Rourke, 318.
Referred to Committee on Labor, 318.
Reported without amendment, 488.
First reading, 490.
Second reading, 568-569.
Third reading and final passage, 647-648.

Remarks on, by
Ederer, 647.
Hermansen, 647.
O'Rourke, 647.
Hoopes, 647-648.

In Senate (No. 155).
Referred to Committee on Judiciary General, 708.

EMPLOYMENT OF FEMALES in foundries, amending Female Labor Law of 1913, by prohibiting

House Bill No. 142.
Read in place in House by Mr. James E. Lovett, 256.
Referred to Committee on Labor, 256.
Reported without amendment, 488.
First reading, 489.
Second reading, 567.
Third reading and defeated on final passage, 643-644.

Remarks on, by
Sterling, P., 643.
Wilson, Mrs., 643-644.
Lovett, J. E., 658.

EMPLOYMENT OF MINORS between fourteen and sixteen years of age, except in certain types of work which will not interfere with school attendance, etc., amending Child Labor Law of 1915, by prohibiting

House Bill No. 124.
Read in place in House by Mr. Mason, 217-218.
Referred to Committee on Labor, 218.
Reported with amendment, 486-487.
First reading, 557-558.
Second reading and amended, 631-633.
Third reading and final passage, 684-686.

Remarks on, by
DeFrehn, 686.

In Senate (No. 165).
Referred to Committee on Judiciary General, 709.

EMPLOYMENT OF MINORS, to regulate

House Bill No. 100.
Read in place in House by Mr. Quinn, 180.
Referred to Committee on Labor, 180.

EMPLOYMENT OF MINORS under age of sixteen, amending and repealing part of Child Labor Law of 1915, by prohibiting

House Bill No. 70.
Read in place in House by Mr. Spann, 119.
Referred to Committee on Labor, 119-120.

EMPLOYMENT of persons for more than six hours in any one day, or for more than thirty hours in any one week, relating to labor, and prohibiting

House Bill No. 21.
Read in place in House by Mrs. Wilson, 42.
Referred to Committee on Labor, 42.
Reported without amendment, 488.
First reading, 489.
Second reading, 568.
Third reading and defeated on final passage, 646-647.

EMPLOYMENT—Continued.

Remarks on, by
Sterling, P., 646.
Flinchbaugh, 646-647.

EMPLOYMENT, PRIVATE, to regulate payment of wages or compensation for labor or service in

House Bill No. 117.
Read in place in House by Mr. Hoopes, 217.
Referred to Committee on Labor, 217.
Reported without amendment, 487.
First reading, 488.
Second reading and amended, 563-565.
Third reading and bill declared to be unconstitutional, 634-639.

Remarks on, by
DeFrehn, 635.
Hoopes, 635-638.
Andrews, 635-636.
Sterling, P., 636, 639.
Gallagher, T. J., 636.
Heffner, 636.
Sowers, 636.
Denning, 637.
Hutton, 638.
Peelor, 638-639.

EMPLOYMENT, SECTIONAL, to study causes of permanent unemployment in industrial areas, and making appropriation, Joint resolution creating a Commission on

House Bill No. 130.
Read in place in House by Mr. Negley, 218.
Referred to Committee on Appropriations, 218.

EMPLOYMENT SERVICE DISTRICTS (see County).

EMPLOYMENT SYSTEM, NATIONAL, and authorizing Department of Labor and Industry to cooperate with Federal Employment Service, accepting provisions of Act of Congress for establishment of

Senate Bill No. 26.
Read in place in Senate by Mr. Buckman (by request), 83.
Referred to Committee on Judiciary General, 83.
Reported without amendment, 428.
First reading, 428.
Second reading, 471-472.
Third reading and final passage, 522.
Returned from House without amendment, 919.
Signed by President, 918.

In House (No. 235).
Referred to Committee on Judiciary General, 576.
Reported without amendment, 755.
First reading, 756.
Second reading, 829.
Third reading and final passage, 974.
Signed by Speaker, 1084.

EMPLOYMENT under contracts for public buildings or public works, to prohibit discrimination on account of race or color in

House Bill No. 86.
Read in place in House by Mr. Harris, 174.
Referred to Committee on Municipal Corporations, 174.
Reported without amendment, 487.
First reading, 558.
Second reading, 621.
Third reading and final passage, 689-690.
Returned from Senate without amendment, 1082.
Signed by Speaker, 1086.

In Senate (No. 163).
Referred to Committee on Judiciary General, 709.
Reported without amendment, 785.
First reading, 823.
Second reading, 900.
Third reading and final passage, 1005
Signed by President, 1022.

EMPLOYMENT UPON PUBLIC WORKS, and conferring certain duties on Department of Labor and Industry, in aid of unemployment relief by providing for preference to citizens of this Commonwealth in

House Bill No. 120.
Read in place in House by Mr. Rice, 217.

EMPLOYMENT UPON PUBLIC WORKS—Continued.

Referred to Committee on State Government, 217.
Reported without amendment, 257.
First reading, 326.
Second reading, 375.
Third reading and final passage, 449-450.
Returned from Senate with amendments in which House conc., 1076-1077.
Signed by Speaker, 1086.

In Senate (No. 113).
Referred to Committee on Judiciary General, 463
Reported with amendment, 823.
First reading, 823.
Second reading, 895.
Third reading and final passage, 1003.
Returned from House with Senate amendments, conc. in, 1021.
Signed by President, 1023.

EMPLOYMENT (see also Workmen's Compensation).

ENGINEERS, PROFESSIONAL, members of State Registration Board for, nominated and referred to Committee on Executive Nominations, 10; member of, reported and confirmed, 592.

EQUAL RIGHTS (see Employment).

EROE, W. J. JR., Representative from Lawrence County (First District).

Bill reported by
No. 170.
Authorizing municipal subdivisions to purchase, construct, maintain and operate public utilities, 624.

ERRATUM in House, 986; in Senate, 987.

EVANS, JOSEPH T., Representative from Lancaster County (Second District).

Resolution offered by
Extending sympathy of House to family of the late Hon. Aaron B. Hess, 42.

EVICT persons from dwellings under certain conditions, or to levy upon and sell household goods of such persons, making it unlawful to

House Bill No. 43.
Read in place in House by Mr. Hoopes, 93.
Referred to Committee on Judiciary General, 93.
Reported with amendment, 623.
First reading, 659.
Second reading, 768-769.
Third reading and defeated on final passage, 844.
Vote on final passage reconsidered and bill defeated, 874-875.

Remarks on, by
Hoopes, 875.

EVICTIONS FROM DWELLING HOUSES under certain conditions during a certain period of time, prohibiting

House Bill No. 220.
Read in place in House by Mr. Wasserman, 325.
Referred to Committee on Judiciary General, 325.

EVICTIONS (see also Writs).

EXCISE LICENSE TAX (see Tax).

EXECUTIONS (see Distress for Rent, Household Goods, Judgments, Mortgages, Police Power).

EXPENSES (see Election).

EXTRAORDINARY SESSION (see Appropriations for Expenses).

FAIR PRICES (see Commerce).

FARM LABOR (see Wages).

FARR, HON. JOHN R., former member of National House of Representatives from Lackawanna and Speaker of House in 1899, resolution (House) by John J. Williams, extending sympathy of House to family of the late, 496.

FARVIEW STATE HOSPITAL, members of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 10.

FAYETTE COUNTY (see Highway).

FAY, FRANK L., Senator from Fiftieth District (Crawford and Mercer Counties).

Motion by, for
Executive Session to rise, 747.

Motion by, to
Dispense with further reading of Journal, 97.

Question of personal privilege raised by, on
Vote on motion to discharge Committee on Executive Nominations from further consideration of nomination of P. Stephen Stahlnecker as Member of Public Service Commission, 1013.

Remarks by, on
Report of Conf. Com. on Senate Bill No. 35, creating Milk Control Board, 996.

FEDERAL CIVIL WORKS ADMINISTRATION (see Contracts, Emergency Relief Board).

FEDERAL EMPLOYMENT SERVICE (see Employment System).

FEDERAL GOVERNMENT, amending Act of 1933, authorizing municipalities to borrow money from Reconstruction Finance Corporation to finance certain projects, by extending act to other agencies.

Senate Bill No. 22.
Read in place in Senate by Mr. Chapman, 83.
Referred to Committee on Municipal Affairs, 83.
Reported without amendment, 85.
First reading, 92.
Recommitted, 100.

FEDERAL GOVERNMENT for advancement and grant of moneys, and expenditures and appropriations for acquisition of property, amending Act of 1933, authorizing construction of toll bridges from funds advanced by Reconstruction Finance Corporation, by authorizing arrangements with other agencies of

House Bill No. 52.
Read in place in House by Mr. Woodside, 94.
Referred to Committee on Highways, 94.

FEDERAL GOVERNMENT, amending Act of 1933, authorizing construction of toll-bridges from funds advanced by Reconstruction Finance Corporation, by authorizing similar arrangements to be made with other agencies of

Senate Bill No. 3.
Read in place in Senate by Mr. Gelder, 17.
Referred to Committee on Public Roads and Highways, 17.
Reported without amendment, 18.
First reading, 19.
Second reading, 36-37.
Third reading and final passage, 45.
Returned from House without amendment, 233.
Signed by President, 233.
Approved by Governor, 304.

In House (No. 37).
Referred to Committee on Highways, 66.
Reported without amendment, 120-121.
First reading, 175-176.
Second reading, 221.
Third reading and final passage, 255.
Signed by Speaker, 256.

FEDERAL GOVERNMENT for construction of public highways and bridges, authorizing State Treasurer and Department of Highways to accept funds from

Senate Bill No. 89.
Read in place in Senate by Mr. Gelder, 356.
Referred to Committee on Public Roads and Highways, 356.
Reported without amendment, 364.
First reading, 364.
Second reading, 425-426.
Vote on second reading reconsidered, and bill passed second reading as amended, 427-428.
Third reading and final passage, 471.
Returned from House with amendments, in which Senate conc., 921.
Signed by President, 988.

FEDERAL GOVERNMENT—Continued.

In House (No. 234).
Referred to Committee on Highways, 555.
Reported with amendment, 654.
First reading, 756.
Second reading and amended, 827-828.
Third reading and final passage, 972.
Returned from Senate with House amendments conc. in, 1031.
Signed by Speaker, 1050.

FEDERAL GOVERNMENT for construction of public works, and making appropriation for repayment of part of such funds, authorizing Governor to accept funds from agencies of

Senate Bill No. 1.
Read in place in Senate by Mr. Scott, 17.
Referred to Committee on Finance, 17.
Reported without amendment, 18.
First reading, 19.
Second reading and recommitted, 35-36.
Re-reported with amendment, 746.
Third reading and final passage, 788.
Returned from House without amendment, 1013.
Signed by President, 1018.

In House (No. 257).
Referred to Committee on Appropriations, 857.
Reported without amendment, 872.
First reading, 873.
Second reading, 939-940.
Over in its order, 1044.
Third reading and final passage, 1059.
Signed by Speaker, 1085.

Remarks on, by
Sterling, P., 939-940.
Woodside, 939.
Andrews, 940.

FEDERAL GOVERNMENT for public projects and to issue bonds in certain manner, authorizing municipal subdivisions and corporations to accept loans and direct grants from agencies of

Senate Bill No. 23.
Read in place in Senate by Mr. Buckman (by request), 83.
Referred to Committee on Municipal Affairs, 83.
Reported without amendment, 85.
First reading, 92.
Recommitted, 100.

FEDERAL GOVERNMENT funds for erection and acquisition of bridges, authorizing county commissioners to secure from agencies of

House Bill No. 174.
Read in place in House by Mr. Woodside, 314.
Referred to Committee on Counties, 314.
Reported without amendment, 535.
First reading, 605.
Second reading, 660.
Third reading and final passage, 772.

In Senate (No. 176).
Referred to Committee on New Counties and County Seats, 749.

FEDERAL GOVERNMENT (see also "Authorities," National Industrial Recovery Act, Property and Supplies, State Treasurer).

FEDERAL HOME OWNERS LOAN CORPORATION (see Banking, Banks, Building and Loan, Fiduciaries).

FEMALES (see Employment, Wages).

FIDUCIARIES' ACT of 1917, by making bonds issued by Federal Home Owners' Loan Corporation legal instruments for fiduciaries, amending

House Bill No. 216.
Read in place in House by Mr. Thomas J. Gallagher, 319-320.

Referred to Committee on Judiciary General, 320.

FIDUCIARIES (see also Banks).

FINANCE AND REVENUE, BOARD OF, for redemption of bonds issued to acquire toll bridges, amending Act of 1929, appropriating moneys in Motor License Fund, by appropriating such fund to

Senate Bill No. 41.
Read in place in Senate by Mr. Scott, 200.
Referred to Committee on Finance, 200.
Reported without amendment, 310.
First reading, 312.
Second reading, 353.
Third reading and final passage, 419.
Returned from House without amendment, 750.
Signed by President, 816.

In House (No. 232).
Referred to Committee on Highways, 434.
Reported without amendment, 579.
First reading, 606.
Second reading, 667.
Third reading and final passage, 776-777.
Signed by Speaker, 857.

FINANCE BUILDING (see Capitol Park).

FINANCIAL STANDING of Commonwealth, resolution (House) by Denning, requesting Auditor General and State Treasurer to furnish certain information relative to State funds, estimated revenue from liquor sales and present, read and adopted, 658. Information furnished by State Treasurer, 950-951.

FINANCES (see State Treasury).

FIREMEN'S RELIEF, pension and retirement funds, appropriating certain accumulations in Insurance Fund to cities, townships and boroughs for payment to

House Bill No. 209.
Read in place in House by Mr. Shrock, 318.
Referred to Committee on Appropriations, 318.
Reported without amendment, 406.
First reading, 407.
Second reading, 441.
Third reading and final passage, 511.
Returned from Senate without amendment, 926.
Signed by Speaker, 952.

In Senate (No. 135).
Referred to Committee on Appropriations, 520.
Reported without amendment, 581.
First reading, 595.
Second reading, 730.
Third reading and final passage, 801.
Signed by President, 918.

FISH COMMISSIONERS, members of Board of, nominated and referred to Committee on Executive Nominations, 8; member of, reported, 358; recommitted, 361; re-reported, 480; confirmed, 482; members of, reported, 536, 537; confirmed, 538.

FITZGERALD, NORBERT JAMES, Representative from Erie County (Second District).

Amendments offered by, to
Bill No. 125, regulating, under police power, the minimum wage which shall be paid to women and minors, 372, 374-375, 412.

Bills introduced by
No. 35.
Providing for, requiring and regulating installation, through budget secretary of budget and accounting systems for certain political subdivisions of the Commonwealth, 66.

No. 61.
Authorizing political subdivisions to exonerate in whole or in part taxes on real estate occupied by unemployed or indigent tenants, 119.

No. 125.
Regulating, under police power, the minimum wage which shall be paid to women and minors, 218.

No. 196.
Further amending Workmen's Compensation Law of 1915, by extending time for appeals from referee's decision to the board, 317.

FITZGERALD, NORBERT JAMES—Continued.

No. 197.
Further amending Workmen's Compensation Law of 1915, by extending time for appeals from board to court of common pleas and extending time for filing exceptions to actions of the board, 317.

No. 198.
Further amending Workmen's Compensation Law of 1915, by providing in certain disputed cases for impartial medical services at the cost of the employer, 317.

No. 199.
Further amending Workmen's Compensation Law of 1915, by making it unlawful for an employer to accept a receipt showing payment of compensation when in fact no such payment has been made, 317.

No. 200.
Further amending Workmen's Compensation Law of 1915, by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by board to employe, 317.

No. 201.
Further amending Workmen's Compensation Law of 1915, by repealing provisions limiting time within which agreements or awards may be reviewed, modified or reinstated, etc., 317.

No. 202.
Amending Workmen's Compensation Law of 1915, by extending period within which claims can be made, 317.

No. 203.
Amending Workmen's Compensation Law of 1915, by enlarging class of accidents to which said act shall apply, 317.

No. 204.
Further amending Workmen's Compensation Law of 1915, by increasing powers of Bureau to revoke its order granting exemption from insurance requiring each employer to post conspicuously name of his payer of compensation, 317.

No. 205.
Amending Workmen's Compensation Law of 1915, by providing that payments may be awarded to claimmants of remuneration for surgical, medical and hospital services, and for enforcement of such payments, 317.

No. 206.
Further amending Workmen's Compensation Law of 1915, by providing that payment for partial disability shall be in addition to those for total disability, increasing time for which services, medicines and supplies shall be furnished, etc., 317-318.

Bill reported by
No. 111 (Senate No. 7).
Authorizing abatement of certain tax penalties and interest on city taxes in cities of first class, 257.

Motion by, to
Reconsider vote on Bill No. 125, regulating, under police power, the minimum wage which shall be paid to women and minors, 412.

Questions of personal privilege raised by, on
Correction of statement relative to House Bill No. 10. (Liquor Control Bill), 195.

Remarks made by Senator Reed relative to statement that killing of minimum wage bill by Senate was in defiance of the will of the people, 949-950. (Partly expunged from records).

Remarks by, on
Amendmnets to Bill No. 249 (Senate No. 73), further amending Workmen's Compensation Law, by extending time for appeals from referee's decision to the board, 947.

FITZGERALD, NORBERT JAMES—Continued.

Bill No. 10, (Liquor Control Bill), 194.

Bill No. 60, Full Crew Bill, 691-692.

Bill No. 87, appropriating moneys in State Stores Fund to Pennsylvania Liquor Control Board for establishing and operating State Stores, 435-436.

Bill No. 125, regulating, under police power, the minimum wage which shall be paid to women and minors, 412, 448-449.

Bill No. 192, making appropriation to Department of Welfare for pensions for blind, 514.

Efficient manner in which Speaker Talbot performed his duties, 1070.

House conc. res. fixing December twenty-first as date for final adjournment, 492.

Motion for House to sit in Session on December 14th and 15th, 603.

Motion to lay on table Bill No. 196, further amending Workmen's Compensation Law, by extending time for appeals from the referee's decision to the board, 1080.

Motion to recommit Bill No. 9, known as the Spirituous and Vinous Liquor Floor Tax Bill, 68.

Motion to recommit Bill No. 170, authorizing municipal subdivisions to purchase, construct, maintain and operate public utilities, 658.

Motion to strike out amendment made by L. P. Kane to Bill No. 10, (Liquor Control Bill), 132.

Resolution, concurrent, offered by
Petitioning President of United States, to authorize completion of Allegheny River project and building of canal from Franklin to Erie, 324.

Statement relative to pink circular issued by National Woman's party urging defeat of minimum wage legislation, 253.

FLAGSHIP NIAGARA COMMISSION, member of, nominated and referred to Committee on Executive Nominations, 11.

FLANAGAN, EDWARD, Representative from Philadelphia County (Twentieth District).

Bill reported by
No. 34.
Repealing Act of 1929, authorizing appointment by Governor of Industrial Police, 579.

Leave of absence granted, 654.

Resolutions offered by
Extending congratulations of House to President of United States on the success of the National Recovery Program, 66-67.

FLEISHER, MANUEL, Representative from Philadelphia County, (Eighteenth District).

FLINCHBAUGH, J. M., Representative from York County, (Third District).

Bill introduced by
No. 3.
To regulate transportation of alcoholic liquors, 32.

Bill reported by
No. 185.
Relating to income taxes for school purposes in counties of third, fourth, fifth, sixth, seventh and eighth classes, 577.

Remarks by, on
Bill No. 21, prohibiting employment of persons for more than six hours in any one day, or for more than thirty hours in any one week, 646-647.

Bill No. 119, amending Intangible Personal Property Tax Law of 1913, by construing word "indebtedness," and denying right of Commonwealth to collect taxes on deposits in banks, 398.

FLINCHBAUGH, J. M.—Continued.

Bill No. 161 (Senate No. 17), amending Intangible Personal Property Tax Law, by excluding interest bearing accounts in banks, etc., 456-457.

Call of the House, 655.

Statement relative to reporting body of Chairman of Judiciary General Committee, the late Hon. John McClure, 657.

FLOOD CONTROL (see Forests and Waters).

FLOOR TAX (see Liquor Control).

FLYNN, JOHN M., Representative from Elk County.

Bill reported by
No. 138.
Amending Workmen's Compensation Law, by permitting extension of time for hospitalization to ninety days at option of employer or insurer, 654.

Motion by, to
Adjourn, 860. (Withdrawn).

Dispense with further reading of Journal, 65.

Recommit Bill No. 138, amending Workmen's Compensation Law, by permitting extension of time for hospitalization to ninety days at option of employer or insurer, 645, 646.

Reconsider vote on Bill No. 138, amending Workmen's Compensation Law, by permitting extension of time for hospitalization to ninety days at option of employer or insurer, 645.

Remarks by, on
Bill No. 138, amending Workmen's Compensation Law, by permitting extension of time for hospitalization to ninety days at option of employer or insurer, 644-645.

Resolution, concurrent, offered by
Urging suitable public employment be given to physically handicapped persons, 324.

FLYNN, JOSEPH W., Representative from Philadelphia County (Twenty-second District).
(Elected to fill vacancy caused by death of Jacob Mathay).

Election returns, 65.

Member of Standing Committee, 196.

Oath of office administered to, 65.

FORD MOTOR COMPANY to become bidders on motor equipment in this State, conc. res. (House) by Nothnagle, permitting agents of, read and adopted, 751-752; read and referred to Committee on Judiciary General in Senate, 782; reported without amendment, ; conc. in by Senate, 878; ret. from Senate conc. in, 927.

FORECLOSURES (see Mortgage).

FOREIGN-MADE GOODS the difference in cost of like articles made in United States, resolution (House) by Lane, urging Congress to further aid operation of American factories and relieve the tax burden by taxing persons selling, 597-598.

FOREST COMMISSION, STATE, members of, nominated and referred to Committee on Executive Nominations, 8; reported, 537; 916; confirmed, 538; 917.

FORESTS AND WATERS, DEPARTMENT OF, to improve course of Lopez Creek in Sullivan County to prevent floods, making appropriation to

House Bill No. 79.
Read in place in House by Mr. George E. Walker, 120.
Referred to Committee on Appropriations, 120.

FORREST, E. ARNOLD, Representative from Montgomery County (Second District).

FOUNDRIES (see Employment of Females).

FRANKFORD ARSENAL at Philadelphia, conc. res. (House) by Miss Brancato, inviting attention of Congress to need for modern machine tools and equipment for, 175; read and referred to Committee on Federal Relations in Senate, 361-362; adopted in House, 367.

FRAUD (see Election).

FRAZIER, BERTRAM G., Senator from Fourth District (Philadelphia County).

Amendments offered by, to
Bill No. 93, amending Beverage Tax Law, by regulating refund of taxes paid on malt liquors, 472.

Bill No. 144, to provide for permanent personal registration of electors in cities of first class, 732-745.

Bills introduced by
No. 29.
Amending Public Service Company Law, by authorizing commission in special cases to grant relief to common carriers from long and short haul and the aggregate or intermediate rates provisions, 83-84.

No. 117.
To protect owners of mortgaged property during present emergency, 469.

No. 118.
To protect owners of mortgaged property during present emergency, and restricting right to proceed on mortgage bonds during certain period, 469.

No. 144.
Providing for permanent personal registration of electors in cities of first class as a condition of their right to vote, 593.

Bill reported by
No. 123.
Amending Act of 1933, relating to tax sales of seated lands, by extending act to unseated lands, 477.

Motion by, for
Executive Session to rise, 592.

Motion by, to
Dispense with further reading of Journal, 467.

Proceed to consideration of Bill No. 179 (House No. 212), relative to establishment of branch banks, 905.

Remarks by, on
Bill No. 36 (House No. 10), Liquor Control Bill, 248-249.

FUELS (see Coal).

FULL CREW BILL (see Railroads).

FURMAN, ROY E., Representative from Greene County.

Bills introduced by
No. 195.
Amending General Election Law of 1893, by providing for arrangement of parties and candidates on ballots, 316.

No. 218.
Supplementing Beverage License Law of 1933, providing for licensing of organizations for sale of beverages at out-door gatherings and picnics, 320.

No. 219.
Amending Beverage License Law of 1933, by further regulating sales on Sunday and election day, 320.

GALLAGHER, THOMAS J., Representative from Allegheny County, (Sixth District).

Bills introduced by
No. 36.
Amending Act of 1844, to reduce the State debt, by making real estate of Public Service Companies subject to taxation, 66.

No. 48.
Joint resolution approving proposed amendment to Constitution of United States relative to child labor, 93.

No. 90.
Amending General County Assessment Law of 1933, by making real estate of Public Service Companies subject to taxation, 175.

GALLAGHER, THOMAS J.—Continued.

No. 155.
Imposing an additional excise license tax for school purposes on chain stores, 282.

No. 215.
Amending Building and Loan Code of 1933, by making bonds of Home Owners' Loan Corporation legal investments for such associations, 319.

No. 216.
Amending Fiduciaries' Act of 1917, by making bonds issued by Federal Home Owners' Loan Corporation legal instruments for fiduciaries, 319-320.

No. 217.
Amending Banking Code of 1933, by authorizing investment of bonds of Home Owners' Loan Corporation, 320.

Bills reported by
No. 5.
Authorizing employers to adopt in certain cases a "check off" system whereby union dues of employes may be deducted from the wages, 487.

No. 67.
Amending Act of 1932, authorizing abatement of penalties on local taxes, by extending act to counties of second class, 407.

No. 231 (Senate No. 56).
Authorizing municipal subdivisions having moneys borrowed for one purpose to use same for other purposes which will aid recovery from existing economic depression, 654.

Question of personal privilege raised on
Vote by Mr. Stevens on House Bill No. 737, on April 12, 1933.—79.

Remarks by, on
Bill No. 117, to regulate payment of wages or compensation for labor or service in private employment, 636.

House resolution to discharge Committee on Railroads and Railways from further consideration of House Bill No. 59, known as the "Train Limit Bill," 493.

Resigation as Member, presented and accepted, 1072.

Statement calling attention to fact that majority report was presented under House Resolution No. 91, relative to investigation of labor conditions in Pennsylvania, 181.

GALLAGHER, WILLIAM J., Representative from Allegheny County, (Second District).
(Elected to fill vacancy caused by resignation of Hon. George C. Metzler).

Election returns, 23.

Member of Standing Committees, 181.

Oath of office administered to, 23.

GARTNER, FRED C., Representative from Philadelphia County (Twenty-sixth District).

Amendments offered by, to
Bill No. 10, known as the Liquor Control Bill, 156.

Bill reported by
No. 80.
Permanent Registration, Cities of Second Class "A," 850.

Leave of absence granted, 252, 283.

Remarks by, on
Amendments offered to Bill No. 10, known as the Liquor Control Bill, 156.

Resolution, concurrent, offered by
Authorizing appointment of joint legislative committee to determine exact cost of manufacture and importation of spirituous alcoholic beverages, 375-376.

GELDER, FREDERICK T., Senator from Twenty-third District (Bradford, Susquehanna and Wyoming Counties).

Amendments offered by, to
Bill No. 89, authorizing State Treasurer and Department of Highways to accept funds from Federal Government for construction of public highways and bridges, 427.

Bill No. 111 (House No. 103), amending Toll Bridge Acquisition Law of 1927, by providing for purchase of such bridges wholly within the Commonwealth, etc., 724.

Bills introduced by
No. 3.
Amending Act of 1933, authorizing construction of toll bridges from funds advanced by Reconstruction Finance Corporation, by authorizing similar arrangements to be made with other Federal Agencies, 17.

No. 89.
Authorizing State Treasurer and Department of Highways to accept funds from Federal Government for construction of public highways and bridges, 356.

Bills reported by
No. 9.
Making appropriation to Department of Property and Supplies for erection of Finance Building in Capitol Park, 262.

No. 36 (House No. 10).
Pennsylvania Liquor Control Bill, 173.

No. 37.
Amending Vehicle Code, by limiting size and weight of motor vehicles which may be operated on Sunday and on legal holidays, 236.

No. 63.
Amending Act of 1933, making appropriation out of Motor License Fund for maintenance of certain streets, by relieving Department of Highways of repair and maintenance of certain roads in townships of second class, 250.

No. 110 (House No. 102).
Authorizing issue and sale of bonds to defray cost of acquisition of toll bridges, 553.

No. 119.
Amending City State Highway Law, by placing upon Commonwealth the cost of construction and maintaining certain structures on such streets, 521-522.

No. 133 (House No. 190).
Amending Sproul Highway Law, by providing for payment by county of damages agreed upon without hearing before court when no exceptions are filed to agreement, 710.

No. 157 (House No. 197).
Further amending Workmen's Compensation Law, by extending time for appeals from board to courts of common pleas, and extending time for filing exceptions to actions of the board, 785.

House conc. res. recommending to Governor increase in appropriation to and personnel of the Motor Patrol, reported by, 920.

Motion by, to
Recommit Bill No. 37, further amending Vehicle Code, by limiting size and weight of motor vehicles which may be operated on Sunday and legal holidays, 263.

Recommit Bill No. 63, amending Act of 1933, making appropriation out of Motor License Fund for maintenance of certain streets, by relieving Department of Highways of repair and maintenance of certain roads in townships of second class, 306.

Reconsider vote on Bill No. 111 (House No. 103), amending Toll Bridge Acquisition Law of 1927, by providing for purchase of such bridges wholly within the Commonwealth, 723-724.

GELDER, FREDERICK T.—Continued.

Reconsider vote on Bill No. 89, authorizing State Treasurer and Department of Highways to accept funds from Federal Government for construction of public highways and bridges, 427.

Resolutions concurrent, offered by
Authorizing adjournment of Legislature until November twenty-seventh, 170.

Fixing time for Joint Session to hear address of Governor, 4.

GENERAL ASSEMBLY (see Appropriation for expenses of).

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GILLETTE, WILSON D., Representative from Bradford County.

GORMAN, EUGENE J., Representative from Lehigh County (First District).

Bill reported by
No. 98.
To regulate commerce and prevent unfair competition, 487.

GOVERNOR AND MRS. PINCHOT for entertainment, resolution (House) by Hutton, extending thanks of House to, 655.

GOVERNOR (see also Federal Government, Industrial Police, Police).

GOVERNOR'S ADDRESS at Joint Session, 27-32; 401-405.

GOVERNOR'S PROCLAMATION convening General Assembly in Extraordinary Session, presented to Senate, 1-2; to House, 20.

GOVERNOR'S request to address Members in Joint Session, presented to Senate, 4; 354; to House, 25; 366.

GRAFF, PETER III, Senator from Forty-first District (Armstrong and Butler Counties).

Question of personal privilege raised by, on
Vote on House conc. res. fixing December twenty-first as date for final adjournment, 477.

Resolution offered by
Authorizing discharge of all standing committees of Senate, 1016.

GREATER PENNSYLVANIA COUNCIL, and of Executive Committee thereof, members of, nominated and referred to Committee on Executive Nominations, 9-10.

GREEN, ALEXANDER C., Representative from Philadelphia County, (Tenth District).

GREENSTEIN, L. ARTHUR, Representative from Philadelphia County (First District).

Bill reported by
No. 65.
Requiring all deputy sheriffs to be paid by counties in which they are employed, 577.

GRIFFITH, JOHN W., Representative from Somerset County.

Bills reported by
No. 57.
Joint resolution creating an Unemployment Insurance Investigation Commission, 488.

No. 85.
Amending General County Law, by decreasing and limiting compensation of members of board of viewers in counties of fourth class, 366.

HAGYSHAW, WILLIAM E., Representative from Dauphin County (Second District).

Member of special committee, 653.

Resolution offered by
Requesting Hon. Frank E. Wickersham to administer oath of office to Member-elect, 65.

Resolution, concurrent, offered by
Urging State Emergency Relief Board to secure certain information relative to projects to be carried on under the Federal Civil Works Administration, 253.

HAINES, W. ALBERTSON, Representative from Bucks County.

Amendments offered by, to
Bill No. 139 (Senate No. 35), creating Milk Control Board, 864-870.

Bills reported by
No. 229 (Senate No. 52).
Amending Milk Dealers' Permit Law, by extending provisions to all milk, and making acceptance of municipal permits optional with Secretary of Health, 518.

Member of Conference Committee, 1045.

Motion by, for
House to insist upon its amendments to Senate Bill No. 35, creating Milk Control Board, 1031.

Motion by, to
Recommit Bill No. 139 (Senate No. 35), Milk Control Bill, 579.

Recommit Bill No. 229 (Senate No. 52), amending Milk Dealers' Permit Law, by extending provisions to all milk, and by making acceptance of municipal permits optional with Secretary of Health, 570.

Remarks by, on
Amendments to Bill No. 139 (Senate No. 35), creating Milk Control Board, 869.

Bill No. 229 (Senate No. 52), amending Milk Dealers' Permit Law, by extending provisions to all milk, and making acceptance of municipal permits optional with Secretary of Health, 844.

HAMILTON, ROBERT S., Representative from Philadelphia County, (Fourteenth District).

HANDICAPPED PERSONS (see Employment).

HARMUTH, CHARLES, Representative from Allegheny County (Twelfth District).

Bills introduced by
No. 54.
Making appropriation of moneys in Motor License Fund to Department of Public Instruction, and providing for repayment of such moneys from the General Fund, 118.

No. 150.
Establishing State Emergency Public Works Commission, 281.

HARRIS, FRANK J., Senator from Forty-fifth District (Allegheny County, part of).

Bills introduced by
No. 20.
Providing for and regulating old age assistance and burial, 83.

No. 21.
Making appropriation out of State Stores Fund to Department of Welfare for old age assistance, 83.

No. 48.
Requiring municipal subdivisions to insert in contracts stipulations with respect to minimum wages to be paid to laborers and mechanics employed on public works, 213.

No. 49.
Providing for permanent personal registration of electors in cities of second class as a condition of their right to vote, 213.

No. 59.
Amending Corrupt Practice Election Law of 1906, by stipulating what expenses may be incurred by candidates for nomination and election, 237.

No. 60.
To provide for permanent personal registration of electors in cities as a condition of their right to vote, 237.

No. 67.
Authorizing banks, etc., to invest moneys and funds in bonds issued by Federal Loan Banks, 302.

HARRIS, FRANK J.—Continued.

No. 68.
Amending Workmen's Compensation Law of 1915, by enlarging class accidents to which act shall apply, increasing powers of Bureau, etc., 302.

No. 69.
Further amending Workmen's Compensation Law of 1915, by providing that payments for partial disability shall be in addition to those for total disabilities, increasing time for which surgical, medical and hospital services shall be furnished, etc., 311.

No. 70.
Amending Workmen's Compensation Law of 1915, by enlarging class of accidents to which act shall apply, 311.

No. 71.
Further amending Workmen's Compensation Law of 1915, by making it unlawful for an employer to accept receipt showing payment of compensation when in fact no such payment has been made, 311.

No. 72.
Further amending Workmen's Compensation Law of 1915, by increasing powers of Bureau to revoke its order granting exemption from insurance requiring each employer to post conspicuously name of his payer of compensation, 311.

No. 73.
Further amending Workmen's Compensation Law of 1915, by extending time for appeals from referee's decision to the board, 311.

No. 74.
Amending Workmen's Compensation Law of 1915, by extending period within which claims can be made, 311.

No. 75.
Further amending Workmen's Compensation Law of 1915, by requiring every compensation agreement to be executed in triplicate, and one copy thereof to be sent by board to employe, 311.

No. 76.
Further amending Workmen's Compensation Law of 1915, by providing in certain disputed cases for impartial medical services at cost of employer, 311.

No. 77.
Further amending Workmen's Compensation Law of 1915, by extending time for appeals from board to courts of common pleas, and extending time for filing exceptions to actions of board, 312.

No. 78.
Amending Workmen's Compensation Law of 1915, by providing that payments may be awarded to claimants of remuneration for surgical, medical and hospital services, and for enforcement of such payment, 312.

No. 79.
Further amending Workmen's Compensation Law of 1915, by repealing provisions limiting time within which agreements or awards may be reviewed, modified or reinstated, etc., 312.

No. 81.
Amending Primary Election Law of 1913, by providing for delivery of ballot box to proper custodian immediately upon completion by election officers of count and canvass of vote, and sealing of ballot box, 353.

No. 82.
Amending Voting Machine Law of 1929, by making provisions for voting machines resigned to be made secure by use of two or more seals, changing requirements to printing of returns sheets, etc., 353.

No. 83.
Repealing Act of 1885, regulating advertising of General Elections, and amending General Election Law of 1893, relative to duties of county commissioners, 353.

HARRIS, FRANK J.—Continued.

No. 94.
Requiring courts, judges and boards sitting to record, compute and certify election returns to take cognizance of number of registered or enrolled voters, by parties, of each election district, 363.

No. 95.
Amending Primary Election Law of 1913, by eliminating one of the days required of assessors and registry assessors sitting at the polling places, 363.

No. 96.
Authorizing boards of county commissioners to organize and conduct school of instruction for election officers, 363.

No. 97.
Amending Act of 1874, relating to elections, by changing time of making registry list of voters by registry assessors, 363, (by request).

No. 98.
Amending Primary Election Law of 1913, by substituting additional copies of general return sheet for triplicate party return sheets, regulating form of numbered lists of voters, etc., 363, (by request).

No. 99.
Amending General Election Law of 1893, by prescribing cash deposit as condition precedent to validity and effectiveness of a nomination paper, and manner of return of such deposit, 363, (by request).

Bills reported by
No. 59.
Amending Corrupt Practice Election Law of 1906, by stipulating what expenses may be incurred by candidates, 469

No. 98.
Amending Uniform Primary Election Law, by substituting additional copies of general return sheet for triplicate party return sheets, etc., 539.

Member of special committee, 356.

Motion by, for
Recess, 908, 909.

Motion by, to
Suspend Senate Rule 37, requirements for passage of bill, and Rule 42, discharge of committees, and that No. 161 (House No. 60), Full Crew Bill, be placed on calendar, 818.

Questions of personal privilege raised by, on
Remarks in newspapers made by Chairman of Democratic State Committee issuing a challenge to the Republican Party, 302.

Senate Bill No. 47, Joint resolution approving proposed amendment to Constitution of United States relative to child labor, 713.

Remarks by, on
Amendments to Bill No. 36 (House No. 10), Liquor Control Bill, 215.

Bill No. 17, amending Intangible Personal Property Tax Law of 1913, by excluding interest bearing accounts in banks and trust companies, 235-236.

Bill No. 59, amending Corrupt Practice Election Law of 1906, stipulating what expenses may be incurred by candidates, 583.

Bill No. 179 (House No. 212), relative to establishment of branch banks, 905.

Constitutionality of Senate Bill No. 47, Joint resolution approving proposed amendment to Constitution of United States relative to child labor, 714.

House conc. res. fixing December twenty-first as date for final adjournment of Legislature, 476.

HARRIS, FRANK J.—Continued.

Motion to recommit Bill No. 98, amending Uniform Primary Election Law, by substituting additional copies of general return sheet for triplicate party return sheets, etc., 587.

Motion to suspend Rules 37 and 42 and to place Full Crew Bill on calendar, 819.

Senate resolution urging Senate to remain in session until all legislation pending before Senate committees has been given proper consideration, 303.

Resolution offered by
Urging Senate to remain in session until all legislation comprehended within Governor's call and pending before Senate committees has been given proper consideration, 302-303.

HARRIS, JOHN W., JR., Representative from Philadelphia County, (Seventh District).

Amendments offered by, to
Motion for House to sit in Session on Thursday, December 14th, and Friday, December 15th, 655.

Bill introduced by
No. 86.
To prohibit discrimination on account of race or color in employment under contracts for public buildings or public works, 174.

Resolution offered by
Extending congratulations of House to Hon. Samuel B. Hart upon his prospective marriage, 66.

Resolution, concurrent, offered by
Memorializing Congress to actively support anti-lynching law, 827.

HARRISBURG STATE HOSPITAL, member of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 10.

HART, SAMUEL B., Representative from Philadelphia County, (Sixth District).

Amendments offered by, to
Bill No. 10, known as the Liquor Control Bill, 155.

Bills reported by
No. 77.
Providing for and regulating old age assistance, 229.

No. 240 (Senate No. 90).
Relating to advertising by holders of licenses to sell liquors or malt liquors for consumption on the premises, 755.

Congratulations of House extended to, on prospective marriage, 66.

Motion by, to
Reconsider vote on motion for House to sit in Session on Thursday, December 14th, and Friday, December 15th, 655.

Remarks by, on
Amendments offered to Bill No. 10, known as the Liquor Control Bill, 155, 161-162.

HARTMAN, H. M., M. D., Representative from Adams County.

HARVEY, LANING, Senator from Twenty-first District (Luzerne County, part of).

Motion by, to
Dispense with further reading of Journal, 301.

Resolution, concurrent, offered by
Authorizing adjournment of Legislature until December eleventh, 354.

HAZLETON STATE HOSPITAL, members of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 11; reported, 357; recommitted, 361; re-reported, 480; confirmed, 482.

HEFFERNAN, DR. JAMES J., Representative from Philadelphia County, (Eighteenth District).

Bills reported by
No. 62.
Supplementing General Appropriation Act of 1933, making additional appropriations to certain administrative departments, 320.

No. 119.
Amending Intangible Personal Property Tax Law, by construing word "indebtedness," and denying right of Commonwealth to collect taxes on deposits in banks and trust companies, 257.

Bills returned by
No. 19.
Amending Workmen's Compensation Law of 1915, by extending act to occupational diseases contracted in course of employment, 63.

No. 180.
Supplementing Workmen's Compensation Law, providing for inclusion of occupational diseases within scope thereof, 391.

Member of special committee, 26, 366, 1072.

Motion by, to
Extend to George E. Brennan, newspaperman of Philadelphia, a vote of sympathy and hope for his speedy recovery, 1087.

Resolutions offered by
Authorizing appointment of committee to escort members of Senate to Hall of House for Joint Session, 26, 366.

Authorizing appointment of committee to notify Senate that House is ready to adjourn sine die, 1072.

HEFFERON, JOHN J., Representative from Luzerne County (Third District).

Bill introduced by
No. 194.
Amending Workmen's Compensation Law of 1915, by enlarging class of accidents to which act shall apply, increasing powers of Bureau, etc., 316.

HEFFNER, PAUL V., Representative from Huntingdon County.

Bill introduced by
No. 188.
Amending Vehicle Code of 1929, by increasing length of time during which an operator's privilege shall be revoked for certain causes, 315.

Member of special committee, 366.

Remarks by, on
Bill No. 117, to regulate payment of wages or compensation for labor or service in private employment, 636.

HERMANSEN, JOHN C., Representative from Luzerne County (Fourth District).

Bill introduced by
No. 128.
Amending Anthracite Coal Mining Law of 1891, by empowering mine inspectors to inspect mines where from two to five persons are employed, 218.

Bill reported by
No. 124.
Amending Child Labor Law, by prohibiting employment of minors between fourteen and sixteen years of age, 486-487.

Motion by, for
Previous question on Bill No. 9, known as the Spirituous and Vinous Liquor Floor Tax Bill, 78.

Motion by, to
Dispense with further reading of Journal, 251.

Question of parliamentary inquiry raised by, on
If an amendment that destroys the purpose of a bill is in order, 158.

HERMANSEN JOHN C.,—Continued.

Remarks by, on
Bill No. 207, amending Female Labor Law, by excepting domestic service in private homes, and further regulating hours of labor, 647.

Motion for House to sit in Session on Thursday, December 14th, and Friday, December 15th, in order to act on certain legislation, 599-600.

Motion to suspend Rules No. 14 and 40 for purpose of considering resolution to discharge committee from further consideration of Senate Bill No. 47, approving Federal Child Labor Amendment, 859.

HESS, HON. AARON B., resolution (House) by Evans, extending sympathy of House to family of the late, 42.

HESTER, CHRISTIAN L., Representative from Northampton County (Second District).

HEWITT, EARL E., Representative from Indiana County.

Bill reported by
No. 129.
Amending Bituminous Coal Mining Law, by extending act to mines employing five or more persons, 320.

HIGHWAY LAW, CITY STATE, of 1931, by changing certain routes in Oil City, amending

Senate Bill No. 46.
Read in place in Senate by Mr. Chapman, 212.
Referred to Committee on Public Roads and Highways, 212.

HIGHWAY LAW, CITY STATE, of 1931, by placing upon the Commonwealth the cost of constructing, maintaining and reconstructing certain structures on such street, amending

Senate Bill No. 119.
Read in place in Senate by Mr. Bell, 474.
Referred to Committee of Public Roads and Highways, 474.
Reported without amendment, 521-522.
First reading, 554.
Second reading, 590.
Third reading and final passage, 725-726.

In House (No. 253).
Referred to Committee on Highways, 855.

HIGHWAY LAW of 1911, by providing for payment by county of damages agreed upon without hearing before court when no exceptions are filed to agreement, amending Sproul

House Bill No. 190.
Read in place in House by Mr. Rhodes, 316.
Referred to Committee on Counties, 316.
Reported without amendment, 406.
First reading, 407-408.
Second reading, 441-443.
Third reading and final passage, 512-513.
Returned from Senate with amendments in which House conc., 978-979.
Signed by Speaker, 1060.

In Senate (No. 133).
Referred to Committee on Judiciary General, 520.
Reported with amendment, 710.
First reading, 748-749.
Second reading, 813-815.
Over in its order, 894-895.
Third reading and final passage, 913-914.
Returned from House with Senate amendments conc in., 919.
Signed by President, 1022.

HIGHWAY PATROL (see Highway, Motor Patrol, Motor Vehicles).

HIGHWAY, STATE, in Fayette County, amending Rural State Highway Law of 1931, by adding certain

House Bill No. 210.
Read in place in House by Mr. Welsh, 318.
Referred to Committee on Highways, 318.

HIGHWAY, STATE, in Lehigh County, amending Rural State Highway Law of 1931, by establishing

House Bill No. 92.
Read in place in House by Mr. Marcks, 175.
Referred to Committee on Highways, 175.

HIGHWAY, STATE, in Warren County, establishing

Senate Bill No. 5.
Read in place in Senate by Mr. Chapman, 35.
Referred to Committee on Public Roads and Highways, 35.

HIGHWAY, STATE, in Warren County, establishing

Senate Bill No. 6.
Read in place in Senate by Mr. Chapman, 35.
Referred to Committee on Public Roads and Highways, 35.

HIGHWAYS AND BRIDGES within the Commonwealth, member of Commission to make survey of construction and maintenance of, nominated and referred to Committee on Executive Nominations, 11; reported, 537; confirmed, 538.

HIGHWAYS, DEPARTMENT OF, of repair and maintenance of certain roads in townships of second class, amending Act of 1933, making appropriation out of Motor License Fund for maintenance of certain street, by relieving

Senate Bill No. 63.
Read in place in Senate by Mr. Parkinson, 249-250.
Referred to Committee on Public Roads and Highways, 250.
Reported without amendment, 250.
First reading, 251.
Second reading, 279-280.
Recommitted, 306.

HIGHWAYS, DEPARTMENT OF, to give special consideration to use of larger proportion of tar on roads where bituminous materials are required, resolution (House) by Spann, urging, read and adopted, 656-657.

HIGHWAYS, DEPARTMENT OF, to use tar on roads where bituminous materials are required, resolution (Senate) by Sordoni, requesting, read and adopted, 475.

HIGHWAYS, PRIMARY STATE, authorizing Department of Highways to provide parking spaces along

House Bill No. 123.
Read in place in House by Mr. Powers, 217.
Referred to Committee on Highways, 217.

HIGHWAYS safe for travel during ice storm, resolution (House) by Peters, thanking Secretary of Highways and his loyal corps of workers, and Captain Price and State Highway Patrol for splendid work in making, 934.

HIGHWAYS, STATE, all existing township roads in townships of second class which have not heretofore been established as State highways, establishing as

Senate Bill No. 57.
Read in place in Senate by Mr. Bennett, 235.
Referred to Committee on Public Roads and Highways, 235.

HIGHWAYS (see also Federal Government, Motor Vehicles).

HIMES, HARRY E., Representative from Armstrong County.

Bill introduced by
No. 12.
Joint resolution proposing amendment to Constitution, extending right of assumption of municipal debts by Commonwealth, 33.

Bill reported by
No. 118.
Imposing a graduated income tax for school purposes, 597.

HIMES, LESLIE R., Representative from Clarion County.

Member of special committee, 1083.

HOFFMAN, FRANK E., Representative from Allegheny County (Eleventh District).

HOLIDAYS (see Motor Vehicles).

HOLMES, JOHN B., Representative from Philadelphia County (Twentieth District).

HOLMES, JOHN L., Representative from Centre County.

Member of special committee, 24.

Remarks by, on
Bill No. 20, authorizing cities to acquire lands and provide for erection thereon of dwellings for rental to its citizens, 453.

HOME LOAN BONDS, issued by Federal Home Owners' Loan Corporation, legal investments for trust funds, making

House Bill No. 45.
Read in place in House by Mr. Hoopes, 93.
Referred to Committee on Judiciary General, 93.
Reported with amendment, 257.
First reading, 325.
Second reading and amended, 371.
Third reading and final passage, 445-446.
Returned from Senate with amendments, in which House conc., 953-954.
Signed by Speaker, 978.

HOME OWNERS' LOAN CORPORATION (see Banking, Banks, Building and Loan, Fiduciaries).

HOMSHER, JOHN G., Senator from Thirteenth District (Lancaster County, part of).

Acting President pro tempore, 552.

Bills introduced by
No. 39.
Amending Department of Banking Code of 1933, by extending provisions to all private bankers, and modifying power of Secretary of Banking as receiver of corporations and persons under this supervision 200.

No. 40.
Amending Banking Code of 1933, by extending provisions to all private bankers, 200.

Bills reported by
No. 10.
For extension of Capitol Park and for acquisition of real estate in connection therewith, 551.

No. 17.
Amending Intangible Personal Property Tax Law of 1913, by excluding interest-bearing accounts in banks or trust companies, 231.

No. 23.
Authorizing political subdivisions to accept loans and direct grants from agencies of Federal Government for public projects, 85.

No. 65 (House No. 17).
Amending Act of 1926, creating Pennsylvania Alcohol Permit Board, by making same consistent with repeal of Eighteenth Amendment, 280.

No. 167 (House No. 199).
Further amending Workmen's Compensation Law, by making it unlawful for an employe to accept a receipt showing payment of compensation when in fact no such payment has been made, 785.

Member of special committee, 1020.

Motion by, for
Executive Session to rise, 46, 212, 235.

Motion by, to
Proceed to consideration of bills on second reading, 262.

Recommit Bill No. 12 (House No. 13), Malt Liquor Tax Bill, 202.

Recommit Bill No. 17, amending Intangible Personal Property Tax Law of 1913, by excluding interest-bearing accounts in banks, etc., 203.

Report on Chief Clerk on Comparing Bills, presented by, 1023.

Resolution, concurrent, offered by
Authorizing appointment of committee to act in conjunction with House committee to notify Governor that General Assembly is ready to adjourn sine die, 1017.

Resolutions offered by
Authorizing appointment of all Senate committees by President pro tempore, 2.

Authorizing election of certain Senate employes, 46.

Extending welcome to delegates of Constitutional Repeal Convention, 303.

HOOPES, DARLINGTON, Representative from Berks County (First District).

Amendments offered by, to
Bill No. 20, authorizing cities to acquire lands and provide for erection thereon of dwellings for rental to its citizens, 379.

Bill No. 45, making home loan bonds issued by U. S. Government legal investments for trust funds, 371.

Bill No. 117, to regulate payment of wages or compensation for labor or service in private employments, 564-565.

Bill No. 244 (Senate No. 124), further amending Election Law of 1874, as amended pursuant to Amendment No. 5 to Constitution, eliminating tax-paying qualification for voters, 941-944.

House resolution directing chairmen of committees having labor and social legislation under consideration to call meetings and report measures before December 6th, 321.

Bills introduced by
No. 19.
Amending Workmen's Compensation Law of 1915, by extending act to occupational diseases contracted in course of employment, 41.

No. 20.
Authorizing cities to acquire lands and provide for erecting thereon of dwellings for rental to its citizens, 41.

No. 24.
Relating to unemployment relief, and making appropriation to State Emergency Relief Board for direct aid work relief, 47.

No. 43.
Making it unlawful to evict persons from dwellings under certain conditions, or to levy upon and sell household goods on such persons, 93.

No. 44.
Regulating payment of compensation of deputy sheriffs for performance of certain services, 93.

No. 45.
Making Home Loan Bonds issued by Federal Home Owners' Loan Corporation legal investments for trust funds, 93.

No. 46.
Amending Administrative Code of 1929, by creating Unemployment Indemnity Board, 93.

No. 47.
Establishing Unemployment Fund, providing for management thereof and payment therefrom, and making appropriation, 93.

No. 93.
To provide for investigation and study of wages of women and minors and for determination and establishment of minimum fair wage standards, 175.

No. 117.
To regulate payment of wages or compensation for labor or service in private employments, 217.

No. 178.
Providing for creation of County Employment Service Districts, 314.

Bills reported by
No. 80.
Amending Personal Registration Law, Third Class Cities, by providing that county commissioners may appoint registrars for each district without nomination petitions, 283.

No. 143.
Prohibiting granting of licenses for sale of spirituous and vinous alcoholic liquors in certain territory, 406.

HOOPES, DARLINGTON.—Continued.

No. 244 (Senate No. 124).
Further amending Election Law of 1874, as amended pursuant to Amendment No. 5 of Constitution, eliminating tax paying qualification for voters, 826.

Motion by, for
House to remain in Session until action is taken on Senate Bill No. 47, approving Federal Child Labor Amendment, 856.

House to sit in Session on Thursday, December 14th, and Friday, December 15th, so that all legislation now on calendar either may be passed and sent to Senate or be defeated, 599; adopted, 604; vote reconsidered and motion adopted as amended, 655.

Recess, 856, 857.

Motion by, to
Adjourn, 464.

Discharge Committee on Constitutional Amendment from further consideration of Bill No. 254 (Senate No. 47), approving Federal Child Labor Amendment, 859-860.

Drop from calendar House Bill No. 119, amending Intangible Personal Property Tax Law, by construing word "indebtedness," and denying right of Commonwealth to collect taxes on deposits in banks, 458.

Suspend Rules Nos. 14 and 40 for purpose of considering a resolution to discharge Committee on Constitutional Amendments from further consideration of Senate Bill No. 47, approving Federal Child Labor Amendment, 858.

Suspend Rules 14, 41 and 43 for purpose of passing on first reading Bill No. 254 (Senate No. 47), approving Federal Child Labor Amendment, 860.

Question of parliamentary inquiry raised by, on
Appeal from decision of chair relative to motion to have arranged and printed all amendments to Liquor Control Bill before Committee of the Whole vote on same, 140.

Interpretation of word "immediately" as used in resolution directing chairmen of committees to call meetings, 464.

Requesting Chair to give opinion as to what would be a reasonable time to allow the Chairman of Committee on Constitutional Amendments to pick up Senate Bill No. 47, approving Federal Child Labor Amendment, 856.

Status of Senate Bill No. 47, Joint resolution approving proposed amendment to Constitution of United States relative to child labor, 855-856.

What assurance can the Chair give that the House will remain in session during the next fifteen minutes, 856.

Whether it is in order to take action on placing Senate Bill No. 47, approving Federal Child Labor Amendment, in hands of chairman of Constitutional Amendment Committee, 856.

Whether Senate Bill No. 47, approving Federal Child Labor Amendment, will be dead if House fails to pass same December 19th, 856.

Remarks by, on
Amendments to Bill No. 249 (Senate No. 73), further amending Workmen's Compensation Law, by extending time for appeals from referee's decision to the board, 947.

Bill No. 28, providing for formation of limited dividend reconstruction corporations for purpose of reconstructing slum area, 573.

Bill No. 117, to regulate payment of wages or compensation for labor or service in private employments, 635-638.

Bill No. 119, amending Intangible Personal Property Tax Law of 1913, by construing word "indebtedness," and denying right of Commonwealth to collect taxes on deposits in banks, 397, 458.

HOOPES, DARLINGTON.—Continued.

Bill No. 125, regulating, under police power, the minimum wage which shall be paid to women and minors, 449.

Bill No. 145, Joint resolution proposing amendment to Constitution, relative to assistance to mothers, certain blind and aged persons, 641.

Bill No. 161 (Senate No. 17), amending Intangible Personal Property Tax Law, by excluding interest-bearing accounts in banks, etc., 455-456.

Bill No. 207, amending Female Labor Law, by excepting domestic service in private homes and further regulating hours of labor, 647-648.

Efficient manner in which Speaker Talbot performed his duties, 1071.

House conc. res. fixing December twenty-first as date for final adjournment, 491.

House resolution directing chairman of committees having labor and social legislation under consideration to call meetings, 321-323.

Motion for House to sit in Session on Thursday, December 14th, and Friday, December 15th, 599.

Motion to suspend Rules 14 and 40 for purpose of considering a resolution to discharge Committee on Constitutional Amendments from further consideration of Senate Bill No. 47, approving Federal Child Labor Amendment, 858-859.

Question of constitutionality of House Bill No. 117, to regulate payment of wages or compensation for labor or service in private employment, 638.

Roll call on motion to adjourn, 465.

Resolution offered by
Directing chairmen of committees having labor and social legislation under consideration to call meetings and report measures before December 6th, 253.

HORSE RACING and betting, and creating State Racing Commission, to secure funds for old age pensions, permitting, licensing and regulating

House Bill No. 186.
Read in place in House by Messrs. Peters and Baldi, 315.
Referred to Committee on Ways and Means, 315.

HORST, MILES, Representative from Lebanon County.

Bill reported by
No. 139 (Senate No. 35).
Milk Control Board Bill, 705.

Member of Conference Committee, 1045.

HOSPITALIZATION (see Workmen's Compensation).

HOUGH, HOWARD M., Representative from Allegheny County (Eighth District).

Bills introduced by
No. 67.
Amending Act of 1932, authorizing abatement of penalties on local taxes, by extending act to counties of second class, 119.

No. 98.
To regulate commerce and prevent unfair competition, and defining fair prices, 180.

Bill reported by
No. 74.
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HOUSEHOLD GOODS on executions or distress for rent during certain periods, prohibiting sales of

House Bill No. 222.
Read in place in House by Mr. Wasserman, 325.
Referred to Committee on Judiciary General, 325.

HOUSEHOLD GOODS (see also Evict).

HOUSE OFFICERS AND EMPLOYES for able and efficient manner in which they have attended to their duties, resolution (House) by Bennett, tendering thanks of House to, 1072.

HOUSE OF REPRESENTATIVES (see Air Conditioning).

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HOUSING AUTHORITIES for purpose of reconstructing slum areas, and providing for supervision thereof by State Board of Housing in Department of Property and Supplies, providing for formation of

Senate Bill No. 91.
Read in place in Senate by Mr. Snyder, 359-360.
Referred to Committee on Public Health and Sanitation, 360.

HOUSING COMPANIES, DIVIDEND, for purpose of eliminating unsanitary and dangerous housing conditions, defining and providing for formation of

(Limited Dividend Housing Company Bill)

House Bill No. 27.
Read in place in House by Mr. John J. Kane, 47.
Referred to Committee on Corporations, 47.
Reported with amendment, 431.
First reading, 498.
Second reading, 560-563.
Third reading and amended, 629.
Final passage, 698-701.

In Senate (No. 159).
Referred to Committee on Public Health and Sanitation, 709.

HOUSING CONDITIONS, the construction and supervision of safe and sanitary dwellings and apartments, and creating State Board of Housing in Department of Property and Supplies, for elimination of unsanitary and dangerous

House Bill No. 26.
Read in place in House by Mr. John J. Kane, 47.
Referred to Committee on Public Health and Sanitation, 47.
Reported with amendment, 406.
First reading, 437.
Second reading, 501-504.
Third reading and final passage, 571.

In Senate (No. 137).
Referred to Committee on Appropriations, 539.

HOUSING, providing for formation of limited dividend reconstruction corporations for purpose of reconstructing slum areas, and providing for supervision and regulation thereof by State Board of

(Limited Dividend Reconstruction Corporation Bill)

House Bill No. 28.
Read in place in House by Mr. John J. Kane, 47.
Referred to Committee on Public Health and Sanitation, 47.
Reported with amendment, 406.
First reading, 437-438.
Second reading, 504-506.
Third reading and defeated on final passage, 571-575.
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Remarks on, by
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Referred to Committee on Public Health and Sanitation, 708.

HOWARD, REUBEN, Representative from Fayette County (Second District).

Bill introduced by
No. 163.
Amending Uniform Primary Election Law of 1913, by prohibiting candidates for certain offices from being candidates for more than one party nomination, 283.

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Remarks by, on
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Discharging Committee on Elections from further consideration of House Bill No. 163, amending Uniform Primary Election Law, by prohibiting candidates for certain offices from being candidates for more than one party nomination, 555.

HOWELL, JOHN W., Senator from Twenty-second District (Lackawanna County).

Bill introduced by
No. 19.
Providing for permanent personal registration of electors in cities of second class A as a condition of their right to vote, 82-83.

Bills reported by
No. 130 (House No. 128).
Amending Anthracite Coal Mining Law, by empowering mine inspectors to inspect mines employing from two to five persons, 536.

No. 144.
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Executive nominations reported by, 38.

Leave of absence granted, 707, 781, 987.

Resolution offered by
Authorizing payment of salaries of officers and employes of Senate during Extraordinary Session of 1933, 3.

HUNSICKER, WILLIAM C., Senator from Third District (Philadelphia County).

Bill reported by
No. 7.
Authorizing abatement of certain tax penalties and interest on city taxes in cities of first class, 85.

Motion by, to
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HUTTON, A. J. WHITE, Representative from Franklin County.

Acting Speaker, 440, 449, 605, 665, 938, 974, 1069.

Amendments offered by, to
Bill No. 139 (Senate No. 35), creating Milk Control Board, 868.

House conc. res. relative to investigation of Insurance Department, 934.

Bills introduced by
No. 68.
Empowering and directing coporate authorities of political subdivisions to exonerate landlords from payment taxes on dwellings occupied by tenants who are unable to pay rent, 119.

No. 104.
Requiring all bailment leases to contain certain standard clauses setting forth rights of respective parties thereto, 216.

HUTTON, A. J. WHITE.—Continued.

No. 157.
Creating an independent administrative commission to be known as Pennsylvania Milk Control Commission, 282.

No. 158.
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No. 160.
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Remarks by Mr. Hoopes on motion to suspend Rules Nos. 14 and 40 for purpose of considering resolution to discharge committee from further consideration of Senate Bill No. 47, approving Federal Child Labor Amendment, 859.

Question of constitutionality raised on House Bill No. 117, to regulate payment of wages or compensation for labor or service in private employment, 638.

Question of personal privilege raised by, on
Remarks in newspaper relative to salary of Eugene F. White, Chief Clerk of House, while on leave of absence, 575.

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HUTTON, A. J. WHITE.—Continued.

Bill No. 28, providing for formation of limited dividend reconstruction corporations for purpose of reconstructing slum areas, 571-573.

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Bill No. 139 (Senate No. 35), creating Milk Control Board, 1045.

Constitutionality of House Bill No. 34, repealing Industrial Police Law of 1929, 695-696.

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Fixing December twenty-first as date for General Assembly to adjourn sine die, 491.

IMMIGRATION from all countries on those seeking employment in America for two years, resolution (House) by Shugarts, requesting President of United States to at once, by executive order, close the doors on, 496.

INCOME TAX, EMERGENCY STATE, and providing for distribution of proceeds thereof to school districts, imposing an

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Read in place in House by Mr. Surface, 120.
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INCOME TAX, GRADUATED, for school purposes, providing for administration of act by Department of Revenue, and making appropriation for administration costs, imposing a

(The Income Tax Law of 1933).

House Bill No. 118.
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Referred to Committee on Ways and Means, 217.
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Third reading and recommitted, 834-843.

Remarks on, by
Sterling, P., 842-843.
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INCOME TAXES for school purposes in counties of third, fourth, fifth, sixth, seventh and eighth classes, relating to

House Bill No. 185.
Read in place in House by Mr. McElwee, 315.
Referred to Committee on Counties, 315.
Reported without amendment, 577.
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INDUSTRIAL POLICE, repealing Act of 1929, authorizing appointment by the Governor of

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Read in place in House by Mr. John J. Kane, 65.
Referred to Committee on Corporations, 65.
Reported without amendment, 579.
First reading, 579.
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Third reading and final passage, 694-697.

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Referred to Committee on Judiciary General, 709.

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INSURANCE COMPANY LAW of 1921, by requiring certain insurance companies and employer's mutual liability associations to segregate funds for payment under Workmen's Compensation Act, amending

House Bill No. 152.
Read in place in House by Mr. Schwartz, 282.
Referred to Committee on Insurance, 282.

INSURANCE DEPARTMENT, conc. res. (House) by Cohen, amending Conc. Res. No. 83 of 1933, authorizing appointment of Joint Legislative Committee to investigate affairs and records of, 753; referred to Committee on Insurance in Senate, 911-912; adopted, as amended, in House, 934-935.

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INSURANCE DEPARTMENT, statement, by Mr. Cohen, showing necessity for immediate and thorough investigation of, 333-334.

Remarks on, by
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JAFFE, NATHANIEL E., Representative from Philadelphia County, (Sixteenth District).

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JONES, BENJAMIN, Representative from Luzerne County (Seventh District).

Remarks by, on
Statement made by Mr. Sowers that House Bill No. 10, known as the Liquor Control Bill, is the child of the Anti-Saloon League, 160.

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House Bill No. 166.
Read in place in House by Mr. Quinn, 313.
Referred to Committee on Judiciary General, 313.

JUDGMENTS, DEFICIENCY, and limiting amount for which writs of execution may issue in certain cases, providing for entry of

House Bill No. 135.
Read in place in House by Mr. Price, 252.
Referred to Committee on Judiciary General, 252.
Reported with amendment, 597.
First reading, 659.
Second reading, 767-768.
Third reading and final passage, 843-844.

In Senate (No. 184).
Referred to Committee on Judiciary General, 816.
Reported without amendment, 820.
First reading, 825.
Recommitted, 916.

JUDGMENTS, DEFICIENCY, providing methods for determining amount thereof and disposition of costs, concerning

House Bill No. 132.
Read in place in House by Mr. Negley, 218.
Referred to Committee on Judiciary General, 218.
Reported with amendment, 597.
First reading, 659.
Second reading, 766-767.
Third reading and final passage, 843.

In Senate (No. 183).
Referred to Committee on Judiciary General, 816.

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KANE, JOHN J., Representative from Allegheny County, (Sixth District).

Amendments offered by, to
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For elimination of unsanitary and dangerous housing conditions, the construction and supervision of safe and sanitary dwellings, and creating State Board of Housing, 47.

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KANE, JOHN J.—Continued.

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Question of personal privilege raised by, on
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Bill No. 87, appropriating moneys in State Stores Fund to Pennsylvania Liquor Control Board for establishing and operating State Stores, 436.

Bill No. 233 (Senate No. 53), creating public "authorities" in counties of second class, 978.

Constitutionality of House Bill No. 34, repealing Industrial Police Law, 695-696.

House conc. res. fixing December twenty-first as date for final adjournment, 491-492.

Legislation passed by House, (Interrogated by Mr. Sowers relative to), 600-602.

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Motion to recommit Bill No. 170, authorizing municipal subdivisions to purchase, construct, maintain and operate public utilities, 659.

Motion to strike out amendment to Liquor Control Bill prohibiting females from serving liquor to guests, patrons or members, 132.

Resignation as Member, presented and accepted, 1071.

KANE, LEONARD P., Representative from Allegheny County (Fourth District).

Amendments offered by, to
Bill No. 10, known as the Liquor Control Bill, 154, 189.

Bills introduced by
No. 106.
Requiring persons to obtain State permits for purchase of spirituous alcoholic liquors not for consumption on the premises where sold, 216.

No. 175.
Prohibiting employes of State Liquor Stores from recommending any particular kind or grade of alcoholic beverages to purchasers to such stores, 314.

Member of special committee, 653.

Question of personal privilege raised by, on
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Motion by Mr. Wilson to strike out amendments to Bill No. 10, known as the Liquor Control Bill, 131.

KING, JOHN H., Representative from Erie County (Third District).

KINNEY, WILLIAM D., Representative from Erie County (First District).

Motion by, to
Dispense with further reading of Journal, 653.

KRAUSE, THADDEUS S., Senator from Eighth District (Philadelphia County).

Amendments offered by, to
Bill No. 130 (House No. 128), amending Anthracite Coal Mining Law, by empowering mine inspectors to inspect mines employing from two to five persons, 726.

Bill No. 131 (House No. 129), amending Bituminous Coal Mining Law, by extending act to mines employing five or more persons, and empowering mine inspectors to inspect such mines, 726.

House conc. res. authorizing appointment of Commission to study best methods for permanent registration in cities of first class, 1016.

Bills reported by
No. 104 (House No. 77).
Providing for and regulating old age assistance and burial, 593.

No. 142 (House No. 73).
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Member of Standing committees, 3.

Motion by, to
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Resolutions, concurrent, offered by
Authorizing adjourment of Legislature until December eighteenth, 522.

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LABAR, EDWARD B., Representative from Pike County.

LABOR (see Constitution of United States, Employment, Wages, Workmen's Compensation).

LABOR AND INDUSTRY, DEPARTMENT OF, of accidents to employes, by requiring reports of disability caused by occupational diseases, and of all accidents without regard to continuation of disability, amending Act of 1913, requiring employers to make report to

House Bill No. 189.
Read in place in House by Mr. Wade, 316.
Referred to Committee on Manufacturers, 316.

LABOR AND INDUSTRY, DEPARTMENT OF (see also Employment System, Employment, Unemployment Insurance).

LABOR AND INDUSTRY, Miss Charlotte E. Carr nominated as Secretary of, and referred to Committee on Executive Nominations, 8.

LABOR AND SOCIAL LEGISLATION under consideration to call meetings, resolution (House) by Hoopes, directing chairmen of committees having, 253; adopted as amended, 321-324.

Remarks on, by
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LANDS (see Cities, Tax Sales, Tax).

LANE, WILLIAM, Representative from Washington County (Second District).

Bills introduced by
No. 58.
To prohibit detention of persons in private lockups and on private property for examination pending arraignment, 118.

No. 146.
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No. 147.
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Bill reported by
No. 103.
Amending Act of 1927, for acquisition of certain toll bridges, by extending act to all bridges wholly within the Commonwealth, and for payment out of Toll Bridge Fund, 257.

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Resolutions offered by
Requesting State Emergency Relief Board to instruct local relief boards to exercise care in enforcing requirement that motor vehicle registration plates be surrendered by recipients of relief, 430.

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Resolution, concurrent, offered by
Memorializing Congress to enact legislation which will equalize the burden of taxation between river and railroad transportation, 220.

LANIUS, HENRY E., Senator from Twenty-eighth District (York County).

Amendments offered by, to
Bill No. 156 (House No. 193), providing for and regulating pensions for blind persons, 896-900.

Motion by, to
Dispense with further reading of Journal, 163, 519.

Recommit Bill No. 134 (House No. 192), making appropriation to Department of Welfare for pensions for blind, 591.

LAUBACH, PALMER, Representative from Philadelphia County, (Twenty-fourth District).

LAURELTON STATE VILLAGE, member of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 10; reported, 358; recommitted, 361; re-reported, 481; confirmed, 482.

LEASES, BAILMENT, to contain certain standard clauses setting forth rights of respective parties thereto, requiring all

House Bill No. 104.
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Referred to Committee on Judiciary General, 216.

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LEGISLATIVE JOURNAL, conc. res. (Senate) by Norton, authorizing payment of postage on, 2; ret. from House conc. in, 16; conc. in by House, 25; approved by Governor, 17.

LEGISLATIVE REFERENCE BUREAU for valuable assistance rendered to House, resolution (House) by Philip Sterling, tendering thanks of House to Director and other officers and employes of, 1072.

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LENAHAN, FRANK P., Representative from Luzerne County (Second District).

Remarks by, on
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LEWIS, HARRY A., Representative from Lackawanna County (Second District).

Bill reported by
No. 114 (Senate No. 19).
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LIEUTENANT-GOVERNOR EDWARD C. SHANNON, President of Senate, for able and impartial manner in which he performed his duties, resolution (Senate) by Pierson, tendering thanks of Senate to, 1016.

LIMITED DIVIDEND RECONSTRUCTION CORPORATIONS (see Housing).

LIMITED DIVIDEND HOUSING COMPANIES (see Housing Companies).

LIQUOR BUSINESS by State Stores, resolution (House) by Witkin, authorizing appointment of committee to investigate charges made by A. Leo Weil, Esq., before Ways and Means Committee of House, regarding distribution of, read and adopted, 94-95; committee appointed, 121; committee reports, 935-937. (see Appendix, page 1138).

LIQUOR CONTROL, amending Act of 1926, creating Pennsylvania Alcohol Permit Board in Department of Welfare by providing that act shall be administered by Pennsylvania Liquor Control Board, making act consistent with repeal of Eighteenth Amendment, changing definitions, exemptions, etc.
(Alcohol Permit Law)

House Bill No. 17.
Read in place in House by Mr. Wilson, 33-34.
Referred to Committee on Judiciary General, 34.
Reported without amendment, 43.
First reading, 44.
Second reading, 58-61.
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Re-reported as amended, 180.
Recommitted, 225-228.
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LIQUOR CONTROL.—Continued.

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Referred to Committee on Finance, 261.
Reported without amendment, 280.
First reading, 281.
Second reading and recommitted, 309-310.
Re-reported as amended, 312.
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Returned from House with Senate amendments conc. in, 355.
Signed by President, 360.

LIQUOR CONTROL.—amending Beverage License Law of 1933, by further regulating sales on Sunday and election day—

House Bill No. 219.
Read in place in House by Mr. Furman, 320.
Referred to Committee on Judiciary General, 320.

LIQUOR CONTROL—amending Beverage License Law of 1933, by limiting act to malt liquors as defined therein—

(Malt Liquor License Law)

House Bill No. 15.
Read in place in House by Mr. Zimmerman, 33.
Referred to Committee on Judiciary General, 33.
Reported without amendment, 43.
First reading, 44.
Second reading and amended, 51-55.
Third reading and final passage, 69-75.
Returned from Senate with amendments in which House conc., 432.
Signed by Speaker, 490.

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Referred to Committee on Law and Order, 81-82.
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First reading, 312.
Second reading, 349-353.
Third reading and final passage, 418-419.
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Signed by President, 482.

LIQUOR CONTROL—amending Beverage License Law of 1933, by making it unlawful for manufacturers to sell to other than licensed distributors, except for export from this Commonwealth—

House Bill No. 154.
Read in place in House by Mr. Joseph R. Lynch, 282.
Referred to Committee on Judiciary General, 282.
Reported without amendment, 406.
First reading, 438.
Second reading and recommitted, 506-507.
Re-reported without amendment, 579.
Third reading and defeated on final passage, 648-649.
Motion to reconsider vote on final passage, not agreed to, 776.

LIQUOR CONTROL—amending Beverage License Law of 1933, by providing for distribution of license fees to school districts in townships of second class—

House Bill No. 105.
Read in place in House by Mr. Bechtel, 216.
Referred to Committee on Judiciary General, 216.

LIQUOR CONTROL—amending Beverage Tax Law of 1933, by regulating refund of taxes paid on malt liquors—

Senate Bill No. 93.
Read in place in Senate by Mr. Staudmeier, 360.
Referred to Committee on Judiciary General, 360.
Reported without amendment, 418.
First reading, 428.
Second reading and amended, 472.
Third reading and final passage, 523.
Returned from House with amendments in which Senate conc., 999-1000.
Signed by President, 1019.

In House (No. 236).
Referred to Committee on Ways and Means, 576.
Reported with amendment, 705.
First reading, 756.
Second reading and amended, 945-946.
Third reading and final passage, 1034.
Returned from Senate with House amendments conc. in, 1061.
Signed by Speaker, 1084-1085.

LIQUOR CONTROL—amending Beverage Tax Law of 1933, by restricting act to malt liquors as defined therein—

(Malt Liquor Tax Law)

House Bill No. 13.
Read in place in House by Mr. Spann, 33.
Referred to Committee on Ways and Means, 33.
Reported without amendment, 43.
First reading, 44.
Second reading, 49-51.
Third reading and final passage, 70.
Returned from Senate with amendments in which House conc., 335-336.
Signed by Speaker, 366.
Approved by Governor, 429.

In Senate (No. 12).
Referred to Committee on Finance, 81.
Reported with amendment, 164.
First reading, 173.
Second reading and recommitted, 200-202.
Re-reported as amended, 237-238.
Third reading and final passage, 305.
Returned from House with Senate amendments conc. in, 310.
Signed by President, 360.

LIQUOR CONTROL—amending Pennsylvania Liquor Control Act of 1933, by prohibiting signs advertising any liquor or malt liquors outside buildings in which liquors are sold—

Senate Bill No. 80.
Read in place in Senate by Mr. Trainer, 312.
Referred to Committee on Law and Order, 312.

LIQUOR CONTROL—amending Spirituous and Vinous Liquor Floor Tax Law of 1933, by changing floor tax on vinous liquors—

House Bill No. 176.
Read in place in House by Mr. Long, 314.
Referred to Committee on Ways and Means, 314.

LIQUOR CONTROL—amending Spirituous and Vinous Liquor Floor Tax Law of 1933, by providing for an extension of time for payment in certain cases—

House Bill No. 246.
Read in place in House by Mr. Witkin, 697.
Referred to Committee on Ways and Means, 697.
Reported without amendment, 701.
First reading, 701.
Second reading, 770-771.
Third reading and final passage, 849.
Returned from Senate without amendment, 1083.
Signed by Speaker, 1087.

Remarks on, by
Witkin, 849.

In Senate (No. 182).
Referred to Committee on Finance, 815.
Reported without amendment, 818.

LIQUOR CONTROL.—Continued.

First reading, 825.
Second reading, 904.
Third reading and final passage, 1010.
Signed by President, 1023.

LIQUOR CONTROL—amending Spirituous and Vinous Liquor Floor Tax Law of 1933, by providing for an extension of time for payment in certain cases—

Senate Bill No. 121.
Read in place in Senate by Mr. Scott, 474.
Referred to Committee on Finance, 474.

LIQUOR CONTROL—amending Spirituous and Vinous Liquor Tax Law of 1933, enabling Pennsylvania to participate in Federal Government tax—

House Bill No. 245.
Read in place in House by Mr. Witkin, 697.
Referred to Committee on Ways and Means, 697.
Reported without amendment, 701.
First reading, 701.
Second reading, 769-770.
Third reading and final passage, 848.
Returned from Senate with amendments in which House conc., 1081-1082.
Signed by Speaker, 1087.

Remarks on, by
Dunmire, 848.
Witkin, 848.
Tahl, 848.

In Senate (No. 181).
Referred to Committee on Finance, 815.
Reported without amendment, 818.
First reading, 824-825.
Second reading and amended, 902-904.
Third reading and final passage, 1009-1010.
Returned from House with Senate amendments conc. in, 1022.
Signed by President, 1023.

LIQUOR CONTROL—amending Spirituous and Vinous Liquor Tax Law of 1933, relative to taxes on distilled spirits and wines—

Senate Bill No. 122.
Read in place in Senate by Mr. Scott, 474.
Referred to Committee on Finance, 475.

LIQUOR CONTROL—amending Prohibition Enforcement Law of 1923, by providing that said law shall rest alone on police power, and changing definition of "intoxicating liquor"—

Senate Bill No. 2.
Read in place in Senate by Mr. Reed, 17.
Referred to Committee on Law and Order, 17.

LIQUOR CONTROL—appropriating moneys in State Stores Fund to Pennsylvania Liquor Control Board for establishing and operating State Stores—

House Bill No. 87.
Read in place in House by Mr. Philip Sterling, 174.
Referred to Committee on Appropriations, 174.
Reported with amendment, 228.
First reading, 254.
Second reading, 328-329.
Third reading and defeated on final passage, 395.
Vote on final passage reconsidered and bill passed finally, 434-436.
Returned from Senate with amendments in which House conc., 576.

Remarks on, by
Sarig, 395, 434, 435.
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Sterling, P., 434, 435.
Fitzgerald, 435-436.
Kane, J. J., 436.

In Senate (No. 101).
Referred to Committee on Appropriations, 426.
Reported without amendment, 428.
First reading, 428.

LIQUOR CONTROL.—Continued.

Second reading, 472.
Vote on second reading reconsidered and bill passed second reading as amended, 475-476.
Third reading and final passage, 523-524.
Returned from House with Senate amendments conc. in, 539.
Signed by President, 551.

LIQUOR CONTROL BOARD, PENNSYLVANIA, communication from Governor relative to nomination of members of, 181; members of, nominated and referred to Committee on Executive Nominations, 259; reported and confirmed, 260-261.

LIQUOR CONTROL BOARD to persons applying in territory where electors voted dry, conc. res. (House) by Stevenson, limiting granting of licenses by, read and adopted, 752; read and referred to Committee on Law and Order in Senate, 782.

LIQUOR CONTROL—conc. res. (House) by Gartner, authorizing appointment of Joint Legislative Committee to determine exact cost of manufacture and importation of spirituous alcoholic beverages, 375-376; adopted in House, 495; read and referred to Committee on Appropriations in Senate, 520-521.

LIQUOR CONTROL—creating an independent board to be known as the Pennsylvania Liquor Control Board—

Senate Bill No. 33.
Read in place in Senate by Mr. Scott, 117-118.
Referred to Committee on Finance, 118.
Reported without amendment, 173.
First reading, 174.
Second reading and recommitted, 203-204.
Re-reported without amendment, 214.
Third reading and final passage, 214.
Returned from House without amendment, 259.
Signed by President, 259.
Approved by Governor, 259.
Members of Board nominated by Governor, 259; confirmed by Senate, 260-261.

In House (No. 141).
Referred to Committee on State Government, 230.
Reported without amendment, 230.
First reading, 230.
Second reading, 255.
Third reading and final passage, 289-290.
Signed by Speaker, 294.

LIQUOR CONTROL—defining distilled liquors, and prohibiting manufacture, sale, etc. of more than one brand of distilled or spirituous liquors in any one distillery—

Senate Bill No. 61.
Read in place in Senate by Mr. Parkinson, 237.
Referred to Committee on Law and Order, 237.

LIQUOR CONTROL—imposing State floor tax on alcohol used for beverage purposes between date this act becomes effective and date the 21st Amendment to Constitution of United States is ratified—

(Spirituous and Vinous Liquor Floor Tax Law)

House Bill No. 9.
Read in place in House by Mr. Cordier, 33.
Referred to Committee on Ways and Means, 33.
Reported without amendment, 43.
First reading, 44.
Second reading, 61-63.
Motion to recommit not agreed to, 68-69.
Third reading and final passage, 75-78.
Returned from Senate with amendments in which House conc., 196.
Signed by Speaker, 197.
Approved by Governor, 219.

Remarks on, by
Root, 68-69, 77-78.
Fitzgerald, 68.
Sterling, P., 68-69, 76.
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LIQUOR CONTROL.—Continued.

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In Senate (No. 11).
Referred to Committee on Finance, 81.
Reported with amendment, 85.
First reading, 91.
Second reading, 97-99.
Motion to reconsider vote on second reading not agreed to, 116.
Postponed, 168.
Resumed and passed third reading and finally, 170-172.
Returned from House with Senate amendments conc. in, 173.
Signed by President pro tempore, 173.

Remarks on, by
Snyder, 165-167.
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LIQUOR CONTROL—imposing State taxes on those manufacturing, selling or using certain spirituous and vinous liquors—

(Spirituous and Vinous Liquor Tax Law)

House Bill No. 8.
Read in place in House by Mr. Witkin, 33.
Referred to Committee on Ways and Means, 33.
Reported without amendment, 43.
First reading, 43.
Second reading, 55-58.
Recommitted, 67-68.
Re-reported as amended, 175.
Recommitted, 222-225.
Re-reported as amended, 258.
Third reading and final passage, 294-299.
Returned from Senate with amendments in which House conc., 368-369.
Signed by Speaker, 376.
Approved by Governor, 429.

Remarks on, by
Witkin, 67, 298-299.
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Sarig, 67-68.
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In Senate (No. 64).
Referred to Committee on Finance, 261.
Reported without amendment, 280.
First reading, 281.
Second reading and recommitted, 309.
Re-reported as amended, 311.
Third reading as amended (strike-outs), and final passage, 341-344.
Returned from House with Senate amendments conc. in, 355.
Signed by President, 360.

LIQUOR CONTROL INVESTIGATION COMMISSION, and making appropriation, Joint resolution creating a

Senate Bill No. 42.
Read in place in Senate by Mr. Ziesenheim, 212.
Referred to Committee on Appropriations, 212.
Reported without amendment, 232.
First reading, 250.
Second reading, 263.
Third reading and amended, 305.
Resumed and passed finally, 337-338.
Returned from House without amendment, 816.
Signed by President, 907.

In House (No. 228).
Referred to Committee on Appropriations, 400.
Reported without amendment, 577.
First reading, 605.
Over in its order, 665.
Second reading, 756.
Third reading and final passage, 833-834.
Signed by Speaker, 948.

LIQUOR CONTROL—making appropriation out of General Fund to Pennsylvania Liquor Control Board for enforcement of Pennsylvania Liquor Control Act, including establishment, etc., of State Stores—

House Bill No. 88.
Read in place in House by Mr. Philip Sterling, 174.
Referred to Committee on Appropriations, 174.
Reported with amendment, 228.
First reading, 254.
Second reading and amended, 327-328.
Third reading and final passage, 393-394.
Returned from Senate without amendment, 576.
Signed by Speaker, 577.

In Senate (No. 88).
Referred to Committee on Appropriations, 354.
Reported without amendment, 360.
First reading, 364.
Second reading and recommitted, 425.
Re-reported as committed, 477-478.
Third reading and final passage, 522-523.
Signed by President, 551.

LIQUOR CONTROL—making it unlawful to manufacture and market more than one brand of whiskey at the same distillery—

Senate Bill No. 45.
Read in place in Senate by Mr. Coyne, 212.
Referred to Committee on Law and Order, 212.

LIQUOR CONTROL—prohibiting employes of State Liquor Stores from recommending any particular kind or brand of alcoholic beverages to purchasers to such stores—

House Bill No. 175.
Read in place in House by Mr. Leonard P. Kane, 314.
Referred to Committee on Judiciary General, 314.

LIQUOR CONTROL—prohibiting granting of licenses for sale of spirituous and vinous alcoholic liquors in certain territory—

House Bill No. 143.
Read in place in House by Mr. McElwee, 256.
Referred to Committee on Judiciary General, 256.
Reported without amendment, 406.
First reading, 407.
Second reading, 441.
Third reading and amended, 511.
Final passage, 649.

In Senate (No. 151).
Referred to Committee on Law and Order, 708.

LIQUOR CONTROL—relating to advertising by holders of licenses to sell liquors or malt liquors for consumption on the premises—

Senate Bill No. 90.
Read in place in Senate by Mr. Trainer, 356.
Referred to Committee on Law and Order, 356.
Reported without amendment, 364.
First reading, 365.
Second reading, 426.
Recommitted, 471.
Re-reported as amended, 536.
Third reading and final passage, 583.

In House (No. 240).
Referred to Committee on Judiciary General, 650.
Reported without amendment, 755.
First reading, 827.
Recommitted, 938.

LIQUOR CONTROL—requiring persons to obtain State permits for purchase of spirituous alcoholic liquors not for consumption on the premises where sold—

House Bill No. 106.
Read in place in House by Mr. Leonard P. Kane, 216.
Referred to Committee on Judiciary General, 216.

LIQUOR CONTROL, resolution (House) by Andrews, authorizing appointment of committee to study, 252-253; adopted, 497.

LIQUOR CONTROL—supplementing Beverage License Law of 1933, providing for licensing of organizations for sale of beverages at out-door gatherings and picnics—

House Bill No. 218.
Read in place in House by Mr. Furman, 320.
Referred to Committee on Judiciary General, 320.

LIQUOR CONTROL—to provide for control and regulate manufacture, sale of and traffic in spirituous liquors through a liquor control board, and making appropriation—

House Bill No. 11.
Read in place in House by Mrs. Wilson, 33.
Referred to Committee on Judiciary General, 33.

LIQUOR CONTROL—to regulate and restrain sale, importation and use of certain alcoholic beverages and creating Pennsylvania Alcoholic Liquor Control Board—

House Bill No. 76.
Read in place in House by Mr. Witkin, 120.
Referred to Committee on Judiciary General, 120.

LIQUOR CONTROL—to regulate and restrain sale, importation and use of certain alcoholic beverages, conferring powers upon Pennsylvania Liquor Control Board, Department of Public Instruction, etc., and authorizing establishment and operation of State stores—

(Pennsylvania Liquor Control Act)

House Bill No. 10.
Read in place in House by Mr. McClure, 33.
Referred to Committee on Judiciary General, 33.
Reported without amendment, 43.
First reading, 48.
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Special Order, 133.
Proceedings of Committee of Whole, 133-162.
Third reading and final passage, 182-196.
Returned from Senate with amendments in which House conc., and House further amends by striking out, 284-289.
Returned from Senate with House amendments conc. in, 300.
Approved by Governor, 319.
Signed by Speaker, 300.

Remarks on, by
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In Senate (No. 36).
Referred to Committee on Judiciary General, 172.
Reported without amendment, 173.
First reading, 174.
Second reading and recommitted, 210.
Re-reported as amended, 215.
Over in its order, 232.
Recommitted, 237.
Re-reported as amended, 237.
Third reading as amended (strike outs), and final passage, 238-249.
Returned from House with Senate amendments conc. in, and Senate conc. in House amendments, 260.
Signed by President, 261.

LIQUOR CONTROL.—Continued.

Remarks on, by
Shapiro, 215, 247-248.
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LIQUOR CONTROL—to regulate, control and restrain the sale, importation and use of certain alcoholic beverages, and creating Zone Liquor Control Commissions—

House Bill No. 75.
Read in place in House by Mr. Steedle and Mr. Sowers, 120.
Referred to Committee on Judiciary General, 120.

LIQUOR CONTROL—to regulate transportation of alcoholic liquors—

House Bill No. 3.
Read in place in House by Mr. Flinchbaugh, 32.
Referred to Committee on Judiciary General, 32.

LIQUOR CONTROL—to restrain and regulate sale of vinous and spirituous malt or brewed liquors—

House Bill No. 1.
Read in place in House by Mr. Tahl, 32.
Referred to Committee on Judiciary General, 32.

LIQUOR CONTROL—to restrain and regulate sale of vinous and spirituous, malt or brewed liquors and providing for licensing thereof by courts and Department of Revenue—

House Bill No. 2.
Read in place in House by Mr. Conner, 32.
Referred to Committee on Judiciary General, 32.

LIQUOR CONTROL—to restrain and regulate sale of vinous and spirituous malt or brewed liquors, restricting ownership in licensed places and imposing duties upon proper authorities—

House Bill No. 4.
Read in place in House by Mr. O'Connor, 32.
Referred to Committee on Judiciary General, 32.

LIQUOR STORES, STATE, resolution (House) by Ederer, modifying civil service examination of truck drivers for, read and adopted, 779.

LIQUOR STORES, STATE, resolution (House) by Quinn, modifying educational qualifications for positions in, 367; adopted, 430.

LIQUORS in State liquor stores in quantities at least as small as pints, resolution (House) by Boyd, recommending to Pennsylvania Liquor Control Board that it provide for sale of, read and adopted, 604.

LIQUORS on January 1, 1934, conc. res. (House) by Witkin, extending time for sale of, 577; read and referred to Committee on Law and Order in Senate, 594; adopted in House, 598; reported as amended in Senate, 747; defeated in Senate, 877-878.

Remarks on, by
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LIVERIGHT, MRS. ALICE F., (see Secretary of Welfare).

LOANING MONEY in sums of not more than $300, amending Banking Code of 1933, by authorizing banks and trust companies to engage in business of

Senate Bill No. 170.
Read in place in Senate by Mr. Sordoni, 747.
Referred to Committee on Banks and Building and Loan Associations, 747.

LOANING MONEY in sums of $300 or less, by reducing rate of interest which may be legally charged on such loans, amending Act of 1915, regulating business of

Senate Bill No. 171.
Read in place in Senate by Mr. Sordoni, 747-748.
Referred to Committee on Banks and Building and Loan Associations, 748.

LOCAL TAXES (see Taxes).

LOCUST MOUNTAIN STATE HOSPITAL, members of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 11.

LONG, HOWARD M., Representative from Philadelphia County (Twenty-second District).

Bills reported by

No. 176.
Amending Liquor Floor Tax Law of 1933, by changing floor tax on vinous liquors, 314.

No. 177.
Providing that one-third of cost of board of revision of taxes and of assessors, other than personal property assessors, in counties of first class, shall be paid by school district co-extensive therewith, 314.

Bill reported by
No. 154.
Amending Beverage License Law, by making it unlawful for manufacturers to sell to other than licensed distributors, except for export from this Commonwealth, 579.

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Remarks by, on
Bill No. 111 (Senate No. 7), authorizing abatement of certain tax penalties and interest on city taxes in cities of first class, 399.

LOPEZ CREEK (see Forests and Waters).

LORD, CHARLES S., Representative from Jefferson County.

Resolution offered by
Tendering thanks of House to Press for fair and impartial manner in which they reported the proceedings of the Extraordinary Session, 1073.

LOSE, CHARLES, Representative from Lycoming County.

Amendments offered by, to
Bill No. 193, providing for and regulating pensions for certain blind persons, 498-501.

Bills introduced by
No. 192.
Making appropriation out of State Stores Fund to Department of Welfare for pensions for blind, 316.

No. 193.
Providing for and regulating pensions for certain blind persons, 316.

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Motion by, to
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Remarks by, on
Bill No. 192, making appropriation to Department of Welfare for pensions for blind, 515.

LOTTERIES for unemployment relief and to provide fund for old age assistance, providing for and legalizing

House Bill No. 140.
Read in place in House by Mr. Sowers, 252.
Referred to Committee on Ways and Means, 252.

LOVETT, JAMES E., Representative from Westmoreland County (Second District).

Bills introduced by

No. 142.
Amending Female Labor Law of 1913, by prohibiting employment of females in foundries, 256.

No. 165.
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LOVETT, JAMES E.—Continued.

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Prohibiting employment of persons for more than six hours in any one day, or for more than thirty hours in any one week, 488.

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Statement relative to House Bill No. 142, amending Female Labor Law, by prohibiting employment of females in foundries, 658.

LOVETT, WALTER S., Representative from Montour County.

LYNCH, JOSEPH R., Representative from Allegheny County (First District).

Bill introduced by
No. 154.
Amending Beverage License Law of 1933, by making it unlawful for manufacturers to sell to other than licensed distributors, except for export from this Commonwealth, 282.

Motion by, to
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LYNCH, MARSHALL, Representative from Fulton County.

LYNCHING (see Anti-Lynching Law).

MAGAZINES (see Tax).

MAGISTRATE OF COURT NO. 20, Philadelphia, David E. Trieste nominated as, 212; referred to Committee on Executive Nominations, 212; reported and confirmed, 234-235, 916-917.

MALE, HENRY A., Representative from Northampton County (Second District).

Leave of absence granted, 175.

MALINA, JOHN E., Representative from Philadelphia County (Nineteenth District).

Amendments offered by, to
Bill No. 18, providing system for old age assistance, 410.

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To repeal Prohibition Enforcement Law of 1923, 175.

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Failure to record remarks made on House Bill No. 94, repealing Prohibition Enforcement Law, 634. (Reply to inquiry, 650).

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Remarks by, on
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Resolution, concurrent, offered by
Authorizing appointment of Joint Legislative Committee to investigate conditions at Philadelphia Hospital for Mental Diseases, known as Byberry, 753.

MALONEY, PATRICK J., Representative from Allegheny County (Second District).

MALT BEVERAGES (see also Bottling, Liquor Control).

MALT LIQUORS (see Liquor Control).

MANSFIELD, WILLIAM D., Senator from Forty-fourth District (Allegheny County, part of).

Bills introduced by
No. 30.
Providing for organization of municipalities of certain quasi-public corporations for construction, maintenance and operation of public works projects, 84.

No. 62.
Reducing to five days period during which municipal subdivisions are required to advertise notice of proposed awards of contracts for articles to be used on projects financed by Federal Civil Works Administration, 238.

No. 66.
Providing for permanent personal registration of electors in cities of third class as a condition of their right to vote, 302.

No. 100.
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No. 124.
Further amending Election Law of 1874, as amended pursuant to Amendment No. 5, adopted November 7, 1933, to Constitution, eliminating tax-paying qualification for voters, 474.

No. 136.
Amending Second Class City Law of 1901, by modifying provision relating to giving of bonds by contractors, 522.

Bills reported by
No. 15.
Extending time for collection of delinquent taxes in municipal subdivisions for a period of two years from passage of act, 86.

No. 53.
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No. 156 (House No. 193).
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Motion by, to
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Resolution, concurrent, offered by
Authorizing Joint Session to hear address of Governor, 354.

MANUFACTURING COMPANIES (see Wages).

MARCKS, JOHN J., Representative from Lehigh County (Second District).

Bill introduced by
No. 92.
Amending Rural State Highway Law of 1931, by establishing State highway in Lehigh County, 175.

Leave of absence granted, 596.

Resolution offered by
Extending sympathy of House to family of the late Hon. Joseph C. Rupp, 752.

MASON, J. GORDON, Representative from Luzerne County (Seventh District).

Amendments offered by, to
Bill No. 124, amending Child Labor Law, by prohibiting employment of minors between fourteen and sixteen years of age, except in certain types of work, 633.

MASON J. GORDON.—Continued.

Bills introduced by
No. 80.
Amending Act of 1906, providing for personal registration of electors in cities of third class, by providing that county commissioners may appoint registrars for each district without nomination petitions, 120.

No. 124.
Amending Child Labor Law of 1915, by prohibiting employment of minors between fourteen and sixteen years of age, except in certain types of work which will not interfere with school attendance, etc., 217-218.

MATHAY, HON. JACOB, writ issued for special election to fill vacancy in Twenty-second Legislative District, Philadelphia County, caused by death of, 21.

McBRIDE, WILLIAM J., Representative from Allegheny County (Tenth District).

Bill reported by
No. 191.
Amending Act of 1933, relative to return of unpaid taxes assessed on seated lands for 1931 and 1932, by further extending period for such returns, 577.

McCANDLESS, JAMES T., Representative from Butler County.

Leave of absence granted, 219.

McCLURE, JAMES H., Representative from Allegheny County (Tenth District).

Amendments offered by, to
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Bills introduced by
No. 10.
To regulate and restrain sale, importation and use of certain alcoholic beverages, conferring powers upon Pennsylvania Liquor Control Board, authorizing establishment and operation of State stores, etc., 33.

No. 97.
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Bill reported by
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McCLURE, JAMES H.—Continued.

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Resolution, concurrent, offered by
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McCLURE, JOHN J., Senator from Ninth District (Delaware County).

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McCREARY, RALPH S., Representative from Erie County (Fourth District).

Amendments offered by, to
Bill No. 85, amending General County Law, by decreasing and limiting compensation of members of board of viewers in counties of fourth class, 559-560.

Bills introduced by
No. 38.
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McELWEE, WILLIAM JR., Representative from Lawrence County (Second District).

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Bills introduced by
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No. 143.
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No. 185.
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No. 138.
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McGINNIS, CLAIR E., Representative from Allegheny County (Seventh District).

Bill introduced by
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Amending School Code of 1911, by providing that in school districts of first class taxes for school purposes shall be assessed and collected in same manner as municipal taxes for municipality comprising respective school districts, 314.

McGRAIL, THOMAS A., Representative from Westmoreland County (Second District).

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McGREGOR, W. C., Representative from Armstrong County.

Bill introduced by
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Amending Vehicle Code of 1929, by prohibiting operation of certain commercial motor vehicles on the highways on Sunday, 47.

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Member of special committee, 24.

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McHENRY, OLIVER S., Representative from Columbia County.

Bill introduced by
No. 182.
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McKAY, RAY W., Representative from Mercer County.

McKINNEY, JOHN H., Representative from Venango County.

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MELCHIORRE, CHARLES, Representative from Philadelphia County (Fifth District).

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MEREDITH, J. LLEWELLYN, JR., Representative from Chester Count (Second District).

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MERRELL, ALBERT F., M. D., Representative from Susquehanna County.

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METZIER, HON. GEORGE C., as member of House of Representatives from Second Legislative District, Allegheny County, resignation of, presented to House, 22.

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MILITARY AFFAIRS, DEPARTMENT OF, for purchase of supplies, materials and equipment to improve Military Reservation at Indiantown Gap, making appropriation

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Reported without amendment, 231.
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Reported without amendment, 407.
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MILITARY AFFAIRS, DEPARTMENT OF (see also Veterans' Compensation).

MILITARY RESERVATION COMMISSION, members of State, nominated and referred to Committee on Executive Nominations, 9; member of, reported, 358; recommitted, 361; re-reported, 480; confirmed, 482.

MILK CONTROL BOARD, declaring an emergency with respect to production and marketing of milk, and creating

(Milk Control Board Law)

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Referred to Committee on Agriculture, 170.
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MILK CONTROL COMMISSION, PENNSYLVANIA, amending Milk Dealers' Law of 1925, by transferring powers and duties of Secretary of Agriculture and Department of Agriculture to

House Bill No. 160.
Read in place in House by Mr. Hutton, 283.
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MILK CONTROL COMMISSION, PENNSYLVANIA, and imposing duties on Milk dealers, defining jurisdiction, powers and duties of

House Bill No. 158.
Read in place in House by Mr. Hutton, 282.
Referred to Committee on State Government, 282.

MILK CONTROL COMMISSION, PENNSYLVANIA, creating an independent administrative commission to be known as

House Bill No. 157.
Read in place in House by Mr. Hutton, 282.
Referred to Committee on State Government, 282.

MILK CONTROL COMMISSION, PENNSYLVANIA, limiting powers of municipalities, etc., amending Milk Dealers' Permit Law of 1929, by transferring powers and duties of Secretary of Health to

House Bill No. 159.
Read in place in House by Mr. Hutton, 283.
Referred to Committee on State Government, 283.

MILK DEALERS' PERMIT LAW of 1929, by extending provisions to all milk, and making acceptance of municipal permits optional with the Secretary of Health, amending

Senate Bill No. 52.
Read in place in Senate by Mr. Buckman, 214.
Referred to Committee on Agriculture, 214.
Reported without amendment, 231.
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Second reading and recommitted, 274-275.
Re-reported as amended, 304.
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Returned from House without amendment, 816.
Signed by President, 907.

In House (No. 229).
Referred to Committee on Agriculture, 400.
Reported without amendment, 518.
First reading, 518.
Recommitted, 570.
Re-reported without amendment, 654.
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Third reading and final passage, 844-845.
Signed by Speaker, 948.

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MILLER, CHARLES E., Senator from Twenty-seventh District (Northumberland, Snyder and Union Counties).

Bill reported by
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MINE INSPECTORS to inspect mines where from two to five persons are employed and to require proper safety measures, amending Anthracite Coal Mining Law of 1891, by empowering

House Bill No. 128.
Read in place in House by Mr. Hermanson, 218.
Referred to Committee on Mines and Mining, 218.
Reported without amendment, 320.
First reading, 371.
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Third reading and final passage, 509-510.
Returned from Senate with amendments in which House conc., 928-929.
Signed by Speaker, 952.

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MINE INSPECTORS—Continued.

Third reading and amended, 726.
Resumed and passed finally, 787.
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MINE INSPECTORS to inspect mines where from two to five persons are employed, and to require proper safety measures, amending Bituminous Coal Mining Law of 1911, by extending act to mines where five or more persons are employed, and empowering

House Bill No. 129.
Read in place in House by Mr. Boyd, 218.
Referred to Committee on Mines and Mining, 218.
Reported without amendment, 320.
First reading, 371.
Second reading, 440.
Third reading and final passage, 510.
Returned from Senate with amendments in which House conc., 929.
Signed by Speaker, 951.

In Senate (No. 131).
Referred to Committee on Mines and Mining, 520.
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Second reading, 591.
Third reading and amended, 726.
Resumed and passed finally, 787.
Returned from House with Senate amendments conc. in, 911.
Signed by President, 918.

MINES AND MINING (see Coal, Wages).

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MOHN, CHESTER A., Representative from Berks County (Second District).

Bills introduced by
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No. 148.
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MOORE, ROBERT H., Representative from Philadelphia County (Tenth District).

Reasons for vote on Bill No. 254 (Senate No. 47), Joint resolution approving Federal Child Labor Amendment, 1049.

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MORTGAGE FORECLOSURES and to enter judgments on mortgage bonds and warrants, and to sell on such judgments, limiting, for a certain period of time, the right to sell on

House Bill No. 221.
Read in place in House by Mr. Wasserman, 325.
Referred to Committee on Judiciary General, 325.

MORTGAGED PROPERTY during present emergency, and prohibiting foreclosures and suits on bonds, etc., secured by mortgage for default of principal only during a certain period, to protect owners of

Senate Bill No. 117.
Read in place in Senate by Mr. Frazier, 469.
Referred to Committee on Judiciary General, 469.

MORTGAGED PROPERTY during present emergency, and restricting right to proceed on mortgage bonds during certain period, to protect owners of

Senate Bill No. 118.
Read in place in Senate by Mr. Frazier, 469.
Referred to Committee on Judiciary General, 469.
Reported without amendment, 552.
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Second reading, 589-590.
Third reading and amended, 724-725.
Resumed and passed finally, 786-787.
Returned from House with amendment in which Senate conc., 1017.
Signed by President, 1019.

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In House (No. 256).
Referred to Committee on Judiciary General, 857.
Reported without amendment, 872.
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Second reading and amended, 948-949.
Third reading and final passage, 1052.
Returned from Senate with House amendments conc. in, 1083.
Signed by Speaker, 1084.

MORTGAGED REAL PROPERTY (see Judgments).

MORTGAGES or deeds of trust, and limiting property that may be sold thereon without leave of court, relating to executions or judgments entered on bonds or notes secured by

House Bill No. 131.
Read in place in House by Mr. Negley, 218.
Referred to Committee on Judiciary General, 218.

MOTHERS' ASSISTANCE (see Constitution of Pennsylvania).

MOTHERS' ASSISTANCE FUND, members of Boards of Trustees of, nominated and referred to Committee on Executive Nominations, 12-16, 82; reported, 357, 358; recommitted, 361; members from Adams, Bedford, Berks, Blair, Bucks, Cambria, Chester, Columbia, Crawford, Cumberland, Erie, Fayette, Franklin, Greene, Huntingdon, Juniata, Lancaster, Lehigh, Luzerne, Lycoming, Mercer, Mifflin, Montour, Somerset, Venango, Warren, Washington and Westmoreland Counties, reported, 478-480; confirmed, 482; members from Carbon, Chester, Clarion, Clinton, Dauphin, Jefferson, Indiana, Monroe, Northampton, Philadelphia and Wayne Counties, reported, 536-538; confirmed, 538; members from Beaver, Lebanon, McKean and Tioga Counties, reported and confirmed, 591-592; members from Alegheny County, reported, 746; confirmed, 747; members from Bradford and Susquehanna Counties, reported, 916; confirmed, 917; members from York, Centre and Northumberland Counties, reported and confirmed, 1017-1018; members from Armstrong and Butler Counties, reported, 1019; confirmed, 1020.

MOTOR LICENSE FUND to Department of Public Instruction, and providing for repayment of such moneys from the General Fund, making appropriation of moneys in

House Bill No. 54.
Read in place in House by Mr. Harmuth, 118.
Referred to Committee on Appropriations, 118.

MOTOR LICENSE FUND to Department of Public Instruction for aiding financially handicapped and distressed local public school districts, making appropriation of moneys in

Senate Bill No. 55.
Read in place in Senate by Mr. Scott, 232.
Referred to Committee on Appropriations, 232.
Reported without amendment, 261.
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Third reading and final passage, 3401341.
Returned from House with amendments in which Senate conc., 783.
Signed by President, 816.

In House (No. 230).
Referred to Committee on Appropriations, 400.
Reported without amendment, 577.
First reading, 605.
Second reading and amended, 664.

MOTOR LICENSE FUND—Continued.
Third reading and final passage, 774.
Returned from Senate with House amendments conc. in, 926.
Signed by Speaker, 857.

MOTOR LICENSE FUND (see also Finance and Revenue, Highways, Old Age Assistance, Sidewalks).

MOTOR PATROL, conc. res (House) by Way, recommending to Governor an increase in appropriation to and personnel of, 753; referred to Committee on Public Roads and Highways in Senate, 907; reported without amendment and conc. in by Senate, 920; adopted by House, 933-934; ret. from Senate conc. in, 1031-1032.

MOTOR PATROL (see also Highways, Motor Vehicles).

MOTOR VEHICLE REGISTRATION PLATES (see Emergency Relief Board).

MOTOR VEHICLES as a common carrier, regulating granting of certificates of public convenience to operate

House Bill No. 146.
Read in place in House by Mr. Lane, 256.
Referred to Committee on Public Utilities, 256.

MOTOR VEHICLES, by increasing length of time during which an operator's privilege shall be revoked for certain causes, amending Act of 1929, regulating operation of

House Bill No. 188.
Read in place in House by Mr. Heffner, 315.
Referred to Committee on Highways, 315.

MOTOR VEHICLES, COMMERCIAL, and giving Department of Revenue and Highway Patrol certain powers relating thereto, supplementing Vehicle Code of 1929, providing a special license for operators of

House Bill No. 168.
Read in place in House by Mr. Beech (by request), 313.
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MOTOR VEHICLES, COMMERCIAL, on the highways on Sunday, amending Vehicle Code of 1929, by prohibiting operation of certain

House Bill No. 25.
Read in place in House by Mr. McGregor, 47.
Referred to Committee on Highways, 47.

MOTOR VEHICLES for hire, and the number of employes required on busses carrying passengers for hire, regulating hours of service of drivers of

House Bill No. 147.
Read in place in House by Mr. Lane, 256.
Referred to Committee on Highways, 256.

MOTOR VEHICLES which may be operated on Sunday and on legal holidays, further amending Vehicle Code of 1929, by limiting size and weight of

Senate Bill No. 37.
Read in place in Senate by Mr. Scott, 199.
Referred to Committee on Public Roads and Highways, 199.
Reported with amendment, 236.
First reading, 250.
Second reading and recommitted, 262-263.
Re-reported as amended, 428.
Recommitted, 470.

MUIR, MAJOR GENERAL CHARLES H., resolution (Senate) by Pethick, adopting minute of respect to memory of the late, 469-470. (Communication from Mrs. May Bennett Muir, 877).

MUMFORD, AARON W., Representative from Warren County.

Bill introduced by
No. 30.
Further amending Public Service Company Law of 1913, by requiring approval of Public Service Commission to proposed changes in rates, 48.

MUNICIPAL INDEBTEDNESS (see Constitution of Pennsylvania).

MUNICIPAL SUBDIVISIONS, having moneys borrowed for one purpose to use same for other purposes which will aid recovery from existing economic depression, authorizing

Senate Bill No. 56.
Read in place in Senate by Mr. Scott, 232.
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MUNICIPAL SUBDIVISIONS—Continued.

Reported without amendment, 249.
First reading, 251.
Second reading, 278-279.
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Resumed and passed finally, 338.
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Signed by President, 907-908.

In House (No. 231).
Referred to Committee on Municipal Corporations, 400.
Reported without amendment, 654.
First reading, 654.
Second reading, 769.
Third reading and final passage, 846.
Signed by Speaker, 948.

MUNICIPAL SUBDIVISIONS to purchase, construct, maintain and operate public utilities, authorizing

House Bill No. 170.
Read in place in House by Mr. John J. Kane, 313-314.
Referred to Committee on Municipal Corporations, 314.
Reported without amendment, 624.
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MUNICIPAL SUBDIVISIONS (see also Bonds, Contracts, Federal Government, Public Works Projects, Sewer Rentals, Taxes, Unemployment Relief, Wages).

MUNLEY, WILLIAM J., Representative from Lackawanna County (Fifth District).

MURPHY, PETER W., Representative from Allegheny County (Third District). (Elected to fill vacancy caused by death of Hon. Charles T. Dwyer).

Election returns, 22.

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MUSMANNO, HON. MICHAEL A., Judge of Allegheny County, and former Member, address by, 845-846.

MYERS, FREDERICK H. JR., Representative from Philadelphia County (Twelfth District).

Amendments offered by, to
Bill No. 39, authorizing issue and sale of bonds for veterans' compensation, 754.

Bill No. 40, providing for veterans' compensation, 754, 849.

Bill No. 41, making appropriation for payment of preparation and issue and sale of bonds for veterans' compensation, 953.

Bills introduced by

No. 39.
Authorizing issue and sale of bonds for veterans' compensation, creating a special fund in State Treasury to be known as Veterans' Compensation Fund, and making appropriation, 93.

No. 40.
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No. 41.
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No. 64.
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No. 65.
Requiring all deputy sheriffs to be paid by counties in which they are employed, 119.

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No. 60.
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Motion by, to
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Reconsider vote on Bill No. 41, making appropriation for payment of preparation and issue and sale of bonds for veterans' compensation, 953.

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Authorizing appointment of William F. Conner as Assistant Sergeant-at-Arms of House, 181.

Resolutions, concurrent, offered by
Recalling from Governor House Bill No. 39, authorizing issue and sale of bonds by Commonwealth for payment of veterans' compensation, 496.

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NANTICOKE STATE HOSPITAL, members of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 11; reported, 357; recommitted, 361; re-reported, 480; confirmed, 482.

NATIONAL GUARD, PENNSYLVANIA, Edward James Stackpole, Jr., nominated as Brigadier General of, 7; referred to Committee on Executive Nominations, 7; reported, 916; confirmed, 917. Robert Morris Brookfield and William Swan McLean, Jr., nominated and referred, 825; reported and confirmed, 917.

NATIONAL EMPLOYMENT SYSTEM (see Employment System).

NATIONAL INDUSTRIAL RECOVERY ACT of Federal Government, declaring existence of State-wide economic emergency, and providing for co-operation with

Senate Bill No. 25.
Read in place in Senate by Mr. Buckman (by request), 83.
Referred to Committee on Judiciary General, 83.

NATIONAL INDUSTRIAL RECOVERY ACT of Federal Government, declaring existence of a State-wide economic emergency, and providing for co-operation with

Senate Bill No. 103.
Read in place in Senate by Mr. Rice, 429.
Referred to Committee on Judiciary General, 429.

NATIONAL INDUSTRIAL RECOVERY ACT (see also "Authorities," Contracts, Corporations).

NATIONAL RECOVERY PROGRAM, resolution (House) by Flanagan, extending congratulations of House to President of United States on success of, 66-67; adopted, 220.

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NEGLEY, JOHN M., Representative from Butler County.

Bills introduced by
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Joint resolution creating a commission on sectional employment to study causes of permanent unemployment in industrial areas, 218.

NEGLEY, JOHN M.—Continued.

No. 131.
Relating to executions or judgments entered on bonds or notes secured by mortgages or deeds of trust, and limiting property that may be sold thereon without leave of court, 218.

No. 132.
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NEW CUMBERLAND GENERAL DEPOT, communication from Hon. George H. Dern, Secretary of War, requesting cession of jurisdiction over Carlisle Barracks Military Reservation and, presented to Senate, 7; to House, 25. (Appendix, page 1134).

NEW JERSEY (see Delaware River).

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NORRISTOWN STATE HOSPITAL, member of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 10.

NORTON, JAMES E., Senator from Eleventh District (Berks County).

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No. 55.
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No. 84 (House No. 41).
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No. 85 (House No. 55).
Making appropriation out of State Stores Fund to State Emergency Relief Board for unemployment relief, 364.

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Reported, 39.
Confirmed, 41.

ANDERSON, R. DAVID, nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

ANGERER, F. E., nominated, 988.
Referred, 988.
Reported, 1018.
Confirmed, 1018.

ARCHER, MISS H. OLGA, nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

AZEFF, JACOB, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

BALDI, VIRGIL B., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

BARDENHEUER, MISS G. E., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

BARISH, BENJAMIN, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

BARKER, ALEX, nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

BARRETT, HARRY E., nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

BARTON, MISS ELIZABETH G., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

BAUGHMAN, MISS ESTHER M., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

NOTARIES PUBLIC—Continued.

BAXTER, DONALD W., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

BEACH, MISS CLARA G., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

BEARD, GUS A., nominated, 781.
Referred, 781.
Reported, 917.
Confirmed, 917.

BECHTEL, J. FRANKLIN, nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

BEISSEL, CHARLES E., nominated, 519.
Referred, 519.
Reported, 592.
Confirmed, 592.

BELL, MISS ELINORE K., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

BENDER, C. M., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

BERG, GEORGE C., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

BESHLIN, E. H., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

BIGLEY, MISS MARGARET M., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

BISS, MRS. MARY J., nominated, 5.
Referred, 5.
Reported, 38.
confirmed, 41.

BLAKELY, MISS FLORENCE N., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

BLANK, EARL F., nominated, 781.
Referred, 781.
Reported, 917.
Confirmed, 917.

BOBST, MRS. MADELINE D., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

BOERNER, STEWART B., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

BOLAND, MRS. GOLDIE, nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

BONNER, GEORGE H., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

NOTARIES PUBLIC—Continued.

BOVE, MRS. DORA A., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

BOYD, MISS HELEN E., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

BOYER, RUSSELL E., nominated, 231.
Referred, 231.
Reported, 234.
Confirmed, 235.

BROOKS, CHAS. K., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

BROWN, A. CHESTER, nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

BROWN, HENRY T., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

BURDICK, G. R., Jr., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

BURKART, J. FREDERICK, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

BURKE, JOHN J., Jr., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

BUTZ, MISS MARGARET E., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

BYRNE, JOHN T., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

CALLAHAN, MISS ANN VIRGINIA, nominated, 708
Referred, 708.
Reported, 917.
Confirmed, 917.

CADMUS, MRS. ELEANOR S., nominated, 305.
Referred, 305.
Reported, 359.
Recommitted, 361.
Reported, 481.
Confirmed, 482.

CAMPBELL, JAY H., nominated, 305.
Referred, 305.
Reported, 359.
Recommitted, 361.
Reported, 481.
Confirmed, 482.

CAPOONE, THEODORE, nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

CARLSON, CHARLES J., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

NOTARIES PUBLIC—Continued.

CARPENTER, MRS. MATTIE E., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

CASACCHIA, ANGELO J., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

CASAROTTO, MISS MARGARET G., nominated, 163.
Referred, 163.
Reported, 211.
Confirmed, 211.

CASTERLINE, MRS. JULIA, nominated, 82.
Referred, 82.
Reported, 87.
Confirmed, 87.

CATLIN, MRS. MARIE G., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

CHASE, MISS MARIAN R., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

CHILDERS, HENRY D., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

CHRISTINE, MISS E. ESTHER, nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

CHRISTINE, MISS MARY K., nominated, 231.
Referred, 231.
Reported, 234.
Confirmed, 235.

CLARK, CLAIR L., nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

CLARK, F. DAVID, nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

CLAUSS, RICHARD H., nominated, 304.
Referred, 304.
Reported, 359.
Recommitted, 361.
Reported, 481.
Confirmed, 482.

COLE, HORACE T., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

CONNELLY, MISS ELIZABETH, nominated, 581.
Referred, 581.
Reported, 746.
Confirmed, 747.

COOLEY, MISS ALICE T., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

COOPER, MISS INA M., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

NOTARIES PUBLIC—Continued.

COULTER, MRS. MABEL A., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

COYNE, MISS MARION M., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

CRISP, HARRY A., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

CROWELL, MISS BEATRICE, nominated, 337.
Referred, 337.
Reported, 359.
Recommitted, 361.
Reported, 481.
Confirmed, 482.

CRUTCHLEY, FRANK M., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

CUPP, MISS ELEANOR C., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

CURLEY, WILLIAM D., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

D'AMELIO, JOSEPH H., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

DASHIELL, MISS ALICE T., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

DAVIS, CLARENCE A., nominated, 231.
Referred, 231.
Reported, 234.
Confirmed, 235.

DAVIS, RICHARD D., nominated, 519.
Referred, 519.
Reported, 592.
Confirmed, 592.

DAWKINS, MISS MAUDE S., nominated, 304.
Referred, 304.
Reported, 359.
Recommitted, 361.
Reported, 481.
Confirmed, 482.

DEANE, GEORGE W., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

DeBEUST, ALLYN H., nominated, 877.
Referred, 877.
Reported, 917.
Confirmed, 917.

DEFONSO, LEONARD, nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

DEGENHARDT, J. ROY, nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

NOTARIES PUBLIC—Continued.

DEIGLER, CHARLES E., nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

DEIGHTON, MISS D. LEVERING, nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

DELEHUNT, M. W., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

DEMPWOLF, MISS CLARA A., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

DETWILER, MISS VERNA M., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

DIBLE, WILLIAM T., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

DI EGIDIO, MISS JOSEPHINE, nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

DINIUS, PALMER E., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

DOLLARD, MRS. WINIFRED A., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

DONALDSON, WM. K., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

DONNELLY, LEO J., nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

DORSEY, WILLIAM, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

DOUGHERTY, MISS TERESA M., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

DOWNS, A. C., nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

DUMM, MRS. MARGARET B., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

DURKIN, MRS. LYDIA T., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

EDNER, MERRITT I., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

NOTARIES PUBLIC—Continued.

ELLIOTT, ARTHUR M., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

ENTERS, MISS HELEN E., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

ESTOCK, MISS IRENE M., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

EVANS, OLIVER F., nominated, 280.
Referred, 280.
Reported, 359.
Recommitted, 361.
Reported, 481.
Confirmed, 482.

EWERS, RALPH H., nominated, 280.
Referred, 280.
Reported, 359.
Recommitted, 361.
Reported, 481.
Conferred, 482.

FASSETT, G. E., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

FEGELY, NEVIN P., nominated, 305.
Referred, 305.
Reported, 359.
Recommitted, 361.
Reported, 481.
Conferred, 482.

FEINMAN, CHARLES, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

FERNSLER, MISS M. REBECCA, nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

FERRAGONIO, LOUIS J., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

FERRIER, GEORGE F., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

FIFE, R. H., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

FISHER, MISS LEILA, nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

FLEMING, MISS LOIS C., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

FLING, MISS MARY E., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

FOGEL, MISS KATHRYN M., nominated, 581.
Referred, 581.
Reported, 746.
Confirmed, 747.

NOTARIES PUBLIC—Continued.

FORSTER, JOHN A., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

FOX, HENRY I., Jr., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

FRETZ, NERO S., nominated, 417.
Referred, 417.
Reported, 481.
Confirmed, 482.

FREW, MISS ANN M., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

FREW, WILLIAM M., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

FREY, HOMER L., nominated, 35.
Referred, 35.
Reported, 37.
Confirmed, 37.

FREY, S. P., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

FRYE, HENRY A., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

GABELL, WALTER, JR., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

GALBRAITH, MISS EDITH J., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

GEHEIN, FRANCIS J., nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

GILMORE, WILLIAM J., Jr., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

GILROY, MISS REGINA, nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

GISH, FRED L., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

GLADDEN, MRS. LENORE K., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

GOLDFARB, HARRY, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

GOOD, HOWARD W., nominated, 988.
Referred, 988.
Reported, 1018.
Confirmed, 1018.

NOTARIES PUBLIC—Continued.

GORDON, HARRY M., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

GOUGHNOUR, MRS. CORNELIA M., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

GOULD, MISS AGNES J., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

GRAB, H. A., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

GREEN, MRS. IRENE G., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

GREER, MRS. MILDRED S., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

GREGER, WILLIAM C., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

GRIBBIN, JAS. A., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

GROSS, MORRIS, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

GUNDLACH, MISS AUGUSTA S., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

HADFIELD, E. B., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

HAGMANN, HARRY W., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

HALL, MISS G. RUTH, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

HALL, RAYMOND F., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

HANEY, R. M., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

HARMON, EWING R., nominated, 417.
Referred, 417.
Reported, 481.
Confirmed, 482.

HARR, HARVEY H., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

NOTARIES PUBLIC—Continued.

HARRIS, N. K., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

HARRISON, KENNETH R., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

HAWK, J. M., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

HEAD, MISS FLORENCE, nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

HEATH, MISS ANNE C., nominated, 82.
Referred, 82.
Reported, 87.
Confirmed, 87.

HELMETAG, MISS CATHERINE, nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

HENDERSON, MISS ALICE N., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

HENDERSON, W. C., nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

HENRICH, MISS ANNA V., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

HERBEIN, CHARLES S., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

HERMAN, DONALD, nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

HERMANN, MICHAEL, nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

HESS, MISS LILLIAN M., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

HEYDER, FRANCIS, nominated, 519.
Referred, 519.
Reported, 592.
Confirmed, 592.

HEZLEP, DONALD R., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

HILL HOWARD W., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

HILVITZ, JOSEPH, nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

NOTARIES PUBLIC—Continued.

HIRLEMAN, MISS HILDA, nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

HOCK, JOSEPH BONIFACE, nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

HOFFMAN, J. H., nominated, 231.
Referred, 231.
Reported, 234.
Confirmed, 235.

HOFFMEISTER, HARRY, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

HOLZMAN, PAUL A., nominated, 337.
Referred, 337.
Reported, 359.
Recommitted, 361.
Reported, 481.
Confirmed, 482.

HOOVER, LLOYD, nominated, 82.
Referred, 82.
Reported, 87.
Confirmed, 87.

HOPPER, ERNEST, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

HORGAN, DENIS J., Jr., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

HOY, KIMBER H., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

HUDER, MRS. HELEN D., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

HUFFMAN, E. E., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

HUGHES, MISS MARGARET C., nominated, 45.
Referred, 45.
Reported, 46.
Confirmed, 46.

HURST, MISS BERNEACE A., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

HURST, WINIFRED S., nominted, 781.
Referred, 781.
Reported, 917.
Confirmed, 917.

HUSTON, James, nominated, 877.
Referred, 877.
Reported, 917.
Confirmed, 917.

ILGENFRITZ, MISS THELMA, nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

NOTARIES PUBLIC—Continued.

IRVIN, MISS HAZEL A., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

JANKER, MISS MARY A., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

JOHNSON, JAMES E., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

JOHNSON, J. C., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

JOHNSON, MISS ALICE R., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

JOHNSON, MRS. BEULAH C., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

JOHNSTON, MRS. MILDRED V., nominated, 163.
Referred, 163.
Reported, 211.
Confirmed, 211.

JONES, MISS MARTHA E., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

JOYCE, JOSEPH F., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

KAUFMAN, MISS VICTORIA, nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

KEESEY, L. D., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

KELLOGG, J. M., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

KELLY, MISS S. AGNES, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

KEMMERER, MISS OLIVE, nominated, 35.
Referred, 35.
Reported, 37.
Confirmed, 37.

KENIN, NATHAN, nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

KENT, H. W., nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

KERCHNER, MISS AGNES M., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

NOTARIES PUBLIC—Continued.

KERSHAW, ISAAC, JR., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

KEYES, ELLIS D., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

KINSLEY, C. WEBSTER, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

KIRK, MISS MARION S., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

KLAUS, PAUL O., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

KLEIN, MISS ANNA, nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

KLEINHANS, MRS. MAUDE S., nominated, 519.
Referred, 519.
Reported, 592.
Confirmed, 592.

KLING, MISS H. VIOLA, nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

KNAPPENBERGER, MRS. ESTELLA K., nominated, 305.
Referred, 305.
Reported, 359.
Recommitted, 361.
Reported, 481.
Confirmed, 482.

KNESTRICK, BERNARD C., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

KRIMM, A. JOHN, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

KUHN, MISS MELVA G., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

LASHNER, ALBERT J., nominated, 305.
Referred, 305.
Reported, 359.
Recommitted, 361.
Reported, 481.
Confirmed, 482.

LAUGHNER, SAMUEL B., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

LAWLER, JOHN A., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

LEE, H. WADE, nominated, 781.
Referred, 781.
Reported, 917.
Confirmed, 917.

NOTARIES PUBLIC—Continued.

LEHMAN, ROY M., nominated, 82.
Referred, 82.
Reported, 87.
Confirmed, 87.

LENTZ, MISS RUTH E., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

LERER, MISS BLANCHE, nominated, 82.
Referred, 82.
Reported, 87.
Confirmed, 87.

LEWIS, J. WALTER, nominated, 163.
Referred, 163.
Reported, 211.
Confirmed, 211.

LITTLEY, MISS KATHRYN M., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

LOESCH, MISS RUTH E., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

LONG, MRS. MARY E., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

LOTT, RICHARD P., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

LOUGHRAN, MISS CLARA Anne, nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

LOVE, N. ALLEN, nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

LUDERS, WILLIAM C., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

LUDROF, JOSEPH A., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

MABERRY, ALBERT R., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

MACCARONE, JOHN, nominated, 280.
Referred, 280.
Reported, 359.
Recommitted, 361.
Reported, 481.
Confirmed, 482.

MAHONEY, R. C., nominated, 417.
Referred, 417.
Reported, 481.
Confirmed, 482.

MALLON, MISS ANNA F., nominated, 199.
Referred, 199.
Reported, 234.
Confirmed, 235.

NOTARIES PUBLIC—Continued.

MALOY, MISS VIOLET V., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

MANCOS, MRS. MARTHA, nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

MARLIER, MISS BERNADETTE M., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

MARTIN, MISS ELIZABETH M., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

MASON, ALVIN E., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

MASTER, HARRY J., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

McADAM, MISS MILLIE, nominated, 35.
Referred, 35.
Reported, 37.
Confirmed, 37.

McCARTHY, EUGENE P., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

McGEHEE, HARRY A., nominated, 163.
Referred, 163.
Reported, 211.
Confirmed, 211.

McGLYNN, MISS H. R., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

McGOVERN, FRANK P., nominated, 417.
Referred, 417.
Reported, 481.
Confirmed, 482.

McGOWEN, JAMES R., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

McGRADY, MISS ELIZABETH H., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

McGUIGAN, MISS MARY A., nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

McKEAN, THERELL H., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

McKINNEY, MRS. CARENA A., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

McLAFFERTY, MISS MARY E., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

NOTARIES PUBLIC—Continued.

McMILLEN, MISS MAE S., nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

MEHRLICH, EUGENE, nominated, 581.
Referred, 581.
Reported, 746.
Confirmed, 747.

MELLETT, MISS MARY F., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

MENDENHALL, F. G., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

MERKLE, MISS ELEANOR M., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

METZGER, JOS. B., nominated, 708.
Referred, 708.
Reported, 917.
Confirmed, 917.

MEYERS, HARRY C., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

MILICH, NICHOLAS I., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

MILLER, MISS E. LILLIAN, nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

MILLER, MISS LAVINA, M., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

MILLER, MISS RUTH S., nominated, 581.
Referred, 581.
Reported, 746.
Confirmed, 747.

MILLER, MRS. BELLE, nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

MIRARCHI, PASQUALE, nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

MITCHELL, MISS GRACE E., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

MKITARIAN, ROBERT, nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

MONTGOMERY, J. RUSSELL, nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

MOORE, CHARLIE E., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

NOTARIES PUBLIC—Continued.

MOORE, G. PAUL, nominated, 163.
Referred, 163.
Reported, 211.
Confirmed, 211.

MOORE, R. M., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

MORGANSTERN, FRED, nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

MORROW, DAVID, J., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

MORROW, MISS MARY C., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed. 41.

MOSSER, MRS. KATIE R., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

MUELLER, MISS CAROLINE P., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

MUNCHAK, MISS ANNA, nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

NAGLE, MISS GLADYS A., nominated, 163.
Referred, 163.
Reported, 211.
Confirmed, 211.

NASH, FRED L., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

NELSON, JAMES A., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

NEUGEBAUER, WM. E., nominated, 337.
Referred, 337.
Reported, 359.
Recommitted, 361.
Reported, 481.
Confirmed, 482.

NEUHART, MISS CHARLOTTE, M., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

NICHOLAS, MISS JANE, nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

NODES, MISS ESTHER G., nominated, 163.
Referred, 163.
Reported, 211.
Confirmed, 211.

NORRITO, MRS. KATHERINE E., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

NOVELLO, MANES, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

NOTARIES PUBLIC—Continued.

O'DONNELL, MISS C., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

O'DONNELL, MISS MARY R., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

ORRES, MISS MARGARET M., nominated, 708.
Referred, 708.
Reported, 917.
Confirmed, 917.

OWENS, JAMES C., nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

PALKOVITZ, ROBERT, nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

PALMER, JOHN A., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

PAOLY, MISS ELIZABETH J., nominated, 231.
Referred, 231.
Reported, 234.
Confirmed, 235.

PARKER, MRS. MARY T. ERVIN, nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

PARROTT, EDWIN P., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

PARSHALL, WM. B., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

PATERSON, D. S., nominated, 581.
Referred, 581.
Reported, 746.
Confirmed, 747.

PATTERSON, MISS MIRIAM E., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

PAUL, JOHN D., nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

PEERBOOM, MRS. ALICE C., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

PEIFLEY, MISS MARION A., nominated, 35.
Referred, 35.
Reported, 37.
Confirmed, 37.

PEIPER, SAUL, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

PENTZ, MRS. KATHERINE M., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

NOTARIES PUBLIC—Continued.

PHILIPS, MISS HELEN L., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

PHILLIPS, DAVID W., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

PICONE, BARTOLO, nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

PLUMMER, MISS ETHEL, nominated, 708.
Referred, 708.
Reported, 917.
Confirmed, 917.

PRICE, MRS. CATHARINE M., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

PRICE, WILLIAM H., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

RADBILL, HARRY E., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

RADER, CHRISTIAN L., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

RAEDER, MISS KATHRYN E., nominated, 781.
Referred, 781.
Reported, 917.
Confirmed, 917.

RAGOZZINO, MISS MARIE R., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

RAMSEY, MRS. KATHRYN C., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

RANKIN, J. W., nominated, 519.
Referred, 519.
Reported, 592.
Confirmed, 592.

RANKIN, MISS MARY M., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

RANWATS, MISS JOSEPHINE M., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

REA, JAMES A., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

REBERT, RALPH H., nominated, 231.
Referred, 231.
Reported, 234.
Confirmed, 235.

REESE, HOWARD B., nominated, 231.
Referred, 231.
Reported, 234.
Confirmed, 235.

NOTARIES PUBLIC—Continued.

REYNOLDS, MISS MARIAN, nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

RHOADES, EARLE D., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

RILE, WALLACE S., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

RITTER, MISS LENORA, nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

RITTER, WARREN L., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

ROBERTS, CHANDLER P., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

ROBINSON, MISS STELLA M., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

ROUGHTON, MISS ELIZABETH, nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

RUDOLPH, M. LOUIS, nominated, 988.
Referred, 988.
Reported, 1018.
Confirmed, 1018.

RUDZINSKI, BOLESLAUS F., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

RUSS, JOHN C., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

SABOL, JOHN A., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

SALY, VINCENT B., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

SANDLER, MISS MARGARET, nominated 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

SAUDER, PAUL N., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

SCHADT, MISS DOROTHY M., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

SCHIAVO, JOHN A., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

NOTARIES PUBLIC—Continued.

SCHODT, MISS MARJORIE, nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

SCHREINER, J. WILLIAM, nominated, 6.
Referred, 6
Reported, 39.
Confirmed, 41.

SCHULZ AUGUST P., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

SCHWEIKERT, MISS H. M., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

SCLAFANI, MISS ANNA, nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

SCOTT, MISS SARA LOUISE, nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

SEAMAN, A. H., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

SEGEL, ALBERT M., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

SEIBERT, C. E., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

SHEELER, MRS. ELMIRA F., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

SHEELY, MISS ANNE K., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

SHIRE, JOSEPH, nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

SHIRING, C. H., nominated, 45.
Referred, 45.
Reported, 46.
Confirmed, 46.

SHIRK, MRS. MAUDE M., nominated, 82.
Referred, 82.
Reported, 87.
Confirmed, 87.

SHOEMAKER, MRS. BLANCHE, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

SHOLLY, MRS. GLADYS, E., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

SHONTZ, MISS EDITH, nominated, 581.
Referred, 581.
Reported, 746.
Confirmed, 747.

NOTARIES PUBLIC—Continued.

SHOTZ, ABRAHAM, nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

SHUPECK, HARRY, nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

SILVANO, DOMINIC, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

SMILLIE, FREDERICK B., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

SMITH, A. AUGUST, nominated, 163.
Referred, 163.
Reported, 211.
Confirmed, 211.

SMITH, CLOYD M., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

SMITH, HORACE H., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

SMITH, MISS RUTH M., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

SMITH, RALPH L., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

SMOLCZYNSKI, VINCENT S., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

SNYDER, ALBERT, nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

SNYDER, H. GILBERT, nominated, 519.
Referred, 519.
Reported, 592.
Confirmed, 592.

SOLONER, EMANUEL, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

SORK, HENRY, nominated, 417.
Referred, 417.
Reported, 481.
Confirmed, 482.

SPAIDE, HERALD H., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

SPECHT, CHARLES, nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

SPENCE, J. S., nominated, 337.
Referred, 337.
Reported, 359.
Recommitted, 361.
Reported, 481.
Confirmed, 482.

NOTARIES PUBLIC—Continued.

STACK, MISS ANNA C., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19.

STAFFORD, WALTER H., nominated, 708.
Referred, 708.
Reported, 917.
Confirmed, 917.

STEM, CHARLES W., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

STINE, MRS. ELIZABETH B., nominated, 199.
Referred, 199.
Reported, 234.
Confirmed, 235.

STINSON, MISS ROSEMARY, nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

STOBART, MRS. CAROLYN E., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

STONE, J. R. nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

STONER, EMERSON E., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

STRAWN, THOMAS, nominated, 82.
Referred, 82.
Reported, 86.
Confirmed, 87.

STREIB, G. A., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

STRUMPF, MRS. ESTELLE E., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

STRZYZEWSKI, MISS GENEVIEVE T., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

STUDT, MISS KATHRYN L., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

SULLIVAN, MISS ROSANNA M., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

SURMAN, FRANK J., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

SUSSMAN, JACK, nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

SWEGER, W. DONALD, nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

NOTARIES PUBLIC—Continued.

SZEGEDY, JULIUS R., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

TAIT, JOHN A., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

TANCINI, MISS MARY J., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

TERRY, C. HAROLD, nominated, 163.
Referred, 163.
Reported, 211.
Confirmed, 211.

THOMAS, GRIFF, nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

THOMPSON, MISS VERNA A., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

TIGHE, MISS BEATRICE, nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

TOMLINSON, MISS JEANNE, nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

TOWNSEND, RICHARD M., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

TRIPP, GEORGE W., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

TRONE, BURNELL K., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

TUNICK, MRS. CONSTANCE M., nominated, 708.
Referred, 708.
Reported, 917.
Confirmed, 917.

TYSON, EDW. T. 3rd, nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

WADDINGTON, ROBERT M., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

WAGNER, MISS ELSIE P., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

WALTER, MRS. MILDRED W., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed 41.

WARD, WILLIAM T., nominated, 163.
Referred, 163.
Reported, 211.
Confirmed, 211.

NOTARIES PUBLIC—Continued.

WARNER, MRS. IDA H., nominated, 6
Referred, 6.
Reported, 39.
Confirmed, 41.

WATSON, JOHN C., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

WAYCHOFF, ANDREW, III, nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

WEBBER, MRS. MAE I., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

WEBER, MISS HENRIETTE F., nominated,
Referred, 5.
Reported, 39.
Confirmed, 41.

WEIL, MRS. CAROL L., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

WEINRACH, MISS HANNAH, nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

WEISS, JOSEPH K., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

WERTON, THOMAS E., nominated, 708.
Referred, 708.
Reported, 917.
Confirmed, 917.

WEST, EARL, nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

WHITE, WILLIAM J., JR., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

WICKENHAVER, J. A., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

WILLIAMS, MARVIN W., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

WILLOCK, GEORGE K., nominated, 707.
Referred, 707.
Reported, 917.
Confirmed, 917.

WOLF, FRED J., nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

WOLF, MISS MARY M., nominated, 5.
Referred, 5.
Reported, 38.
Confirmed, 41.

WOLF, WM. J., nominated, 473.
Referred, 473.
Reported, 538.
Confirmed, 538.

NOTARIES PUBLIC—Continued.

WOOD, JAMES E., nominated, 199.
Referred, 199.
Reported, 234.
Confirmed, 235.

WURSTER, WILLIAM EDWARD, nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

YORKE, MISS M. ELOISE, nominated, 7.
Referred, 7.
Reported, 40.
Confirmed, 41.

YOST, MISS MIRIAM I., nominated, 4.
Referred, 4.
Reported, 18.
Confirmed, 19

YOUNG, MILTON T., nominated, 6.
Referred, 6.
Reported, 40.
Confirmed, 41.

ZEITER, MISS KATHRYN E., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

ZIMMER, ALFRED M., nominated, 6.
Referred, 6.
Reported, 39.
Confirmed, 41.

ZWIBEL, MAXWELL B., nominated, 5.
Referred, 5.
Reported, 39.
Confirmed, 41.

NOTHNAGLE, EDWARD, Representative from Delaware County (First District).

Bill introduced by
No. 49.
Defining and regulating, and providing for licensing and supervision of painting contractors, 93.

Bills reported by
No. 68.
Directing corporate authorities of political subdivisions to exonerate landlords from payment of taxes on dwellings occupied by tenants who are unable to pay rent, 406.

No. 82.
Relating to collection of delinquent municipal subdivision and school district taxes and liens, 405.

No. 125.
Regulating, under police power, the minimum wage which shall be paid to women and minors, 257.

No. 242 (Senate No. 115).
Authorizing municipal subdivisions to issue bonds for purpose of refunding or retiring outstanding bonds, 751.

Member of special committee, 653.

Motion by, for
Previous question, 693.

Motion by, to
Adjourn, 63.

Recommit Bill No. 82, relating to collection of delinquent municipal subdivision and school district taxes and liens, 560.

Resolution, concurrent, offered by
Permitting agents of Ford Motor Company to become bidders on motor equipment in this State, 751-752.

NURSES, member of Board of Examination for Registration of, nominated and referred to Committee on Executive Nominations, 417; reported and confirmed, 917; member, nominated and referred, 473.

OATH OF OFFICE administered to—
Members-elect, 23, 65.

O'CONNOR, ALBERT L., Representative from Cambria County (Second District).

Bills introduced by
No. 4.
To restrain and regulate sale of vinous and spirituous malt or brewed liquors, restricting ownership in licensed places and imposing duties upon proper authorities, 32.

No. 5.
Authorizing employers to adopt in certain cases a "check off" system whereby union dues of employes may be deducted from the wages, 32.

No. 6.
Authorizing Department of Internal Affairs to control and regulate weighing of all bituminous and anthracite coal mined, produced or sold in Commonwealth, requiring a checkweighman on every scale, etc., 32.

No. 7.
Joint resolution proposing amendment to Constitution, permitting Legislature to make appropriations to institutions engaged in general welfare and hospital work, 33.

No. 53.
Amending Act of 1933, adjourning county treasurers' sales for delinquent taxes in counties of fourth class to be held in 1933, by limiting sales for a period of time to delinquent taxes for one year, 94.

Bill reported by
No. 145.
Joint resolution proposing amendment to Constitution, relative to veterans' compensation, assistance to mothers, certain blind and certain aged persons, 488.

Remarks by, on
Bill No. 9, known as the Spirituous and Vinous Liquor Floor Tax Bill, 76.

OCCUPATIONAL DISEASES (see Labor and Industry, Workmen's Compensation).

OCCUPATION TAXES, amending First Class Township Law of 1931, by making optional the levying of

Senate Bill No. 120.
Read in place in Senate by Mr. Boyd (by request), 474.
Referred to Committee on Finance, 474.

OFFICERS AND EMPLOYES (see Salaries).

OFFICERS (see County, Election).

OIL CITY (see Highway).

O'KEEFE, JOHN J., Representative from Allegheny County (Eighth District).

Bills introduced by
No. 91.
Authorizing investment of funds by political subdivisions, banks, etc., in bonds of Home Owners' Loan Corporation, 175.

No. 162.
Providing for classification of real estate in counties of second class so as to distinguish between buildings and land, 283.

OLD AGE ASSISTANCE and burial, administration of act by Department of Welfare, and making appropriation, providing for

House Bill No. 133.
Read in place in House by Mr. Sowers, 251-252.
Referred to Committee on Appropriations, 252.

OLD AGE ASSISTANCE and burial, administration of act by Department of Welfare, the trustees who administer mothers' assistance and others, and making appropriation, providing for and regulating

Senate Bill No. 20.
Read in place in Senate by Mr. Harris, 83.
Referred to Committee on Appropriations, 83.

OLD AGE ASSISTANCE and burial, administration of act by Department of Welfare, the trustees who administer mothers' assistance and others, and making appropriation, providing for and regulating

House Bill No. 77.
Read in place in House by Mr. Blumberg, 120.
Referred to Committee on Appropriations, 120.
Reported without amendment, 229.
First reading, 254.
Second reading, 409-410.
Third reading and final passage, 463-464.
Returned from Senate with amendments in which House conc., 928.
Signed by Speaker, 951.

Remarks on, by
Kane, J. J., 463.
Ruby, 463.
Blumberg, 463-464.
Sowers, 464.

In Senate (No. 104).
Referred to Committee on Appropriations, 467.
Reported with amendment, 593.
First reading, 595.
Second reading and amended, 728-729.
Third reading and final passage, 791-792.
Returned from House with Senate amendments conc. in, 910.
Signed by President, 918.

OLD AGE ASSISTANCE, making appropriation out of Motor License Fund to Department of Welfare for

House Bill No. 156.
Read in place in House by Mr. Sowers, 282.
Referred to Committee on Appropriations, 282.

OLD AGE ASSISTANCE, making appropriation out of The State Stores Fund to Department of Welfare for

House Bill No. 78.
Read in place in House by Mr. Blumberg, 120.
Referred to Committee on Appropriations, 120.
Reported without amendment, 228.
First reading, 254.
Second reading, 410.
Third reading and final passage, 459.
Returned from Senate with amendments in which House conc., 927.
Signed by Speaker, 951.

In Senate (No. 108).
Referred to Committee on Appropriations, 467.
Reported with amendment, 593.
First reading, 595.
Second reading, 730.
Third reading and final passage, 792.
Returned from House with Senate amendments conc. in, 910.
Signed by President, 918.

OLD AGE ASSISTANCE, making appropriation out of The State Stores Fund to Department of Welfare for

Senate Bill No. 21.
Read in place in Senate by Mr. Harris, 83.
Referred to Committee on Appropriations, 83.

OLD AGE ASSISTANCE, providing system for

House Bill No. 18.
Read in place in House by Mr. Peters, 41.
Referred to Committee on Appropriations, 41.
Reported without amendment, 228-229.
First reading, 254.
Second reading and amended, 410-412.
Third reading and defeated on final passage, 459-463.

OLD AGE ASSISTANCE.—Continued.

Remarks on, by
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Sarig, 461.
Quinn, 461.
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Ruby, 463.

OLD AGE ASSISTANCE (see also Aged Poor, Constitution of Pennsylvania, Horse Racing, Lotteries).

O'NEILL, HARRY P., Representative from Lackawanna County (Fourth District).

Bill introduced by
No. 191.
Amending Act of 1933, to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for 1931 and 1932, by further extending period for such returns, 316.

OPERATOR'S LICENSE (see Motor Vehicles).

O'ROURKE, JOHN M., Representative from Allegheny County (Twelfth District).

Bills introduced by
No. 173.
Imposing State tax for school purposes on all newspapers, magazines, periodicals and other publications, 314.

No. 207.
Amending Female Labor Law of 1913, by excepting domestic service in private homes, and further regulating hours of labor, 318.

Remarks by, on
Bill No. 207, amending Female Labor Law, by excepting domestic service in private homes and further regulating hours of labor, 647.

OSTEOPATHIC EXAMINERS, members of State Board of, nominated and referred to Committee on Executive Nominations, 8; reported, 357, 358; recommitted, 361; re-reported, 480; confirmed, 482; reported, 536-537; confirmed, 538.

OWLETT, G. MASON, Senator from Twenty-fifth District (McKean, Potter and Tioga Counties).

Bill introduced by
No. 145.
Making appropriation to Legislative Committee on investigate cause of increasing cost of education to school districts, and methods whereby such costs can be reduced, 594.

Bills reported by
No. 1.
Authorizing Governor to accept funds from agencies of Federal Government for construction of public works, 746.

No. 29.
Amending Public Service Company Law, by authorizing commission in special cases to grant relief to common carriers from long and short haul and the aggregate or intermediate rates provisions, 86.

No. 33.
Creating Pennsylvania Liquor Control Board, 173, 214.

No. 39.
Amending Department of Banking Code, by extending provisions to all private bankers, and modifying powers of Secretary of Banking, 483.

No. 71.
Further amending Workmen's Compensation Law, by making it unlawful for an employer to accept a receipt showing payment of compensation when in fact no such payment has been made, 552.

No. 125.
Amending Banking Code, by providing for establishment, maintenance and operation of branch banks, 482.

OWLETT, G. MASON.—Continued.

No. 126.
Amending Department of Banking Code, by further limiting exemption of certain private bankers, and modifying powers of Secretary of Banking, 483.

No. 166 (House No. 196).
Further amending Workmen's Compensation Law, by extending time for appeals from referee's decision to the board, 784.

Member of Conference Committee, 987.

Motion by, to
Adjourn, 118.

Dispense with further reading of Journal, 337.

Reconsider vote recommitting Bill No. 179 (House No. 212), relative to establishment of branch banks, 905.

Question of personal privilege raised by, on
Vote on House conc. res. fixing December twenty-first as date for final adjournment, 478.

Remarks by, on
Amendments to Bill No. 36 (House No. 10), Liquor Control Bill, 215.

Bill No. 47, Joint resolution approving proposed amendment to Constitution of United States relative to child labor, 712-713.

Report of Conf. Com. on Senate Bill No. 35, creating Milk Control Board, 997.

Request that Bill No. 179 (House No. 212), relative to establishment of branch banks, go over in its order, 902.

PAINTING CONTRACTORS and imposing certain duties upon Department of Public Instruction, defining and regulating, and providing for licensing and supervision of

House Bill No. 49.
Read in place in House by Mr. Nothnagle, 93.
Referred to Committee on Education, 93.

PARDONS granted by Governor, reasons for, presented to Senate, 4; to House, 25; appendix, 1093.

PARKING SPACES (see Highways).

PARKINSON, CHAUNCEY W., Senator from Forty-sixth District (Greene and Washington Counties).

Bills introduced by
No. 61.
Defining distilled liquors, and prohibiting manufacture, sale, etc. of more than one brand of distilled or spirituous liquors in any one distillery, 237.

No. 63.
Amending Act of 1933, making appropriation out of Motor License Fund for maintenance of certain streets, by relieving Department of Highways of repair and maintenance of certain roads in townships of second class, 249-250.

Bills reported by
No. 3.
Amending Act of 1933, authorizing construction of toll bridges from funds advanced by Reconstruction Finance Corporation, by authorizing similar arrangements to be made with other agencies of the Federal Government, 18.

No. 8.
For acquisition of property east of Soldiers' and Sailors' Memorial Bridge at Harirsburg, 262.

No. 27.
Providing for construction of tunnel between New Jersey and Pennsylvania under the Delaware River, 236.

No. 64 (House No. 8).
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PARKINSON, CHAUNCEY W.—Continued.

No. 111 (House No. 103).
Amending Toll Bridge Acquisition Law of 1927, by providing for purchase of bridges wholly within the Commonwealth, 553.

No. 182 (House No. 246).
Amending Spirituous and Vinous Liquor Floor Tax Law, by providing for an extension of time for payment in certain cases, 818.

Executive nominations reported by, 18, 37, 46, 86, 211, 234, 260, 356, 478, 536, 591, 746, 916, 1017, 1019.

Motion by, to
Dispense with further reading of Journal, 45.
Recommit certain Executive nominations, 361.

Resolution, concurrent, offered by
Authorizing appointment of Joint Legislative Committee to investigate conduct and administration of affairs of the Insurance Department, 925.

PARK COMMISSION, member of State, nominated and referred to Committee on Executive Nominations, 11.

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PARTIAL DISABILITY (see Workmen's Compensation).

PATTERSON, PERCY A., Representative from Blair County (First District).

PEELOR, ELDER, Representative from Indiana County.

Member of special committee, 23.

Remarks by, on
Amendments to House Bill No. 10, (Liquor Control Bill), 287.

Efficient manner in which Speaker Talbot performed his duties, 1071.

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What to do in event of inconsistency in amendments to Liquor Control Bill, 157.

Resolution offered by
Authorizing appointment of committee to notify Senate that House is organized, 23.

PENALTIES (see Tax, Taxes).

PENITENTIARY, EASTERN, conc. res. (House) by Baldi, authorizing appointment of Joint Legislative Committee to investigate conditions existing at, 367; read and referred to Committee on Judiciary General in Senate, 477; adopted in House, 490-491; reported without amendment by Senate, 785-786; conc. in by Senate, 916; ret. from Senate conc. in, 952; House committee appointed, 1073.

Remarks on, by
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PENITENTIARY, EASTERN STATE, members of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 9; member of, nominated and referred, 164; reported, 359; recommitted, 361; re-reported, 480; confirmed, 482; members of, reported, 536, 538; confirmed, 538.

PENITENTIARY, STATE, and making appropriation, establishing an additional

Senate Bill No. 92.
Read in place in Senate by Mr. Salus, 360.
Referred to Committee on Appropriations, 360.

PENITENTIARY, WESTERN STATE, members of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 9.

PENNHURST STATE SCHOOL, members of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 10.

PENNOCK, MRS. MARTHA M., Representative from Philadelphia County (Eighteenth District).

Bill reported by
No. 151.
Permanent Registration Bill, Cities of First Class, 826.

PENNSYLVANIA INDUSTRIAL SCHOOL, member of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 212; reported and confirmed, 234-235.

PENNSYLVANIA LIQUOR CONTROL BOARD (see Liquor Control).

PENNSYLVANIA MILK CONTROL COMMISSION (see Milk Control).

PENNSYLVANIA NATIONAL GUARD (see National Guard).

PENNSYLVANIA SECURITIES COMMISSION, member of, nominated and referred to Committee on Executive Nominations, 8.

PENNSYLVANIA SOLDIERS' AND SAILORS' HOME, member of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 11; member of, reported, 358; recommitted, 361; re-reported, 480; confirmed, 482; member of, nominated and referred, 707; reported, 1017; confirmed, 1018.

PENNSYLVANIA STATE COLLEGE (see State College).

PENNSYLVANIA STATE ORAL SCHOOL FOR THE DEAF, member of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 11; reported, 916; confirmed, 917.

PENNSYLVANIA TRAINING SCHOOL, member of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 11.

PENSIONS (see Blind, Constitution of Pennsylvania, Firemen's Relief, Old Age Assistance, Veterans' Compensation).

PERMANENT PERSONAL REGISTRATION (see Electors).

PERMANENT REGISTRATION in cities of first class, and to prepare a bill to be submitted to 1935 Legislature, conc. res. (House) by Schwartz, authorizing appointment of Commission to study best methods for, 933; conc. in by Senate, 1016; ret. from House with Senate amendments conc. in, 1021; adopted by House, 1073; ret. from Senate conc. in, as amended, and House conc. in Senate amendments, 1076; House committee appointed, 1085.

PERRY, DAVID R., Representative from Blair County (Second District).

Amendments offered by, to
Bill No. 230 (Senate No. 55), making appropriation of moneys in Motor License Fund to Department of Public Instruction for aiding financially handicapped public school districts, 664.

Bill introduced by
No. 101.
Amending Act of 1919, relating to criminal procedure in cases of assault and battery, by preventing imposition of costs upon county in such cases, 180-181.

Correction of vote on House Bill No. 20, 986.

Member of special committee, 653, 1072.

Remarks by, on
Bill No. 60, Full Crew Bill, 692-693.
Efficient manner in which Speaker Talbot performed his duties, 1070.
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PERRY, JOHN J., Representative from Northumberland County (First District).

Bills introduced by
No. 60.
Compelling railroads to properly man their trains, 119.

No. 187.
Making certain discrimination in sale price of commodities unlawful, 315.

Motion by, for
Previous question, 495.

Resolution offered by
Discharging Committee on Railroads and Railways from further consideration of House Bill No. 60, known as the "Full Crew Bill," 494.

PERSONAL PROPERTY TAX LAW of 1913, by construing word "indebtedness," and denying right of Commonwealth to collect taxes on deposits in banks, and trust companies, amending Intangible

House Bill No. 119.
Read in place in House by Mr. Baker, 217.
Referred to Committee on Ways and Means, 217.
Reported without amendment, 257.
First reading, 258.
Second reading, 331-332.
Third reading and postponed, 397-398.
Resumed and passed finally, 458-459.

Remarks on, by
Hoopes, 397, 458.
Baker, 397, 458.
Andrews, 397.
McCreary, 397-398.
Flinchbaugh, 398.

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Referred to Committee on Finance, 468.

PERSONAL PROPERTY TAX LAW of 1913, by prohibiting negotiation, sale, etc. of instruments taxable under section one of act unless tax has been paid, amending section 5 of Intangible.

House Bill No.51.
Read in place in House by Mr. McCreary, 94.
Referred to Committee on Counties, 94.

PERSONAL PROPERTY TAX (see also Banks).

PETERS, FREDERICK C., Representative from Montgomery County (First District).

Amendments offered by, to
Bill No. 10, known as the Liquor Control Bill, 156.

Bill No. 18, providing system for old age assistance, 411.

Bill No. 234 (Senate No. 89), authorizing State Treasurer and Department of Highways to accept funds from Federal Government for construction of public highways and bridges, 828.

Bills introduced by
No. 18.
Providing system for old age assistance, 41.

No. 186.
Permitting, licensing and regulating horse racing and betting, and creating State Racing Commission, to secure funds for old age pensions, 315.

Bills reported by
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Imposing State taxes on those manufacturing, selling or using certain spirituous and vinous liquors, 43, 175, 258.

No. 239 (Senate No. 27).
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Resolution offered by
Thanking Secretary of Highways and his loyal corps of works, and Captain Price and State Highway Patrol for splendid work in making highways safe for travel during ice storm, 934.

PETHICK, WILLIAM D., Senator from Fourteenth District (Carbon, Monroe, Pike and Wayne Counties).

Bill introduced by
No. 28.
Compelling railroads to properly man their trains, 83.

Motion by, to
Adopt resolution on death of Major General Charles H. Muir, 470.

Dispense with further reading of Journal, 199.

Recommit Bill No. 50 (House No. 39), authorizing issue and sale of bonds for payment of veterans' compensation, 232.

PETHICK, WILLIAM D.—Continued.

Recommit Bill No. 51 (House No. 40), providing for veterans' compensation, 233.

Resolution offered by
Adopting minute of respect to memory of the late General Muir, 469-470.

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Against adjournment until after passage of social legislation, 596.

Against extension branch banking, 855.

Against passage of House Bill No. 10, to regulate and restrain sale, importation and use of certain alcoholic beverages, 94.

Against pending liquor control legislation, 219.

Against Public Service Commission's General Order No. 29, 781.

Against State taking over second class township roads, 707.

Against tax on rectified alcohol, 94.

Complaint from South Union Township, Fayette County, on manner of distribution of relief to needy, 94.

Favoring all measures pertaining to social legislation, 781.

Favoring druggists as distributors of distilled spirits, 94.

Favoring enactment of social legislation, 519.

Favoring five million dollar appropriation, 318.

Favoring increase of school appropriations, 751.

Favoring legislation sponsored by Pennsylvania Federation of Labor, 707.

Opposing Liquor Control Legislation, 318.

Favoring passage of House Bills Nos. 26, 27 and 28, relative to housing, 581.

Favoring retail dispensing of liquors, 48.

Favoring various House Bills pertaining to taxes, 707.

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Relative to distribution of alcoholic beverages by drug stores, 219.

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Requesting appropriation for flood protection, 120.

Secretary of Education relative to observance of 100th anniversary of opening of historic session of General Assembly which passed Free School Act initiating Pennsylvania's public school system, 301.

Submitting plan for controlled sale of liquor, 66.

Suggesting amendments to Liquor Control Bills, 181.

Urging abolition of Coal and Iron Police, 485.

Urging adoption of certain provisions in liquor control legislation, 94.

Urging adoption of Old Age Pensions, 596.

Urging elimination of coal and iron police, 219.

Urging exemption of industrial alcohol from taxation, 750.

Urging immediate construction of Finance Building, 707.

Urging immediate legislation for unemployed, 579.

Urging increase of unemployment relief, 751.

Urging legislation similar to Brooks Law, 180.

Urging passage of House Bills affecting taxpayers, 750.

PETITIONS, memorials and remonstrances, resolution (Senate) by Armstrong, regulating presentation of, 2.

PHILADELPHIA, conc. res. (House) by Cannon, calling upon Reconstruction Finance Corporation and other agencies having charge of President's program to give consideration to rehabilitation of closed industries in, 95; read and referred to Committee on Municipal Affairs in Senate, 213-214; adopted in House, 220.

PHILADELPHIA HOSPITAL FOR MENTAL DISEASES, known as Byberry, conc. res. (House) by Malina, authorizing appointment of Joint Legislative Committee to investigate conditions at, 753.

PHILADELPHIA (see also Frankford Arsenal).

PHILIPSBURG STATE HOSPITAL, member of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 10.

PHOTOGRAPHIC OR PHOTOSTATIC PROCESS (see Recorder of Deeds).

PICNICS (see Liquor Control).

PIERSON, HENRY J., Senator from Seventeenth District (Lebanon County and Lancaster County, part of).

Bill introduced by
No. 44.
Making appropriation to Department of Military Affairs for purchase of supplies, materials and equipment to improve Military Reservation at Indiantown Gap, 212.

Member of special committee, 3.

Motion by, to
Dispense with further reading of Journal, 417.

Resolution offered by
Tendering thanks of Senate to Lieutenant-Governor Edward C. Shannon, President of Senate, for able and impartial manner in which he has performed his duties, 1016.

Points of order raised on,
Amending report of Conf. Com. on Senate Bill No. 35, creating Milk Control Board, by Shapiro, 997.

Calling attention of Mr. Steedle to divulge anything that takes place in committee, by Witkin, 871.

Challenge of vote must be in writing, by Witkin, 604.

Discussion by Messrs. J. J. Kane and Sowers relative to legislation passed by House not conducted in conformity with legislative requirements, by Rhodes, 602.

Discussion of deliberations of Senate by member of House is out of order, by Andrews, 949.

Discussion of motion for House to sit in Session on December 14th and 15th, by Mr. Wilson, 602.

House Bill No. 87, appropriating moneys in State Stores Fund to Pennsylvania Liquor Control Board for establishing and operating State Stores, by Mr. Wilson, 434.

House Bill No. 245, amending Spirituous and Vinous Liquor Tax Law, enabling Pennsylvania to participate in Federal Government tax, by Witkin, 848.

House Rule 3, providing that Speaker shall preserve order and decorum and in debate shall prevent reflection, by Hutton, 687, 688.

Motion for House to sit in session on Thursday, December 14th, and Friday, December 15th, by Turner, 599.

Motion to adjourn not debatable, by Witkin, 464.

Motion to reconsider vote recommitting Bill No. 179 (House No. 212), relative to establishment of branch banks, by Williamson, 905.

Motion to suspend Senate Rules 37 and 42, and to place Full Crew Bill on Calendar, by Buckman, 818.

Opinion relative to constitutionality of House Bill No. 34, repealing Industrial Police Law of 1929, by Hutton, 694-695.

Presentation of amendments to House Bill No. 10 (Liquor Control Bill), by Andrews, 160.

PIERSON, HARRY J.—Continued.

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Remarks by Mr. Sowers relative to vote by Committee of the Whole on House Bill No. 10 (Liquor Control Bill), for or against State stores, by Andrews, 160.

Remarks objecting to method of actions of committees as irrelevant to motion for House to sit in session on December 14th and 15th, by Howard, 603.

Remarks on House resolution to discharge Committee on Railroads and Railways from further consideration of "Train Limit Bill," by Witkin, 493.

Ruling of Chair in keeping from Committee of the Whole on House Bill No. 10 (Liquor Control Bill), information that it should have in order to vote intelligently, by Sowers, 139.

POLICE POWER staying all executions and other process for collection of money obligations, and all judicial and tax sales on distress for rent for period of one year, involving the

House Bill No. 83.
Read in place in House by Mr. McCreary, 174.
Referred to Committee on Judiciary General, 174.

POLICE POWER (see also Liquor Control, Wages, Writs of Eviction).

POLICE, STATE, shall not enter into areas affected by strikes, etc., except upon express order of the Governor, amending Administrative Code of 1929, by providing that

House Bill No. 64.
Read in place in House by Mr. Myers, 119.
Referred to Committee on State Government, 119.

POLICE (see also Industrial, Sheriffs).

POLITICAL SUBDIVISIONS (see Banks, Budget, Contracts, Taxes).

POOR DISTRICTS (see Municipal Subdivisions).

POOR HOUSES AND ALMS HOUSES, and directing Department of Welfare to submit a pension system to be jointly financed by Commonwealth and counties, providing for abolishment of all

House Bill No. 89.
Read in place in House by Mr. John J. Kane, 174-175.
Referred to Committee on Judiciary General, 175.

POSTAGE (see Legislative Journal).

POWELL, C. J., Representative from Northumberland County (Second District).

Bill introduced by
No. 149.
Amending Female Labor Law of 1913, by changing hours for employment of females, 256.

Motion by, to
Recommit Bill No. 149, amending Female Labor Law, by changing hours for employment of women, 558.

POWERS, JOHN L., Representative from Allegheny County, (Seventh District).

Bills introduced by
No. 123.
Authorizing Department of Highways to provide parking spaces along primary State highways, 217.

No. 171.
Amending Second Class City Law of 1901, by providing for assessment of a less rate of tax upon buildings than upon land, graded over a period of years, until rate upon land, 314.

No. 172.
Requiring construction of sidewalks along certain State Highways, and appropriating moneys in Motor License Fund therefor, 314.

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PRAYER offered in Senate, 1 35, 45, 81, 97, 163, 199, 211, 231, 259, 301, 337, 417, 467, 519, 581, 707, 781, 877, 987.

PRESIDENT OF UNITED STATES (see Allegheny River Project), Immigration, National Recovery Program).

PRESIDENT PRO TEMPORE for able performance of his duties, resolution (Senate), by Baumer, tendering thanks of Senate to Hon. Harry B. Scott, 1016.

PRESIDENT PRO TEMPORE, resolution (Senate) by Homsher, authorizing appointment of all Senate committees by, 2.

PRESS for fair and comprehensive manner in which they covered the proceedings, resolution (Senate) by Bell, tendering thanks of Senate to, 1016.

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PRICE, OSCAR H., Representative from Philadelphia County, (Twenty-first District).

Bill introduced by
No. 135.
Providing for entry of deficiency judgments, and limiting amount for which writs of execution may issue in certain cases, 252.

Motion by, to
Adjourn, 34, 258.

PRICES, SALE, of commodities unlawful, making certain discrimination in

House Bill No. 187.
Read in place in House by Mrs. John J. Perry, 315.
Referred to Committee on Judiciary General, 315.

PRICES (see also Commerce).

PRIMARY ELECTIONS (see Elections).

PRIMARY STATE HIGHWAYS (see Highways).

PRINCE, LEON C., Senator from Thirty-first District (Cumberland, Juniata, Mifflin and Perry Counties).

Leave of absence granted, 35, 45, 97.

Motion by, to
Recommit Bill No. 47, Joint resolution approving proposed amendment to Constitution of United States relative to child labor, 711.

Remarks by, on
Bill No. 36 (House No. 10), Liquor Control Bill, 245.
Bill No. 47, Joint resolution approving proposed amendment to Constitution of United States relative to child labor, 711.

Vote on motion to discharge Committee on Executive Nominations from further consideration of nomination of P. Stephen Stahlnecker as member of the Public Service Commission, 909.

Resolution, concurrent, offered by
Authorizing Secretary of Commonwealth to have printed in Pamphlet Laws copy of certificate and resolution adopted by Constitutional Repeal Convention, 418.

PRINTING was expedited, resolution (House) by Dane, tendering thanks of House to Bureau of Publications, and to the Public Printer for efficient manner in which the, 1073.

PRIVATE BANKERS (see Bankers).

PRIVATE EMPLOYMENTS (see Employment, Wages).

PRIVATE HOMES (see Employment of Females).

PRIVATE LOCKUPS (see Detention).

PRIVATE PROPERTY (see Detention).

PROCLAMATION OF THE GOVERNOR convening General Assembly in Extraordinary Session, presented to Senate, 1-2; to House, 20.

PROFESSIONAL ENGINEERS, members of State Registration Board for, nominated and referred to Committee on Executive Nominations, 10; member of, reported and confirmed, 592.

PROHIBITION ENFORCEMENT LAW OF 1923, to repeal

House Bill No. 94.
Read in place in House by Mr. Malina, 175.
Referred to Committee on Judiciary General, 175.
Reported without amendment, 257.
First reading, 326.
Second reading, 378.
Third reading and final passage, 452-453.
Returned from Senate without amendment, 933.
Signed by Speaker, 951.

In Senate (No. 109).
Referred to Committee on Law and Order, 467.
Reported with amendment, 747.
First reading, 748.
Second reading, 813.
Third reading and final passage, 894.
Signed by President, 918.

PROPERTY AND SUPPLIES, DEPARTMENT OF, to act as purchasing agency for certain Federal agencies and making appropriation of moneys received to reimburse the department for cost, authorizing

Senate Bill No. 31.
Read in place in Senate by Mr. Shapiro, 84.
Referred to Committee on Appropriations, 84.
Reported without amendment, 261.
Second reading, 308.
Third reading and final passage, 338-339.
Returned from House without amendment, 750.
Signed by President, 815.

In House (No. 226).
Referred to Committee on State Government, 400.
Reported without amendment, 579.
First reading, 606.
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PUBLIC SERVICE COMMISSION in special cases to grant relief to common carriers from long and short haul and the aggregate or intermediate rates provisions, amending Public Service Company Law of 1913, by authorizing

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Read in place in Senate by Mr. Frazier, 83-84.
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Referred to Committee on Public Utilities, 219.
Reported without amendment, 229.
First reading, 254-255.
Second reading, 330-331.
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PUBLIC SERVICE COMMISSION to proposed changes in rates, amending Public Service Company Law of 1913, by requiring approval of

Senate Bill No. 38.
Read in place in Senate by Mr. Thompson, 199-200.
Referred to Committee on Judiciary General, 200.

PUBLIC SERVICE COMMISSION to proposed changes in rates, further amending Public Service Company Law of 1913, by requiring approval of

House Bill No. 30.
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Referred to Committee on Public Utilities, 48.

PUBLIC SERVICE COMMISSION to proposed changes in rates, further amending Public Service Company Law of 1913, by requiring approval of

House Bill No. 184.
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Referred to Committee on Public Utilities, 315.

PUBLIC SERVICE COMPANIES subject to taxation, amending Act of 1844, to reduce the State debt, by making real estate of

House Bill No. 36.
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Referred to Committee on Municipal Corporations, 66.

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House Bill No. 90.
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Referred to Committee on Municipal Corporations, 175.

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PUBLIC WORKS COMMISSION, STATE EMERGENCY, prescribing its powers and duties, and making appropriations, establishing

House Bill No. 150.
Read in place in House by Mr. Harmuth, 281.
Referred to Committee on State Government, 281.

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Extending to George E. Brennan, dean of newspapermen from Philadelphia, season's greetings and hope for his speedy recovery, by Bennett, 1087.

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Proceedings in connection with motion to discharge Committee on Executive Nominations from further consideration of nomination of P. Stephen Stahlnecker as member of Public Service Commission, by Reed, 1011-1013.

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Remarks in newspapers made by Chairman of Democratic State Committee issuing a challenge to the Republican Party, by Harris, 302.

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Vote on adoption of amendments to House Bill No. 10 (Liquor Control Bill), by Bechtel, 321.

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Vote on House Bill No. 245, amending Spirituous and Vinous Liquor Tax Law, enabling Pennsylvania to participate in Federal Government tax, by Tahl, 848.

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Vote on motion to discharge Committee on Executive Nominations from further consideration of nominations of P. Stephen Stahlnecker as member of the Public Service Commission, by Buckman, 909; by Fay, 1913.

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QUIGLEY, RICHARD S., Senator from Twenty-sixth District (Cameron, Clarion, Clinton, Elk and Forest Counties).

Motion by, for
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QUINN, JAMES L., Representative from Allegheny County (Tenth District).

Bills introduced by
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To regulate employment of minors, 186.

No. 166.
Amending Act of 1836, relating to executions, by adding provisions relating to deficiency judgments after sale of mortgaged real estate under a judgment upon the bond accompanying such mortgage, 313.

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Remarks by, on
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RAILROAD TRANSPORTATION (see Taxation).

RAILROADS hauling trains excessive in length, and providing for enforcement by Public Service Commission, prohibiting common carriers by

(Train Limit Bill)

House Bill No. 59.
Read in place in House by Mr. Bernhard, 119.
Referred to Committee on Railroads and Railways, 119.
Motion to discharge Committee from further consideration of bill defeated, 493-494.

RAILROADS hauling trains excessive in length, and providing for enforcement by Public Service Commission, prohibiting common carriers by

(Train Limit Bill)

Senate Bill No. 32.
Read in place in Senate by Mr. Staudenmeier, 117.
Referred to Committee on Railroads, 117.

RAILROADS to properly man their trains, compelling

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House Bill No. 60.
Read in place in House by Mr. John J. Perry, 119.
Referred to Committee on Railroads and Railways, 119.
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Reported without amendment, 497.
First reading, 559.
Second reading, 622-623.
Third reading and final passage, 690-694.

Remarks on, by
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Referred to Committee on Railroads, 709.
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RAILROADS to properly man their trains, compelling

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RAILROADS (see also Public Service Commission).

RAUB, JACOB A., Representative from Northampton County (Second District).

Bill introduced by
No. 107.
Amending Act of 1933, adjourning county treasurers' tax sales of seated and unseated lands in counties of fourth class to be held in 1933, by providing for adjournment thereof in 1934, 217.

REAL ESTATE in counties of second class so as to distinguish between buildings and land, providing for classification of

House Bill No. 162.
Read in place in House by Mr. O' Keefe, 283.
Referred to Committee on Counties, 283.

REAL ESTATE (see also Capitol Park, Judgments, Public Service Companies, Taxes, writs).

REAL PROPERTY in certain cases, amending Act of 1933, authorizing courts of common pleas to stay writs of execution against, and tax sales of certain

House Bill No. 16.
Read in place in House by Mr. McElwee, 33.
Referred to Committee on Judiciary General, 33.
Reported with amendment, 257.
First reading, 326.
Second reading and amended, 391-392.
Third reading and final passage, 451-452.
Returned from Senate with amendments in which House conc., 1079.
Signed by Speaker, 1085.

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Referred to Committee on Judiciary General, 467.
Reported with amendment, 784.
First reading, 823.
Over in its order, 895.
Second reading and amended, 912-913.
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No. 193.
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Bills reported by
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Providing for elimination of unsanitary and dangerous housing conditions, 406.

No. 28.
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REED, FRANK M., Representative from Allegheny County (Eleventh District).

Bill introduced by
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Providing for payment in installments of delinquent taxes in certain cases, and abating penalties and interest thereon, 180.

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Amendments offered by, to
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Bills introduced by
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No. 9.
Making appropriation to Department of Property and Supplies for erection of Finance Building in Capitol Park, 38.

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No. 18.
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House conc. res. urging State Emergency Relief Board to contribute and co-operate with local and State Governments in securing help from Federal Civil Works Administration, reported by, 594-595.

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REILLY, JOHN, Representative from Philadelphia County (Fifth District).

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RESIDENT CLERK AND CHAPLAIN for efficient and courteous manner in which they performed their duties, resolution (House) by Simon, tendering thanks of House to, 1072.

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Authorizing appointment of committees to escort members of Senate to Hall of House for Joint Session, (House) by Heffernan, 26; committee appointed, 26; committee reports to Senate, 16; to House, 27.

Authorizing appointment of committee to escort members of Senate to Hall of House for Joint Session, (House) by Heffernan, 366; committee appointed, 366; committee reports to Senate, 356; to House, 401.

Authorizing appointment of committee to investigate charges and ascertain expenses, wages, etc. of State Emergency Relief Board in various counties, (House) by Quinn, 429-430; adopted, 597.

Authorizing appointment of committee to investigate charges made by A. Leo Weil, Esq., regarding distribution of liquor business by State Stores, (House) by Witkin, read and adopted, 94-95; committee appointed, 121; committee reports, 935-937. (see Appendix, page 1138).

Authorizing appointment of committee to notify House that Senate is organized, (Senate) by Reed, 2; committee appointed, 2; committee reports to Senate, 3; to House, 23.

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Authorizing appointment of committee to notify Senate that House is organized, (House) by Peelor, 23; committee appointed, 23; committee reports to Senate, 3; to House, 25.

Authorizing appointment of committee to notify Senate that House is ready to adjourn sine die, (House) by Heffernan, 1072; committee appointed, 1072; committee reports to Senate, 1021; to House, 1087.

Authorizing appointment of committee to study liquor control, (House) by Andrews, 252-253; adopted, 497.

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Remarks on, by
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Extending congratulations of House to Hon. Samuel B. Hart upon his prospective marriage, (House) by Harris, 66.

Extending congratulations of House to President of United States on the success of the National Recovery Program, (House) by Flanagan, 66-67; adopted, 220.

Extending sympathy of House to family of the late Hon. Aaron B. Hess, (House) by Evans, 42.

Extending sympathy of House to family of the late Hon. John R. Farr, former member of National House of Representatives from Lackawanna and Speaker of House, (House) by John J. Williams, 496.

Extending sympathy of House to family of the late Hon. John Scheuer, Jr., former Member from Lackawanna County, (House) by Cordier, 933.

Extending sympathy of House to family of the late Hon. Joseph C. Rupp, (House) by Marcks, 752.

Extending sympathy of House to widow of the late Hon. Charles T. Dwyer, (House) by Spann, 48.

Extending sympathy of House to widow of the late Hon. William W. Roper, (House) by Conner, 556.

Extending sympathy of Senate to family of the late Hon. John Merriman Reynolds, former Lieutenant Governor, (Senate) by Ealy, 915.

RESOLUTIONS.—Continued.

Extending sympathy of Senate to Rev. George P. Donehoo, D. D., Chaplain of Senate, on his illness, (Senate) by Buckman, 784.

Extending welcome of delegates of Constitutional Repeal Convention, (Senate) by Homsher, read and adopted, 303.

Fixing November twenty-ninth as last day for introduction of bills in House, (House) by Hutton, read and adopted, 220.

Modifying civil service examination of truck drivers for State Liquor Stores, (House) by Ederer, read and adopted, 779.

Modifying educational qualifications for positions in Pennsylvania Liquor Stores, (House) by Quinn, 367; adopted, 430.

Recommending that payment from appropriation to aid financially handicapped school districts should first be made by Superintendent of Public Instruction to such school districts as are in arrears in payment of teachers' salaries, (House) by Cordier, 604-605; referred to Committee on Education, 655-656.

Recommending to Pennsylvania Liquor Control Board that it provide for sale of liquors in State Liquor stores in quantities at least as small as pints, (House) by Boyd, read and adopted, 604.

Regulating presentation of petitions, memorials and remonstrances, (Senate) by Armstrong, 2.

Requesting Auditor General and State Treasurer to furnish certain information relative to State funds, estimated revenues from liquor sales and present financial standing, (House) by Denning, read and adopted, 658. Information furnished by State Treasurer, 950-951.

Requesting Department of Highways to use tar on roads where bituminous materials are required, (Senate) by Sordoni, read and adopted, 475.

Requesting Hon. Frank B. Wickersham to administer oath of office to Member-elect, (House) by Habbyshaw, 65.

Requesting Hon. Frank B. Wickersham to administer oath of office to Members-elect, (House) by Rice, 23.

Requesting President of United States to at once, by executive order, close the doors on immigration from all countries on those seeking employment in America for two years, (House) by Shugarts, 496.

Requesting resignation of Eugene F. White, Chief Clerk of House of Representatives, (House) by Quinn, 496-497; referred to Committee on Rules, 656.

Requesting Secretary of Banking to furnish statement showing various ways the money of depositors of liquidated banks is being expended, (House) by Andrews, 430.

Requesting Secretary of Department of Property and Supplies to forward files and supplies to Members, (House) by Wasserman, 1073.

Requesting State Emergency Relief Board to instruct local relief boards to exercise care in enforcing requirement that motor vehicle registration plates be surrendered by recipients of relief. (House) by Lane, 430; adopted, 497.

Tendering thanks of House to Bureau of Publications, and to the Public Printer for efficient manner in which printing was expedited, (House) by Dane, 1073.

Tendering thanks of House to Director and other officers and employes of Legislative Reference Bureau for valuable assistance rendered to House, (House) by Philip Sterling, 1072.

Remarks on, by
P. Sterling, 1072.

RESOLUTIONS.—Continued.

Tendering thanks of House to Governor and Mrs. Pinchot for entertainment, (House) by Hutton, 655.

Tendering thanks of House to officers and employes for able and efficient manner in which they have attended to their duties, (House) by Bennett, 1072.

Tendering thanks of House to Press for fair and impartial manner in which they reported the proceedings of the Extraordinary Session, (House) by Lord, 1073.

Tendering thanks of House to Resident Clerk and Chaplain for efficient and courteous manner in which they performed their duties, (House) by Simon, 1072.

Tendering thanks of House to Speaker Talbot for fairness and consideration, as well as for masterful manner in which he conducted its business, (House) by Baldi, 1069.

Tendering thanks of Senate to Hon. Harry B. Scott, President pro tempore of Senate, for fair and efficient manner in which he has performed his duties, (Senate) by Baumer, 1016.

Tendering thanks of Senate to Lieutenant-Governor Edward C. Shannon, President of Senate, for able and impartial manner in which he performed his duties, (Senate) by Pierson, 1016.

Tendering thanks of Senate to officers and employes for efficient manner in which they performed their duties, (Senate) by Clark, 1016.

Tendering thanks of Senate to Press for fair and comprehensive manner in which they covered the proceedings, (Senate) by Bell, 1016.

Thanking Hon. Frank B. Wickersham for administering oath of office to Members-elect, (House) by Shreiner, 24, 65.

Thanking Secretary of Highways and his loyal corps of workers, and Captain Price and State Highway Patrol for splendid work in making highways safe for travel during ice storm, (House) by Peters, 934.

Urging Congress to adopt recommendations formulated by Interstate Commission on Conflicting Taxation, (House) by P. Sterling, read and adopted, 751.

Urging Congress to further aid operation of American factories and relieve the tax burden by taxing persons selling foreign made goods the difference in cost of like articles made in United States, (House) by Lane, 597-598.

Urging Department of Highways to give special consideration to use of a larger percentage of tar in construction and maintenance of roads on which bituminous materials are required, (House) by Spann, read and adopted, 656-657.

Urging Senate to remain in session until all legislation comprehended within Governor's call and pending before Senate committees has been given proper consideration, (Senate) by Harris, 302-303.

Remarks on, by
Harris, 303; Buckman, 303.

RESOLUTIONS, CONCURRENT—

Amending conc. res. No. 83 of 1933, authorizing appointment of Joint Legislative Committee to investigate affairs and records of Insurance Department, (House) by Cohen, 753; referred to Committee on Insurance in Senate, 911-912; adopted, as amended, in House, 934-935.

Remarks on, by
Cohen, 934-935; Hutton, 935; T. B. Wilson, 935.

Authorizing adjournment of Legislature until November twentieth. (Senate) by Batchelor, 35; ret. from House conc. in, 37; conc. in by House, 44.

RESOLUTIONS, CONCURRENT.—Continued.

Authorizing adjournment of Legislature until November twenty-seventh, (Senate) by Gelder, 170; conc. in by House, 181.

Authorizing adjournment of Legislature until December fourth, (Senate) by Bennett, 232; ret. from House conc. in, 233; conc. in by House, 256.

Authorizing adjournment of Legislature until December eleventh, (Senate) by Harvey, 354; conc. in by House, 409; ret. from House conc. in, 417.

Authorizing adjournment of Legislature until December eighteenth, (Senate) by Krause, 522; ret. from House. conc. in, 538; conc. in by House, 575.

Authorizing appointment of Commission to study best methods for permanent registration in cities of first class, and to prepare a bill to be submitted to 1935 Legislature (House), by Schwartz, 933; conc. in by Senate, 1015; vote reconsidered, res. amended and conc. in by Senate, 1016; ret. from House with Senate amendments conc. in, 1921; adopted by House, 1973; ret. from Senate conc. in as amended, and House conc. in Senate amendments, 1076; House committee appointed, 1085.

Authorizing appointment of committee to act in conjunction with House committee to escort Governor to Hall of House for Joint Session (Senate) by Buckman, 16; ret. from House conc. in, 16; Senate committee appointed, 16; conc. in by House and House committee appointed, 26; Joint session held and address by Governor, 27-32.

Authorizing appointment of committee to act in conjunction with House committee to escort Governor to Hall of House for Joint Session (Senate) by Buckman, 356; ret. from House conc. in, 356; Senate committee appointed, 356; conc. in by House, and House committee appointed, 400; Joint Session held and address by Governor, 401-405.

Authorizing appointment of committee to act in conjunction with House committee to notify Governor that General Assembly is convened in Extraordinary Session (Senate) by Clark, 2; ret. from House conc. in, 3; Senate committee appointed, 3; Senate committee reports, 3; conc. in by House, 23; House committee appointed, 24; committee reports, 24.

Authorizing appointment of committee to act in conjunction with House committee to notify Governor that General Assembly is ready to adjourn sine die (Senate) by Homsher, 1017; ret. from House conc. in, and Senate committee appointed, 1020; Senate committee reports, 1022; conc. in by House, and House committee appointed, 1083; House committee reports, 1087.

Authorizing appointment of Joint Legislative Committee to determine exact cost of manufacture and importation of spirituous alcoholic beverages (House) by Gartner, 375-376; adopted in House, 495; read and referred to Committee on Appropriations in Senate, 520-521.

Authorizing appointment of Joint Legislative Committee to investigate conditions at the Eastern Penitentiary (House) by Baldi, 367; read and referred to Committee on Judiciary General in Senate, 477; adopted in House, 490-491; reported without amendment by Senate, 785-786; conc. in by Senate, 916; ret. from Senate conc. in, 952; House committee appointed, 1073.

Remarks on, by
P. Sterling, 490; Baldi, 491.

Authorizing appointment of Joint Legislative Committee to investigate conditions at Philadelphia Hospital for Mental Diseases, known as Byberry, (House) by Malina, 753.

Authorizing appointment of Joint Legislative Committee to investigate conduct and administration of affairs of the Insurance Department, (Senate) by Parkinson, read and referred to Committee on Insurance, 925.

RESOLUTIONS, CONCURRENT.—Continued.

Authorizing Governor to appoint directors and trustees of nonprofit corporations formed for public purposes applying to Federal Emergency Administration for a loan for projects under terms of NIRA, (Senate) by Aron, read and adopted, 710-711; conc. in by House, 779-780; ret. from House conc. in, 781-782.

Authorizing payment of postage on Legislative Journal, (Senate) by Norton, 2; ret. from House conc. in, 16; conc. in by House, 25; approved by Governor, 17.

Authorizing payment of salaries of Senators and Members of House of Representatives during Extraordinary Session of 1933, (Senate) by Krause, 2-3; ret. from House conc. in, 16; conc. in by House, 25; approved by Governor, 17.

Authorizing Secretary of Commonwealth to have printed in Pamphlet Laws of Extraordinary Session of 1933, copy of certificate and resolution adopted by Constitutional Repeal Convention, (Senate) by Prince, 418; ret. from House conc. in, 427; conc. in by House, 431; approved by Governor, 473.

Authorizing various agencies of Commonwealth and municipal subdivisions to cancel certain contracts and to relieve contractors of obligation thereunder in compliance with National Industrial Recovery Act, (Senate) by Coyne, read and referred to Committee on Judiciary General, 17-18.

Calling upon Reconstruction Finance Corporation and other agencies having charge of President's program to give consideration to rehabilitation of closed industries in Philadelphia, (House) by Cannon, 95; read and referred to Committee on Municipal Affairs in Senate, 213-214; adopted in House, 220.

Continuing Joint Legislative Committee to investigate conditions concerning veterans receiving Federal aid, (Senate) by Staudenmeier, read and adopted, 882; ret. from House conc. in, 910; conc. in by House, 940-941.

Directing Legislative Reference Bureau to have printed five thousand copies of General Borough Act of 1927, with amendments, (House) by McClure, read and adopted, 321; read and referred to Committee on Public Printing in Senate, 310; reported without amendment, 536; recommitted to Committee on Public Printing in Senate, 748; reported as amended and adopted by Senate, 783-784; ret. from House with Senate amendments conc. in, 907; ret. from Senate with amendments in which House conc., 926.

Extending time for sale of liquors on January 1, 1934, (House) by Witkin, 577; read and referred to Committee on Law and Order in Senate, 594; adopted in House, 598; reported as amended in Senate, 747; defeated in Senate, 877-878.

Remarks on, by
Shapiro, 878; Reed, 878; Aron, 878.

Fixing December twenty-first as date for General Assembly to adjourn sine die, (House) by Hutton, read and adopted, 491-493; conc. in by Senate, 476; ret. from Senate conc. in, 517; Senate adjourned, 1030; House adjourned, 1087.

Remarks on, by
Hoopes, 491, J. J. Kane, 491-492, Sowers, 492, Lenahan, 492, Fitzgerald, 492, Tahl, 493, by Harris, 476, Salus, 476, Shapiro, 476, Frazier, 477, Graff, 477, Owlett, 477.

Fixing time for Joint Session, to hear address of Governor, (Senate) by Gelder, 4; ret. from House conc. in, 16; conc. in by House, 25; Joint Session held, 27-32.

Fixing time for Joint Session to hear address of Governor, (Senate) by Mansfield, 354; ret. from House conc. in, 365; conc. in by House, 400; Joint Session held and address by Governor, 401-405.

RESOLUTIONS, CONCURRENT.—Continued.

Inviting attention of Congress to need for modern machine tools and equipment for Frankford Arsenal at Philadelphia, (House) by Miss Brancato, 175; read and referred to Committee on Federal Relations in Senate, 361-362; adopted in House, 367.

Limiting granting of licenses by Liquor Control Board to persons applying in territory where electors voted dry, (House) by Stevenson, read and adopted, 752; read and referred to Committee on Law and Order in Senate, 782.

Memorializing Congress to enact legislation which will equalize the burden of taxation between river and railroad transportation, (House) by Lane, 220; read and referred to Committee on Federal Relations in Senate, 362; adopted in House, 368.

Permitting agents of Ford Motor Company to become bidders on motor equipment in this State, (House) by Nothnagle, read and adopted, 751-752; read and referred to Committee on Judiciary General in Senate, 782; reported as committed, ——; conc. in by Senate, 878; ret. from Senate conc. in, 927.

Petitioning President of United States, to authorize completion of Allegheny River project and building of canal from Franklin to Erie, (House) by Fitzgerald, 324; read and referred to Committee on Canals and Inland Navigation in Senate, 362-363; adopted in House, 368; reported as committed, and conc. in by Senate, 418; ret. from Senate conc. in, 431.

Recalling from Governor House Bill No. 39, authorizing issue and sale of bonds by Commonwealth for payment of veterans' compensation, (House) by Myers, 496; conc. in by Senate, 520; ret. from Senate conc. in, 575-576; approved by Governor, 650.

Recalling from Governor House Bill No. 40, providing for veterans' compensation, (House) by Myers, 496; conc. in by Senate, 520; ret. from Senate conc. in, 575; approved by Governor, 650.

Recalling from Governor House Bill No. 41, making appropriation for payment of preparation and issue and sale of bonds for veterans' compensation, (House) by Myers, 861; conc. in by Senate, 877; ret. from Senate conc. in, 926; approved by Governor, 953.

Recalling from Governor House Bill No. 55, making appropriation out of State Stores Fund in State Emergency Relief Board for unemployment relief, (House) by Turner, 933; conc. in by Senate, 907; ret. from Senate conc. in, 941; approved by Governor, 952.

Recalling from Governor Senate Bill No. 19, to provide for permanent personal registration of electors in cities of second class A, (Senate) by Scott, 711; ret. from House conc. in, 745-746; conc. in by House, 755; approved by Governor, 820.

Recalling from Governor Senate Bill No. 43, making appropriation to Department of Military Affairs to cover expenses of Adjutant General for handling payment of veterans' compensation, (Senate) by Reed, 878; ret. from House conc. in, 907; conc. in by House, 927; approved by Governor, 910.

Recommending to Governor increase in appropriation to and personnel of the Motor Patrol, (House) by Way, 753; referred to Committee on Public Roads and Highways in Senate, 907; reported without amendment and conc. in, by Senate, 920; adopted by House, 933-934; ret. from Senate conc. in, 1031-1032.

Regulating preparation of copy for, and printing and binding of, Journals of Senate and House, (Senate) by Staudenmeier, 1016; ret. from House conc. in, 1020; conc. in by House, 1084.

RESOLUTIONS, CONCURRENT.—Continued.

Requesting Auditor General and State Treasurer to furnish General Assembly with joint statement of existing and probable future financial condition of State Treasury, (Senate) by Reed, read and adopted, 304; ret. from House conc. in, 310; conc. in by House, 325.

Remarks on, by
David R. Perry, 325.

Requesting State Emergency Relief Board to investigate affairs of the Allegheny County Relief Board, (House) by J. R. Lynch, read and adopted, 597; read and referred to Committee on Appropriations in Senate, 593; reported without amendment, 710; conc. in by Senate, 921; ret. from Senate conc. in, 1031.

Urging Congress to actively support Federal Anti-Lynching Law, (House) by Harris, 827; referred to Committee on Federal Relations in Senate, 907; adopted in House, 934.

Urging Congress to actively support Federal Anti-Lynching Law, (Senate) by Salus, read and adopted, 1011; ret. from House conc. in, 1020-1021; conc. in by House, 1075.

Urging cooperation with Federal Civil Works Administration in making unemployment census, (House) by P. Sterling, read and adopted, 752; read and referred to Committee on Judiciary General in Senate, 782; reported without amendment, 785; conc. in by Senate, 908; ret. from Senate conc. in, 952.

Urging State Emergency Relief Board to contribute and cooperate with political and municipal subdivisions in securing aid from Federal Civil Works Administration, (House) by Habbyshaw, 253; read and referred to Committee on Municipal Affairs in Senate, 362; adopted in House, 366; reported as amended and adopted in Senate, 594-595; ret. from Senate with amendments in which House, conc., 653-654.

Urging suitable public employment be given to physically handicapped persons, (House) by John M. Flynn, 324; read and referred to Committee on Judiciary General in Senate, 748; adopted in House, 752-753; reported without amendment by Senate, 785; conc. in by Senate, 920; ret. from Senate conc. in, 1031.

RETURNS (see Election, Taxes).

REVENUE, DEPARTMENT OF (see Income Tax, Liquor Control, Motor Vehicles).

REYNOLDS, HON. JOHN MERRIMAN, former Lieutenant Governor, resolution (Senate) by Ealy, extending sympathy to family of the late, 915.

RHODES, CHESTER H., Representative from Monroe County.

Bills introduced by
No. 69.
Creating an Unemployment Insurance Commission, and making appropriation, 119.

No. 190.
Amending Sproul Highway Law of 1911, by providing for payment by county of damages agreed upon without hearing before court when no exceptions are filed to agreement, 316.

Leave of absence granted, 66.

Point of order raised by, on
Discussion by Messrs. J. J. Kane and Sowers relative to legislation passed by House not conducted in conformity with legislative requirements, 602.

Remarks by, on
Bill No. 98, to regulate commerce and prevent unfair competition and defining fair prices, 686-687.

RICE, JOHN S., Senator from Thirty-third District (Adams and Franklin Counties).

Bills introduced by
No. 102.
Supplementing Business Corporation Law of 1933, providing for further regulation of shares sold to employes within the scope thereof, 429.

RICE, John S.—Continued.

No. 103.
Declaring existence of a State-wide economic emergency, and providing for cooperation with National Industrial Recovery Act of the Federal Government, 429.

Member of special committee, 3, 356.

RICE, P. B., Representative from Dauphin County (First District).

Amendments offered by, to
Bill No. 102, authorizing issue and sale of bonds to defray cost of acquisition of toll bridges, 376-378.

Bill No. 103, amending Act of 1927, for acquisition of certain toll bridges, 380.

Bills introduced by
No. 31.
For acquisition of property east of Soldiers' and Sailors' Memorial Bridge, Harrisburg, and making appropriation, 48.

No. 32.
For extension of Capitol Park, and for acquisition of real estate in connection therewith, and making appropriation, 48.

No. 33.
Making appropriation to Department of Property and Supplies for erection of Finance Building in Capitol Park, 48.

No. 102.
Authorizing issue and sale of bonds to defray cost of acquisition of toll bridges, and making appropriation, 216.

No. 103.
Amending Toll Bridge Acquisition Law of 1927, by providing for purchase of such bridges wholly within Commonwealth, and for payment out of Toll Bridge Fund, 216.

No. 120.
Providing for preference to citizens of this Commonwealth in employment upon public works, 217.

Bill reported by
No. 226 (Senate No. 31).
Authorizing Department of Property and Supplies to act as purchasing agency for certain Federal agencies, 579.

Leave of absence granted, 66, 933.

Member of special committee, 653.

Resolution offered by
Requesting Hon. Frank B. Wickersham to administer oath of office to Members-elect, 23.

RIVER TRANSPORTATION (see Taxation).

ROAN, WILLIAM P., Representative from Luzerne County (Fifth District).

Bill reported by
No. 237 (Senate No. 49).
Providing for permanent personal registration of electors in cities of second class, 871.

ROBERTS, WARREN R., Senator from Eighteenth District (Northampton County).

Member of special committee, 2, 1017.

ROOT, MORRIS J., Representative from Philadelphia County, (Third District).

Remarks by, on
Bill No. 8, Liquor Tax Bill, 297-298.

Bill No. 9, known as the Spirituous and Vinous Liquor Floor Tax Bill, 77-78.

Motion to recommit Bill No. 9, known as the Spirituous and Vinous Liquor Floor Tax Bill, 68-69.

ROPER, HON. WILLIAM W., resolution (House) by Conner, extending sympathy of House to widow of the late, 556.

ROTH, FRANK L., Representative from Lehigh County (First District).

Bill reported by
No. 177.
Providing that one-third of cost of board of revision of taxes and of assessors, other than persons property assessors, in counties of first class, shall be paid by school district coextensive therewith, 488.

ROYLE, SHEPPARD H., Representative from Philadelphia County, (Seventeenth District).

RUBY, JAMES K., Representative from Allegheny County, (Ninth District).

Bills reported by
No. 17.
Amending Act of 1926, creating Pennsylvania Alcohol Permit Board, by making act consistent with repeal of Eighteenth Amendment, 43.

No. 197.
Further amending Workmen's Compensation Law, by extending time for appeals from board to courts of common pleas, etc., 487.

Member of special committee, 121.

Reasons for vote on House Bill No. 18, providing for Old Age Assistance, 463.

Reasons for vote on House Bil No. 77, providing for and regulating old age assistance and burial, 463.

RULINGS in House, 130, 139, 157, 158, 160, 195, 464, 599, 601, 602, 638, 641, 690, 695, 848, 856, 874, 950.

RULINGS in Senate, 819, 997.

RULES, STANDING, used in Senate during regular session of 1933, resolution (Senate) by Salus, authorizing adoption of, 2.

RULES used in House during regular session of 1933, resolution (House) by Hutton, authorizing adoption of, 24.

RUPP, HON. JOSEPH C., resolution (House) by Marcks, extending sympathy of House to family of the late, 752.

RUTH, REV. FRANK W., Representative from Berks County (Third District).

Bill introduced by
No. 138.
Amending Workmen's Compensation Law of 1915, by permitting extension of time for hospitalization to ninety days at option of employer or insurer, 252.

Bill reported by
No. 229 (Senate No. 52).
Amending Milk Dealers' Permit Law, by extending provisions to all milk, and making acceptance of municipal permits optional with the Secretary of Health, 654.

Remarks by, on
Bill No. 10, (Liquor Control Bill), 189.

Bill No. 15, amending Beverage License Law of 1933, by limiting act to malt liquors as defined therein, 74.

Bill No. 138, amending Workmen's Compensation Law, by permitting extension of time for hospitalization to ninety days at option of employer or insurer, 644-645.

Motion to strike out amendment to Liquor Control Bill prohibiting females from serving liquor to guests, patrons or members, 132.

SALARIES of officers and employes of Senate during Extraordinary Session of 1933, resolution (Senate) by Howell, authorizing payment of, 3.

SALARIES of Senators and Members of House of Representatives during Extraordinary Session of 1933, conc. res. (Senate) by Krause, authorizing payment of, 2-3; ref. from House conc. in, 16; conc. in by House, 25; approved by Governor, 17.

SALARIES (see also County Officers, Sheriffs, Viewers).

SALES (see Coal, Household Goods, Liquor Control, Police Power, Prices, Tax).

SALUS, SAMUEL W., Senator from Second District (Philadelphia County).

Amendments offered by, to
Bill No. 104 (House No. 77), providing for and regulating old age assistance and burial, 729.

Bills introduced by
No. 7.
Authorizing abatement of certain tax penalties and interest on city taxes in cities of first class, 37.

No. 47.
Joint resolution approving proposed amendment to Constitution of United States relative to child labor, 213.

No. 92.
Establishing an additional State Penitentiary, and making appropriation, 360.

No. 141.
Amending Uniform Primary Election Law of 1913, relative to filing of nomination petitions of certain candidates with county commissioners, 593.

Bills reported by
No. 27.
Providing for construction of a tunnel between New Jersey and Pennsylvania under the Delaware River, 552.

No. 41.
Amending Act of 1929, appropriating moneys in Motor License Fund, by appropriating such fund to Board of Finance and Revenue for redemption of bonds issued to acquire toll bridges, 310.

No. 99.
Amending General Election Law, by prescribing cash deposit as condition precedent to validity and effectiveness of a nomination paper, and manner of return of such deposits, 592.

No. 141.
Amending Uniform Primary Election Law, relative to filing of nomination petitions of certain candidates with county commissioners, 594.

No. 163 (House No. 86).
To prohibit discrimination on account of race or color in employment under contracts for public buildings or public works, 785.

No. 168 (House No. 200).
Further amending Workmen's Compensation Law, by requiring every compensation agreement to be executed in triplicate and one copy thereof to be sent by board to employe, 785.

House conc. res. authorizing appointment of Joint Legislative Commitee to investigate conditions existing at the Eastern Penitentiary, reported by, 785-786.

Motion by, for
Recess, 85, 170, 906.

Senate to conc. in House amendments to Bill No. 7, authorizing abatement of certain tax penalties and interest on city taxes in cities of first class, 365.

Senate to recede from its non-conc. in House amendments to Bill No. 7, authorizing abatement of certain tax penalties and interest on city taxes in cities of first class, 365.

Motion by, to
Adopt House conc. res. relative to unemployment census, 908.

Discharge Committee on Executive Nominations from further consideration of nomination of P. Stephen Stahlnecker as member of the Public Service Commission, 909.

Proceed to consideration of House conc. res. relative to investigation of Eastern Penitentiary, 915.

SALUS, SAMUEL W.—Continued.

Proceed to consideration of House conc. res. urging cooperation with Federal Civil Works Administration in making unemployment census, 908.

Recommit Bill No. 173 (House No. 66), providing for payment in installments of delinquent taxes in certain cases, 916.

Reconsider vote by which Senate conc. in House amendments to Bill No. 7, authorizing abatement of certain tax penalties and interest on city taxes in cities of first class, 361.

Reconsider vote recommitting Bill No. 179 (House No. 212), relative to establishment of branch banks, 905.

Question of personal privilege raised by, on
House conc. res. fixing December twenty-first as date for final adjournment, 476.

Recall of statement charging Robert Haight, lobbyist of Pennsylvania State Chamber of Commerce with being a paid employe of former Senator Grundy, 592.

Remarks by, on
Bill No. 47, Joint resolution approving proposed amendment to Constitution of United States relative to child labor, 711-712.

Report of Conf. Com. on Senate Bill No. 35, creating Milk Control Board, 997.

Resolution offered by
Authorizing adoption of standing rules used in Senate during regular session of 1933, 2.

Resolution, concurrent, offered by
Urging Congress to actively support Federal Anti-Lynching Law, 1011.

SARIG, WILSON G., Representative from Berks County (Fourth District).

Leave of absence granted, 252, 751, 825.

Motion by, to
Recommit Bill No. 17, amending Alcohol Permit Act of 1926, by making act consistent with repeal of Eighteenth Amendment, 68.

Remarks by, on
Bill No. 10, (Liquor Control Bill), 192-193.

Bill No. 18, providing system for old age assistance, 461.

Bill No. 87, appropriating moneys in State Stores Fund to Pennsylvania Liquor Control Board for establishing and operating State Stores, 395, 434, 435.

Motion to recommit Bill No. 8, known as the spirituous and Vinous Liquor Tax Bill, 67-68.

Motion to recommit Bill No. 17, amending Alcohol Permit Act of 1926, by making act consistent with repeal of Eighteenth Amendment, 68.

Motion to suspend Rule 44, relative to second reading of Bill No. 10, (Liquor Control Bill), 130.

Time to consider amendments to Bill No. 10 (Liquor Control Bill), 129-130.

Resolution offered by
Directing Secretary of Department of Banking to explain delay in liquidating closed banks, 367.

SAUTTER, CHRISTIAN, Representative from Philadelphia County, (Twenty-fifth District).

SAVINGS INSTITUTIONS (see Banks).

SCHEUER, HON. JOHN, JR., former Member from Lackawanna County, resolution (House) by Cordier, extending sympathy of House to family of the late, 933.

SCHOOL DISTRICTS, and methods whereby such costs can be reduced, making appropriation to Legislative Committee to investigate cause of increasing cost of education to

Senate Bill No. 145.
Read in place in Senate by Mr. Owlett, 594.
Referred to Committee on Appropriations, 594.

SCHOOL DISTRICTS as are in arrears in payment of teachers' salaries, resolution (House) by Cordier, recommending that payment from appropriation to aid financially handicapped school districts should first be made by Superintendent of Public Instruction to such, 604-605; referred to Committee on Education, 655-656.

SCHOOL DISTRICTS OF FIRST CLASS taxes for school purposes shall be assessed and collected in the same manner as municipal taxes for municipality comprising the respective school districts, amending School Code of 1911, by providing that in

House Bill No. 181.
Read in place in House by Mr. McGinnis, 314.
Referred to Committee on Education, 314.
Reported without amendment, 623.
First reading, 624.
Second reading, 667-668.
Third reading and final passage, 778.

In Senate (No. 177).
Referred to Committee on Education, 749.

SCHOOL DISTRICTS OF THIRD AND FOURTH CLASSES, amending School Code of 1911, by limiting compensation of solicitors in

House Bill No. 182.
Read in place in House by Mr. McHenry (by request), 314-315.
Referred to Committee on Education, 315.

SCHOOL DISTRICT OF FOURTH CLASS, and providing for revision of their budgets by Department of Public Instruction, amending School Code of 1911, by restricting taxing power of

House Bill No. 214.
Read in place in House by Mr. Surface, 318.
Referred to Committee on Education, 318.

SCHOOL DISTRICTS upon real estate, supplementing School Code of 1911, limiting rate of tax which may be levied by

House Bill No. 183.
Read in place in House by Mr. Stevens, 315.
Referred to Committee on Education, 315.

SCHOOL DISTRICTS (see also Counties of First Class, Income Tax, Motor License Fund, Municipal Subdivisions).

SCHOOL (see Election Officers).

SCHOOL SYSTEM, address by Mr. Wilson in commemoration of establishment of, 319.

SCHOOL SYSTEM, PUBLIC, communication from Secretary of Education relative to observance of 100th anniversary of opening of historic session of General Assembly which passed the Free School Act initiating Pennsylvania's, presented to Senate, 301.

SCHOOL TERM in districts of third class, amending School Code of 1911, by permitting board of school directors to shorten

House Bill No. 148.
Read in place in House by Mr. Mohn, 256.
Referred to Committee on Education, 256.

SCHROCK, JACOB B., Representative from Somerset County.

Bill introduced by
No. 209.
Appropriating certain accumulations in Insurance Fund to cities, townships and boroughs for payment to Firemen's Relief, pension and retirement funds, 318.

Bill reported by
No. 139 (Senate No. 35).
Milk Control Board Bill, 432.

Member of special committee, 26.

Motion by, to
Adjourn, 579.

Dispense with further reading of Journal, 93.

SCHROPE, EDGAR A., Representative from Schuylkill County (Second District).

Bill reported by
No. 112 (Senate No. 15).
Extending time for collection of delinquent taxes in municipal subdivisions for a period of two years, 407.

SCHWAB, JOHN, Representative from Cameron County.

SCHWARTZ, LOUIS, Representative from Philadelphia County (Thirteenth District).

Amendments offered by, to
Bill No. 151, amending Personal Registration Law, First Class Cities, by providing system of permanent personal registration for such cities, 609, 610, 613, 615-617.

Bills introduced by
No. 29.
To provide for licensing and regulation of business of bottling malt beverages by persons other than manufacturers thereof, 48.

No. 151.
Amending Act of 1919, for personal registration of electors in cities of first class, by providing system of permanent personal registration for such cities, 282.

No. 152.
Amending Insurance Company Law of 1921, by requiring certain insurance companies and employer's mutual liability associations to segregate funds for payment under Workmen's Compensation Act, 282.

Bills reported by
No. 55.
Making appropriation out of State Stores Fund to State Emergency Relief Board for direct relief, 228.

No. 78.
Making appropriation out of The State Stores Fund to Department of Welfare for Old Age Assistance, 228.

Member of special committee, 1085.

Motion by, to
Postpone Bill No. 151, amending Personal Registration Act, Cities of First Class, by providing system of permanent personal registration for such cities, 682-683.

Recommit Bill No. 151, amending Personal Registration Act, Cities of First Class, by providing system of permanent personal registration, 774.

Reconsider vote on Bill No. 151, amending Registration Act, Cities of First Class, by providing system of permanent personal registration, 774.

Resolution, concurrent, offered by
Authorizing appointment of Commission to study best methods for permanent registration and to prepare a bill to be submitted to the 1935 Legislature, 933.

SCORZA, JOHN D., Representative from Allegheny County, (First District).

SCOTT, HARRY B., Senator from Thirty-fourth District (Centre and Clearfield Counties).

Amendments offered by, to
Bill No. 19, to provide for permanent personal registration of electors in cities of second class A, 821-822.

Bill No. 55, making appropriation of moneys in Motor License Fund to Department of Public Instruction for aiding financially handicapped and distressed public school districts, 309.

Bill No. 56, authorizing municipal subdivisions having moneys borrowed for one purpose to use same for other purposes which will aid recovery from existing economic depression, 306.

Bill No. 87 (House No. 74), supplementing General Appropriation Act of 1933, making additional appropriations to Executive, Legislative and Judiciary Departments, 820.

SCOTT, HARRY B.—Continued.

Bill No. 101 (House No. 87), appropriating moneys in State Stores Fund to Pennsylvania Liquor Control Board for establishing and operating State Stores, 475.

Bill No. 115, authorizing municipal subdivisions to issue bonds for purpose of refunding or retiring outstanding bonds, 550.

Bills introduced by
No. 1.
Authorizing Governor to accept funds from agencies of Federal Government for construction of public works, 17.

No. 15.
Extending time for collection of delinquent taxes by tax collectors of municipal subdivisions for a period of two years from passage of act, 82.

No. 33.
Creating an independent board to be kown as the Pennsylvania Liquor Control Board, 117-118.

No. 34.
Authorizing State Treasurer to act as custodian of moneys received from the Federal Government, 118.

No. 37.
Further amending Vehicle Code of 1929, by limiting size and weight of motor vehicles which may be operated on Sunday and on legal holidays, 199.

No. 41.
Amending Act of 1929, appropriating moneys in Motor License Fund, by appropriating such fund to Board of Finance and Revenue for redemption of bonds issued to acquire toll bridges, 200.

No. 55.
Making appropriation of moneys in Motor License Fund to Department of Public Instruction for aiding financially handicapped and distressed local public school districts, 232.

No. 56.
Authorizing municipalities having moneys borrowed for one purpose to use same for other purposes which will aid recovery from existing economic depression, 232.

No. 121.
Amending Spirituous and Vinous Liquor Floor Tax Law of 1933, by providing for an extension of time for payment in certain cases, 474.

No. 122.
Amending Spirituous and Vinous Liquor Tax Law of 1933, relative to taxes on distilled spirits and wines, 474.

Bills reported by
No. 11 (House No. 9).
Spirituous and Vinous Liquor Floor Tax Law, 85.

No. 12 (House No. 13).
Malt Liquor Tax Bill, 237-238.

No. 31.
Authorizing Department of Property and Supplies to act as purchasing agency for Federal agencies, 261.

No. 87 (House No. 74).
Supplementing General Appropriation Act of 1933, making additional appropriations to Executive and Judicial Departments, 552, 710.

No. 108 (House No. 78).
Making appropriation out of The State Stores Fund to Department of Welfare for old age assistance, 593.

No. 132 (House No. 169).
Authorizing erection and construction by Department of Property and Supplies of a State Tuberculosis Sanatorium, 552.

SCOTT, HARRY B.—Continued.

No. 148 (House No. 62).
Supplementing General Appropriation Act of 1933, making additional appropriations to certain administrative departments, 784.

Motion by, for
Executive session to rise, 87.

Recess, 3, 16, 17, 38, 101, 163, 213, 215, 232, 233, 236, 259, 261, 310, 354, 360, 476, 482, 535 538, 551, 593, 594, 746, 784, 816, 910, 918, 925.

Motion by, to
Adjourn, 19, 41, 92, 210, 216, 251, 281, 313, 429, 484, 555, 596, 750, 825, 1030.

Adopt House conc. res. fixing December twenty-first as date for final adjournment, 476.

Proceed to consideration of House conc. res. relative to employment of physically handicapped persons 920.

Read certain bills for first time, 19, 91, 215, 250, 280, 312, 364, 428, 484, 553, 595, 748, 823.

Recommit Bill No. 8, for acquisition of property east of Soldiers' and Sailors' Memorial Bridge at Harrisburg, 306.

Recommit Bill No. 9, making appropriation to Department of Property and Supplies for erection of Finance Building in Capitol Park, 307.

Recommit Bill No. 10, for extension of Capitol Park, and for acquisition of real estate in connection therewith, 308.

Recommit Bill No. 23, authorizing municipal subdivisions and corporations to accept loans and direct grants from agencies of the Federal Government for public projects, 100.

Recommit Bill No. 27, providing for construction of tunnel between New Jersey and Pennsylvania under the Delaware River, 262.

Recommit Bill No. 33, creating Pennsylvania Liquor Control Board, 204.

Recommite Bill No. 36 (House No. 10), Liquor Control Bill, 210.

Recommit Bill No. 37, further amending Vehicle Code, by limiting size and weight of motor vehilces which may be operated on Sunday and on legal holidays, 470.

Recommit Bill No. 53, creating public "authorities" in counties of second class, 273.

Recommit Bill No. 64 (House No. 8), Liquor Tax Bill, 309.

Recommit Bill No. 65 (House No. 17), amending Alcohol Permit Act of 1926, by providing that act shall be administered by Pennsylvania Liquor Control Board, and making act consistent with repeal of Eighteenth Amendment, 310.

Recommit Bill No. 87 (House No. 74), supplementing General Appropriation Act of 1933, making additional appropriations to Executive and Judicial Departments 587.

Recommit Bill No. 184 (House No. 135), providing for entry of deficiency judgments, 916.

Reconsider vote on Bill No. 19, to provide for permanent personal registration of electors in cities of second class A, 820, 821.

Reconsider vote on Bill No. 87 (House No. 74), supplementing General Appropriation Act of 1933, making additional appropriations to Executive, Legislative and Judicial Departments, 820.

Reconsider vote on Bill No. 101 (House No. 87), appropriating moneys in State Stores Fund to Pennsylvania Liquor Control Board for establishing and operating State Stores, 475.

SCOTT, HARRY B.—Continued.

Reconsider vote on Bill No. 115, authorizing municipal subdivisions to issue bonds for purpose of refunding or retiring outstanding bonds, 550.

Suspend Rule 21, requiring amended bills to be noted on calendar, 783.

President pro tempore, resolution of thanks for able performance of duties as, 1016.

Resolution offered by
Discouraging introduction of bills clearly not within the subjects announced in the Governor's proclamation, 3-4.

Resolution, concurrent, offered by
Recalling from Governor Senate Bill No. 19, to provide for permanent personal registration of electors in cities of second class A, 711.

SCOTT, JOHN G., Representative from Schuylkill County (Third District).

Leave of absence granted, 1032.

Motion by, to
Dispense with further reading of Journal, 118.

SCRANTON (see Electors in Cities of Second Class A).

SEATED LANDS (see Tax Sales).

SECRETARY OF BANKING (see Bankers).

SECRETARY OF COMMONWEALTH (see Repeal Convention).

SECRETARY OF HEALTH (see Milk Control Commission).

SECRETARY OF LABOR AND INDUSTRY, Miss Charlotte E. Carr nominated as, and referred to Committee on Executive Nominations, 8.

SECRETARY OF WAR, Hon. George H. Dern, requesting cession of jurisdiction over Carlisle Barracks Military Reservation and New Cumberland General Depot, communication from, presented to Senate, 7; to House, 25. (Appendix, page 1134).

SECRETARY OF WELFARE, Mrs. Alice F. Liveright nominated as, and referred to Committee on Executive Nominations, 9; reported, 536; confirmed, 538.

SECTIONAL EMPLOYMENT (see Employment).

SECURITIES COMMISSION, PENNSYLVANIA, members of, nominated and referred to Committee on Executive Nominations, 8.

SELINSGROVE STATE COLONY FOR EPILEPTICS, member of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 10.

SENATE EMPLOYES, election and appointment of certain, 46, 85.

SENATE OFFICERS AND EMPLOYES for efficient manner in which they performed their duties, resolution (Senate) by Clark, tendering thanks of Senate to, 1016.

SENATE OFFICERS AND EMPLOYES (see also Salaries).

SENATE to remain in session until all legislation comprehended within Governor's call and pending before Senate committees has been given proper consideration, resolution (Senate) by Harris, urging, 302-303.

Remarks on, by
Harris, 303; Buckman, 303.

SENATE (see also Air Conditioning, Committees, Rules).

SENATORS (see Salaries).

SESSION on Thursday, December 14th, and Friday, December 15th, so that all legislation now on calendar either may be passed and sent to Senate or be defeated, motion by Hoopes for House to sit in, presented and adopted, 599-605; vote reconsidered and motion amended by striking out "Friday, December 15th," 655.

SESSION (see also Joint Session).

SEWER RENTALS, authorizing municipal subdivisions to charge and collect annual

House Bill No. 208.
Read in place in House by Mr. Turner, 318.
Referred to Committee on Municipal Corporations, 318.

SEWERS (see Borough Act).

SHAMOKIN STATE HOSPITAL, members of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 11.

SHANNON, HON. EDWARD C. (see Lieutenant Governor).

SHAPIRO, HARRY, Senator from Seventh District (Philadelphia County).

Amendments offered by, to
Bill No. 7, authorizing abatement of certain tax penalties and interest on city taxes in cities of first class, 116.

Bill No. 118, to protect owners of mortgaged property during emergency, 725.

Bill No. 125, amending Banking Code, by providing for establishment of branch banks, 799.

Bills introduced by
No. 31.
Authorizing Department of Property and Supplies to act as purchasing agency for certain Federal Agencies, and making appropriation to reimburse department, 84.

No. 140.
Amending Banking Department Code of 1933, by regulating advance payment of dividends to depositors, 540.

Bills reported by
No. 107 (House No. 45).
Making home loan bonds issued by Federal Home Owners' Loan Corporation legal investments for trust funds, 595.

No. 125.
Amending Banking Code, by providing for establishment of branch banks, 710.

No. 126.
Amending Department of Banking Code, by further limiting exemption of certain private bankers, etc., 746.

No. 154 (House No. 177).
Providing that one-third of cost of board of revision of taxes and of assessors, other than personal property assessors, in counties of first class shall be paid by school district, 746.

No. 179 (House No. 212).
Amending Banking Code, by regulating establishment of branch banks, 914-915.

Motion by, to
Proceed to consideration of Bill No. 133 (House No. 190), amending Sproul Road Law, by providing for payment by county of damages agreed upon without hearing before court when no exceptions are filed to agreement, 913.

Recommit Bill No. 39, amending Department of Banking Code, by extending provisions to all private bankers, etc., 551.

Recommit Bill No. 125, amending Banking Code of 1933, by providing for establishment, etc. of branch banks, 549.

Recommit Bill No. 126, amending Department of Banking Code, by further limiting exemption of certain private bankers, etc., 550.

Reconsider vote on Bill No. 7, authorizing abatement of certain tax penalties and interest on city taxes in cities of first class, 116.

Reconsider vote on Bill No. 142 (House No. 73), to regulate sale and delivery of coal and other solid fuels, 920.

Point of order raised by, on
Amending report of Conf. Com. on Senate Bill No. 35, creating Milk Control Board, 997.

Question of information raised by, on
Whether committee can be discharged from further consideration of Full Crew Bill without suspension of Rules 37 and 42, 812.

SHAPIRO, HARRY.—Continued.

Question of personal privilege raised by, on
Vote on House conc. res. fixing December twenty-first as date for final adjournment of Legislature, 476-477.

Remarks by, on
Amendments to Bill No. 36 (House No. 10), Liquor Control Bill, 215.

Bill No. 36 (House No. 10), Liquor Control Bill, 247-248.

Bill No. 59, amending Corrupt Practice Election Law of 1906, stipulating what expenses may be incurred by candidates, 583.

Bill No. 118, to protect owners of mortgaged property during present emergency, 724-725.

Bill No. 125, amending Banking Code, by providing for establishment of branch banks, 799.

House conc. res. extending time for sale of liquors on January 1, 1934, 878.

Report of Conf. Com. on Senate Bill No. 35, creating Milk Control Board, 996-998.

SHEFFER, A. L., Representative from Mifflin County.

Bill introduced by
No. 63.
Creating Unemployment Insurance Commission, and making appropriation, 119.

SHELLENBERGER, NORTH, Representative from Juniata County.

Motion by, to
Adjourn, 336.

Reconsider vote on Bill No. 5 authorizing employers to adopt in certain cases a "check off" system whereby union dues of employes may be deducted from the wages, 672.

SHENKEL, JACOB W., Representative from Allegheny County, (Sixth District).

Leave of absence granted, 654, 933.

SHERIFFS, DEPUTY, for performance of certain services, regulating payment of compensation of

House Bill No. 44.
Read in place in House by Mr. Hoopes, 93.
Referred to Committee on Counties, 93.

SHERIFFS, DEPUTY, to be paid by counties in which they are employed, requiring all

House Bill No. 65.
Read in place in House by Mr. Myers, 119.
Referred to Committee on Counties, 119.
Reported with amendment, 577.
First reading, 605.
Second reading and amended, 661.
Third reading and final passage, 773.

In Senate (No. 172).
Referred to Committee on New Counties and County Seats, 749.

SHERIFFS, SPECIAL DEPUTY, and policemen appointed by sheriffs or other public officials to preserve the public peace, relating to payment of salaries, subsistence and expenses of, and control over,

House Bill No. 127.
Read in place in House by Mr. Andrews, 218.
Referred to Committee on Counties, 218.

SHERIFFS (see also Deeds).

SHETTEL, RAYMOND J., Representative from York County (Second District).

Bill reported by
No. 107.
Amending Act of 1933, adjourning county treasures' sales of seated and unseated lands in counties of fourth class, 366.

SHORTZ, WILLARD G., Representative from Luzerne County (Sixth District).

Bill introduced by
No. 126.
Joint resolution ratifying proposed amendment to Constitution of United States relative to child labor, 218.

Question of personal privilege raised by, on
Omission of name on roll call, 683-684.

SHREINER, ROY W., Representative from Dauphin County (First District).

Amendments offered by, to
Bill No. 236 (Senate No. 93), amending Beverage Tax Law, by regulating refund of taxes paid on malt liquors, 946.

Bill No. 260 (Senate No. 143), relative to air conditioning of Halls of Senate and House, 938-939.

Bill introduced by
No. 81.
Authorizing banks, etc., to invest moneys in bonds of Federal Home Owners' Loan Corporation, 120.

Bills reported by
No. 97.
Authorizing various political and municipal subdivisions to make adjustments with certain supply contractors to reimburse losses sustained in performance of contracts under certain circumstances, 407.

No. 115 (Senate No. 29).
Amending Public Service Company Law, by authorizing commission in special cases to grant relief to common carriers from long and short haul and the aggregate or intermediate rates provisions, 229.

No. 120.
Providing for preference to citizens of this Commonwealth in employment upon public works, 257.

No. 232 (Senate No. 41).
Amending Act of 1929, appropriating moneys in Motor License Fund, by appropriating such fund to Board of Finance and Revenue for redemption of bonds issued to acquire toll bridges, 579.

Member of special committee, 653.

Motion by, to
Adjourn, 133.

Invite the Governor to address General Assembly, 366.

Resolutions offered by
Thanking Hon. Frank B. Wickersham for administering oath of office to Members-elect, 24, 65.

Statement relative to Christmas Party, 949, 1073.

SHUGARTS, BLAKE B., Representative from Clearfield County (First District).

Bill reported by
No. 142.
Amending Female Labor Law, by prohibiting employment of females in foundries, 488.

Resolution offered by
Requesting President of United States to at once, by executive order, close the doors on immigration from all countries on those seeking employment in America for two years, 496.

SIDEWALKS along certain State Highways, and appropriating moneys in Motor License Fund therefor, requiring construction of

House Bill No. 172.
Read in place in House by Mr. Powers, 314.
Referred to Committee on Highways, 314.

SIMON, JOSEPH A., Representative from Clinton County.

Motion by, to
Adjourn until 12.15 A. M. Wednesday, November 29th, 25a.

Dispense with further reading of Journal, 750.

SIMON, JOSEPH A.—Continued.

Resolution offered by
Thanking Resident Clerk and Chaplain for efficient and courteous manner in which they performed their duties, 1072.

SINWELL, WILLIAM, Representative from Northampton County (First District).

Leave of absence granted, 486.

SLUM AREAS (see Housing).

SMALL LOANS (see Loaning Money).

SNYDER-ARMSTRONG ACT (see Prohibition Enforcement).

SNYDER, HENRY L., Senator from Sixteenth District (Lehigh County).

Bill introduced by
No. 91.
Providing for formation of housing authorities for purpose of reconstructing slum areas, 359-360.

Bills reported by
No. 90.
Relating to advertising by holders of licenses to sell Liquors or malt liquors for consumption on the premises, 536.

No. 109 (House No. 94).
To repeal Prohibition Enforcement Law, 747.

Member of special committee, 16.

Motion by, to
Reconsider vote on Bill No. 11 (House No. 9), Spirituous and Vinous Liquor Floor Tax Bill, 116.

Question of personal privilege raised by, on
Senate Bill No. 47, Joint resolution approving proposed amendment to Constitution of United States relative to child labor, 713-714.

Remarks by, on
Bill No. 11 (House No. 9), known as the Liquor Floor Tax Bill, 165-167.

Bill No. 36 (House No. 10), known as Liquor Control Bill, 245-247.

SNYDER, JAMES L., Representative from Perry County.

SOLDIERS' AND SAILORS' HOME, members of Board of Trustees of Pennsylvania, nominated and referred to Committee on Executive Nominations, 11; reported, 358; recommitted, 361; re-reported, 480; confirmed, 482; member of, nominated and referred, 707; reported, 1017; confirmed, 1018.

SOLDIERS' AND SAILORS' MEMORIAL BRIDGE, Harrisburg, and making appropriation, for acquisition of property east of

House Bill No. 31.
Read in place in House by Mr. Rice, 48.
Referred to Committee on Appropriations, 48.

SOLDIERS' AND SAILORS' MEMORIAL BRIDGE, Harrisburg, and making appropriation, for acquisition of property east of

Senate Bill No. 8.
Read in place in Senate by Mr. Reed, 37.
Referred to Committee on Appropriations, 37.
Reported without amendment, 262.
First reading, 280.
Second reading and recommitted, 306-307.

SOLDIERS' BONUS (see Veterans' Compensation).

SOLDIERS, SAILORS AND MARINES (see Veterans' Compensation).

SOLICITORS (see Cities of Second Class, School Districts of Third and Fourth Class).

SOLID FUELS (see Coal).

SONES, CHARLES W., Senator from Twenty-fourth District (Columbia, Montour, Lycoming and Sullivan Counties). (Elected November 8, 1932, to fill vacancy caused by death of Fred M. Sprout).

Bill reported by
No. 13 (House No. 14).
To provide for expenses of Extraordinary Session of Legislature assembled November 13, 1933, 85.

SONES, CHARLES W.—Continued.

House conc. res. urging co-operation with Federal Civil Works Administration in making unemployment census, reported by, 785.

Member of special committee, 1020.

Motion by, for
Executive Session to rise, 1020.

Motion by, to
Dispense with further reading of Journal, 987.

SORDONI, ANDREW J., from Twentieth District (Luzerne County, part of)

Bills introduced by
No. 125.
Amending Banking Code of 1933, by providing for establishment, maintenance and operation of branch banks, 478.

No. 126.
Amending Department of Banking Code of 1933, by further limiting exemption of certain private bankers, and by modifying powers of Secretary of Banking as receiver of corporations and persons under his supervision, 478.

No. 170.
Amending Banking Code of 1933, by authorizing banks and trust companies to engage in business of loaning money in sums of not more than $300, 747.

No. 171.
Amending Small Loan Act of 1915, by reducing rate of interest which may be legally charged on such loans, 747-748.

Bills reported by
No. 4.
Authorizing various State agencies and municipal subdivisions to cancel certain supply contracts, 46.

No. 179 (House No. 212).
Amending Banking Code, by regulating establishment of branch banks, 818.

Motion by, for
Recess, 908.

Motion by, to
Adopt resolution requesting Department of Highways to use tar on roads where bituminous materials are required, 475.

Read certain bill for first time, 46.

Remarks by, on
Motion to recommit No. 179 (House No. 212), relative to establishment of branch banks, 902.

Resolution offered by
Urging Department of Highways to use tar on roads where bituminous materials are required, 475.

SOWERS, CLINTON A., Representative from Philadelphia County (Thirteenth District).

Amendments offered by, to
Bill No. 10, known as the Liquor Control Bill, 146-151. (strike-out amendments, 285).

Appeal from decision of chair, 139.

Bills introduced by
No. 75.
To regulate, control and restrain the sale, importation and use of certain alcoholic beverages, and creating Zone Liquor Control Commission, 120.

No. 133.
Providing for old age assistance and burial, administration thereof by Department of Welfare, and making appropriation 251-252.

SOWERS, CLINTON A.—Continued.

No. 136.
To exempt property to value of one hundred dollars from levy and sale on execution and distress for rent, in addition to present exemptions, 252.

No. 140.
Providing for and legalizing lotteries for unemployment relief, and to provide fund for old age assistance, 252.

No. 156.
Making appropriation out of Motor License Fund to Department of Welfare for old age assistance, 282.

Bill reported by
No. 110 (Senate No. 4).
Authorizing various State agencies to cancel certain supply contracts, 407.

Motion by, for
All amendments to House Bill No. 10, known as the Liquor Control Bill to be arranged and printed before Committee of the Whole votes on same, 139.

Special order on second reading on House Bill No. 10 (Liquor Control Bill), 129.

Motion by, to
Adjourn, 195, 229.

Amend the amendment to motion for House to conc. in Senate amendments to House Bill No. 10 (Liquor Control Bill), 285. (Not accepted).

Lay on table Bill No. 196, further amending Workmen's Compensation Law, by extending time for appeals from referee's decision to the board, 1080.

Recommit Bill No. 117, to regulate payment of wages or compensation to labor or service in private employments, 636.

Recommit Bill No. 136, to exempt property to value of one hundred dollars from levy and sale on execution and distress for rent, 497.

Reconsider vote on Bill No. 117, to regulate payment of wages or compensation for labor or service in private employments, 636.

Suspend Rule 44, relative to bills on second reading, 130.

Point of order raised by, on
Ruling of Chair in keeping from Committee of the Whole on Liquor Control Bill information that it should have in order to vote intelligently, 139.

Questions of parliamentary inquiry raised by, on
Interpretation of vote on House Bill No. 10 (Liquor Control Bill), 289.

Interpretation of vote on motion to conc. in Senate amendments to House Bill No. 10 (Liquor Control Bill), 288.

Motion to amend motion for House to conc. in Senate amendments to House Bill No. 10 (Liquor Control Bill), 285.

Necessity to print and distribute bill before passing on same as amended, 129.

Request that Speaker read part of House Bill No. 10 (Liquor Control Bill), after strike-out amendments have been agreed to, 288.

Strike-out amendments offered by Mr. Witkin to House Bill No. 10 (Liquor Control Bill), 287.

Questions of personal privilege raised by, on
Requests for copies of amendments to House Bill No. 10 (Liquor Control Bill), 229.

Vote by Wm. L. Brown on motion to discharge committee from further consideration of Old Age Pension Constitutional Amendment on March 28, 1933, 63.

SOWERS, CLINTON A.—Continued.

Whether or not remarks of Mr. Wilson and Mr. Turner relative to vote on Liquor Control Bill are for a new trial on the ground of after-discovered evidence, 180.

Remarks by, on
Amendment to the amendment to motion for House to conc. in Senate amendments to House Bill No. 10 (Liquor Control Bill), 286.

Amendments offered to Bill No. 10, known as the Liquor Control Bill, 130, 152-154.

Appeal from decision of Chair relative to motion to have arranged and printed all amendments to Liquor Control Bill before Committee of the Whole vote on same, 140.

Bill No. 8, Liquor Control Bill, 299.

Bill No. 10 (Liquor Control Bill), 194-195.

Bill No. 17, amending Alcohol Permit Act of 1926, by providing that act shall be administered by Pennsylvania Liquor Control Board, making act consistent with repeal of Eighteenth Amendment, etc., 294.

Bill No. 60, Full Crew Bill, 690-691.

Bill No. 77, providing for and regulating old age assistance and burial, 464.

Bill No. 139 (Senate No. 35), creating Milk Control Board, 1045.

Bill No. 144, Joint resolution proposing amendment to Constitution, relative to assistance to mothers having dependend children and to aged persons, 630.

House conc., res. fixing December twenty-first as date for final adjournment, 492.

Legislation passed by House, (Interrogating J. J. Kane relative to), 600-602.

Motion to lay on table Bill No. 196, further amending Workmen's Compensation Law, by extending time for appeals from the referee's decision to the board, 1080.

Question by Mr. Wilson whether amendment by strike-out proposed to House Bill No. 10 (Liquor Control Bill), will allow clubs to sell liquor on Sunday, 286.

Vote by Committee of the Whole on amendments to Liquor Control Bill for or against State Stores, 160.

What are considered the five most important bills on social legislation program, 599-600.

Suggestion offered as to method of voting on amendments to House Bill No. 10, known as the Liquor Control Bill, 156-157.

Suggestion offered that certain amendments be voted upon by the Committee of the Whole in one group, 159.

Suggestions offered that motion be made that Committee of the Whole arise and report the Liquor Control Bill with a negative recommendation, 159.

SPANN, MAX J., Representative from Allegheny County (Fifth District).

Amendments offered by, to
Bill No. 180 (House No. 137), providing for collection of delinquent real estate taxes for years prior to 1934, by installments, 833.

Bills introduced by
No. 13.
Amending 1933 Beverage Tax Law, by restricting act to malt liquors as defined therein, &c.

No. 70.
Amending and repealing part of Child Labor Law of 1915, by prohibiting employment of minors under age of sixteen, 119-120.

SPANN, MAX J.—Continued.

No. 95.
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STATE BOARDS (see name of specific Board).

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STATE COUNCIL FOR THE BLIND, member of, nominated and referred to Committee on Executive Nominations, 9; member of, reported, 536; confirmed, 538.

STATE COUNCIL OF EDUCATION, member of, nominated and referred to Committee on Executive Nominations, 8; reported, 916; confirmed, 917.

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STATE HIGHWAY PATROL (see Highways, Motor Patrol, Motor Vehicles).

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Referred to Committee on Appropriations, 118.
Reported without amendment, 262.
First reading, 281.
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Returned from House without amendment, 750.
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Referred to Committee on State Government, 400.
Reported without amendment, 579.
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Second reading, 667.
Third reading and final passage, 777.
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Bills introduced by
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No. 93.
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Resolutions, concurrent, offered by
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STEEDLE, JOSEPH G., Representative from Allegheny County, (Twelfth District).

Amendments offered by, to
Bill No. 10, known as the Liquor Control Bill, 146.

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Bills introduced by
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No. 62.
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No. 74.
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No. 75.
To regulate, control and restrain the sale, importation and use of certain alcoholic beverages, and creating Zone Liquor Control Commissions, 120.

Bills reported by
No. 14.
To provide for expenses of Extraordinary Session, 42-43.

No. 18.
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No. 192.
Making appropriation to Department of Welfare for pensions for blind, 407.

No. 193.
Providing for and regulating pensions for certain blind pensions, 405.

No. 223 (Senate No. 43).
Making appropriation to Department of Military Affairs to cover expenses of Adjutant General for handling payment of adjusted compensation to veterans, 406.

No. 230 (Senate No. 55).
Making appropriation of moneys in Motor License Fund to Department of Public Instruction for aiding financially handicapped and distressed local public school districts, 577.

No. 238 (Senate No. 10).
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No. 257 (Senate No. 1).
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No. 260 (Senate No. 143).
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Motion by, for
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Motion by, to
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Remarks by, on
Amendments offered to Bill No. 10, known as the Liquor Control Bill, 151-152.

Bill No. 9, known as the Spirituous and Vinous Liquor Floor Tax Bill, 77.

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STERLING, PHILIP, Representative from Philadelphia County, (Twenty-seventh District).

Amendments offered by, to
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Bills introduced by
No. 87.
Appropriating moneys in State Stores Fund to Pennsylvania Liquor Control Board for establishing and operating State Stores, 174.

No. 88.
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No. 118.
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No. 213.
To plan against unemployment by establishing a Public Works Planning Board, 318, (by request).

Bills reported by
No. 13.
Amending 1933 Beverage Tax Law, by restricting act to malt liquors as defined therein, 43.

No. 43.
Making it unlawful to evict persons from dwellings under certain conditions, 623.

Member of special committee, 24.

Motion by, to
Postpone Bill No. 137, providing for collection of delinquent real estate taxes for years prior to 1934, 776.

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Questions of parliamentary inquiry raised by on
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Remarks by, on
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Bill No. 62, supplementing General Appropriation Act of 1933, making additional appropriations to certain administrative departments, 507-508.

Bill No. 87, appropriating moneys in State Stores Fund to Pennsylvania Liquor Control Board for establishing and operating State Stores, 434, 435.

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Bill No. 142, amending Female Labor Law, by prohibiting employment of females in foundries, 643.

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Efficiency of Legislative Reference Bureau, 1072.

House con. res. authorizing appointment of Joint Legislative Committee to investigate conditions existing at the Eastern Penitentiary, 490.

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utions offered by
Tendering thanks of House to Director and other officers and employes of Legislative Reference Bureau for valuable assistance rendered to House, 1072.

Urging Congress to adopt recommendations formulated by Interstate Commission on Conflicting Taxation, 751.

Resolution, concurrent, offered by
Urging co-operation with Federal Works Administration in making unemployment census, 752.

STERLING, ROBERT BRUCE, Representative from Fayette County (Second District).

Bill reported by
No. 128.
Amending Anthracite Coal Mining Law, by empowering mine inspectors to inspect mines employing two to five persons, and to require proper safety measures, 320.

STEVENS, SAMUEL P., Representative from Westmoreland County (First District).

Bills introduced by
No. 155.
Imposing an additional excise license tax for school purposes on chain stores, 282.

STEVENS, SAMUEL P.—Continued.

No. 183.
Supplementing School Code of 1911, limiting rate of tax which may be levied by school districts upon real estate, 315.

No. 184.
Further amending Public Service Company Law of 1913, by requiring approval of Commission to proposed changes in rates, 315.

Motion by, to
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Question of personal privilege raised by, on
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STEVENSON, HUGH M., Representative from Mercer County.

Leave of absence granted, 42, 95, 420, 486.

Resolution, concurrent, offered by
Limiting the granting of licenses by Liquor Control Board to persons applying in territory where electors voted dry, 752.

STITELER, A. M. F., Representative from Beaver County (Second District).

STONE, JOHN F., Representative from Potter County.

Bill reported by
No. 137.
Providing for collection of delinquent real estate taxes for years prior to 1934 by instalments, 579.

Leave of absence granted, 219.

Motion by, to
Adjourn, 416.

STORB, JOHN W., Representative from Montgomery County (Third District).

Bill reported by
No. 87.
Appropriating moneys in State Stores Fund, 228.

Leave of absence granted, 625, 825.

Remarks by, on
Bill No. 161 (Senate No. 17), amending Intangible Personal Property Tax Law, by excluding interest bearing accounts in banks, etc., 456.

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STOTT, CHARLES J., Representative from Chester County (First District).

Bill reported by
No. 149.
Amending Female Labor Law, by changing hours for employment of women, 487.

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SUPPLY CONTRACTS (see Contracts).

SURFACE, HARVEY A., Representative from Snyder County.

Bills introduced by
No. 72.
Imposing an emergency State income tax, and providing for distribution of proceeds thereof to school districts, 120.

No. 214.
Amending School Code of 1911, by restricting taxing power of school districts of fourth class, and providing for revision of their budgets by Department of Public Instruction, 318.

Leave of absence granted, 486, 625, 654, 933.

SWEATSHOPS (see Child Labor).

TAHL, HERMAN J., Representative from Philadelphia County, (Ninth District).

Bill introduced by
No. 1.
To restrain and regulate sale of vinous and spirituous malt or brewed liquors, 32.

Bills reported by
No. 86.
To prohibit discrimination on account of race or color in employment under contracts for public buildings or public works, 487.

No. 109.
Amending Act of 1932, authorizing abatement of penalties on local taxes, by extending time during which such abatement may be allowed, 579.

No. 151.
Amending Personal Registration Law, First Class Cities, by providing system of permanent personal registration for such cities, 486.

No. 227 (Senate No. 34).
Authorizing State Treasurer to act as custodian of moneys received from the Federal Government, 579.

Motion by, to
Dispense with further reading of Journal, 216.

Reconsider vote on Bill No. 28, relative to reconstruction of slum areas, 627.

Question of personal privilege raised by, on
Vote on House Bill No. 245, amending Spirituous and Vinous Liquor Tax Law, enabling Pennsylvania to participate in Federal Government tax, 848.

Reasons for vote on House conc. res. fixing December twenty-first as date for final adjournment, 493.

Remarks by, on
Bill No. 9, known as the Spirituous and Vinous Liquor Floor Tax Bill, 75.

Bill No. 10, (Liquor Control Bill), 191.

Bill No. 98, to regulate commerce and prevent unfair competition, and defining fair prices, 687-688.

TALBOT, GROVER C., Representative from Delaware County (Second District).

Bill introduced by
No. 55.
Making appropriations out of State Stores Fund to State Emergency Relief Board for direct relief, work relief and expenses including reimbursement of municipal subdivisions, 118.

Presentation of Hon. Michael A. Musmanno, Judge of Allegheny County, to House, 845.

Remarks by, on
Appeal from decision of chair relative to motion to have arranged and printed all amendments to Liquor Control Bill before Committee of the Whole vote on same, 140.

Prompt execution of business at Extraordinary Session, 24.

Statement asking continued patience of Members while the delayed business of the Senate is handled, 857.

Statement relative to work accomplished by House, and expressing thanks to Members for their hearty support, 1058-1059.

Thanks of House extended to, for fairness and consideration, as well as for masterful manner in which he conducted its business, 1069.

TAR ON ROADS where bituminous materials are required, resolution (House) by Spann, urging Department of Highways to give special consideration to use of larger proportion of, read and adopted, 656-657.

TAR ON ROADS where bituminous materials are required, resolution (Senate) by Sordoni, requesting Department of Highways to use, read and adopted, 475.

TAX, EXCISE LICENSE, for school purposes on chain stores, imposing an additional

House Bill No. 155.
Read in place in House by Messrs. Stevens and Thomas J. Gallagher, 282.
Referred to Committee on Way and Means, 282.

TAX SALES of seated and unseated lands in counties of the fourth class to be held in 1933, by providing for adjournment thereof in 1934, amending Act of 1933, adjourning county treasurers'

House Bill No. 107.
Read in place in House my Mr. Raub, 217.
Referred to Committee on Counties, 217.
Reported without amendment, 366.
First reading, 437.
Second reading, 498.
Third reading and final passage, 570-571.

In Senate (No. 138).
Referred to Committee on Judiciary General, 539.

TAX SALES of seated lands, by extending provisions thereof to unseated lands, amending Act of 1933, relating to

Senate Bill No. 123.
Read in place in Senate by Mr. Ealy, 474.
Referred to Committee on New Counties and County Seats, 474.
Reported without amendment, 477.
First reading, 484.
Second reading, 535.
Third reading and final passage, 584.
Returned from House with amendments in which Senate conc., 999.
Signed by President, 1019.

In House (No. 243).
Referred to Committee on Counties, 650.
Reported without amendment, 826.
First reading, 826.
Second reading, 941.
Vote on second reading reconsidered and bill passed second reading as amended, 944-945.
Returned from Senate with House amendments conc. in, 1061-1062.
Signed by Speaker, 1085.

TAX, STATE, for school purposes on all newspapers, magazines, periodicals and other publications, imposing

House Bill No. 173.
Read in place in House by Mr. O'Rourke, 314.
Referred to Committee on Ways and Means, 314.

TAX, STATE, upon corporations, associations, etc. supplying electric power, natural or artificial gas or telephone service within this Commonwealth, imposing

House Bill No. 108.
Read in place in House by Mr. J. E. Brown, 217.
Referred to Committee on Ways and Means, 217.

TAX upon buildings than upon land, graded over a period of years, until rate upon buildings shall become one-fifth rate upon land, amending Second Class City Law of 1901, by providing for assessment of a less rate of

House Bill No. 171.
Read in place in House by Mr. Powers, 314.
Referred to Committee on Cities, 314.
Reported without amendment, 487.
First reading, 558.
Second reading, 620.
Third reading and final passage, 688-689.

In Senate (No. 164).
Referred to Committee on Municipal Affairs, 709.
Reported without amendment, 786.
First reading, 823.
Second reading and recommitted to Committee on Finance, 900.

TAXATION between river and railroad transportation, conc. res. (House) by Lane, memorializing Congress to enact legislation which will equalize burden of, 220; read and referred to Committee on Federal Relations, in Senate, 362; adopted in House, 368.

TAXATION, INTERSTATE COMMISSION ON CONFLICTING, resolution (House) by P. Sterling, urging Congress to adopt recommendations formulated by, read and adopted, 751.

TAXES and liens, relating to collection of delinquent municipal subdivision and school district

House Bill No. 82.
Read in place by Mr. Baldi, 120.
Referred to Committee on Municipal Corporations, 120.
Reported with amendment, 405.
First reading, 437.
Recommitted, 560.

TAXES, DELINQUENT, by tax collectors of certain municipal subdivisions for a period of two years from passage of act, extending time for collection of

Senate Bill No. 15.
Read in place in Senate by Mr. Scott, 82.
Referred to Committee on Municipal Affairs, 82.
Reported without amendment, 86.
First reading, 91.
Second reading, 99-100.
Vote on second reading reconsidered, and bill passed second reading as amended, 117.
Third reading and final passage, 168.
Returned from House without amendment, 521.
Signed by President, 521.

In House (No. 112).
Referred to Committee on Municipal Corporations, 218.
Reported without amendment, 407.
First reading, 408.
Second reading, 445.
Third reading and final passage, 515-516.
Signed by Speaker, 570.

TAXES, DELINQUENT, in certain cases, and abating additional penalties and interest thereon, providing for payment in installments of

House Bill No. 66.
Read in place in House by Mr. Andrews, 119.
Referred to Committee on Municipal Corporations, 119.
Reported without amendment, 579.
First reading, 605.
Second reading and amended, 665-666.
Third reading and final passage, 775.

In Senate (No. 173).
Referred to Committee on Municipal Affairs, 749.
Reported with amendment, 818.
First reading, 824.
Over in its order, 901.
Recommitted, 916.
Vote by which bill was recommitted reconsidered and bill goes over in its order, 925.
Dropped from calendar, 1010-1011.

TAXES, DELINQUENT, in certain cases, and abating penalties and interest thereon, providing for payment in installments of

House Bill No. 99.
Read in place in House by Mr. Reed, 180.
Referred to Committee on Municipal Corporations, 180.

TAXES, DELINQUENT in counties of fourth class, to be held in 1933, by limiting sales for a certain period of time to delinquent taxes for one tax year, amending Act of 1933, adjourning county treasurers sales for

House Bill No. 53.
Read in place in House by Mr. O'Connor, 94.
Referred to Committee on Counties, 94.

TAXES, DELINQUENT REAL ESTATE, for years prior to 1934, by installments, and for discount for prompt payment in cities of second class, providing for collection of

House Bill No. 137.
Read in place in House by Mr. Spann, 252.
Referred to Committee on Municipal Corporations, 252.
Reported without amendment, 579.
First reading, 606.
Second reading, 666-667.
Postponed, 776.
Third reading (amended by strike-outs) and final passage, 833.

TAXES, DELINQUENT REAL ESTATE.—Continued.
Returned from Senate without amendment, 1083.
Signed by Speaker, 1086.

In Senate (No. 180).
Referred to Committee on Municipal Affairs, 786.
Reported without amendment, 818.
First reading, 824.
Second reading, 902.
Over in its order, 1009.
Third reading and final passage, 1010.
Signed by President, 1023.

TAXES, LOCAL, by extending act to counties of second class, amending Act of 1932, authorizing abatement of penalties on

House Bill No. 67.
Read in place in House by Mr. Hough, 119.
Referred to Committee on Municipal Corporations, 119.
Reported without amendment, 407.
First reading, 408.
Second reading, 444-445.
Third reading and final passage, 515.

In Senate (No. 127).
Referred to Commitee on Municipal Affairs, 519.

TAXES, LOCAL, by extending time during which such abatement may be allowed, amending Act of 1932, authorizing abatement of penalties on

House Bill No. 109.
Read in place in House by Mr. Mohn, 217.
Referred to Committee on Municipal Corporations, 217.
Reported without amendment, 579.
First reading, 606.
Second reading, 666.
Third reading and final passage, 775-776.
Returned from Senate without amendment, 1082.
Signed by Speaker, 1086.

In Senate (No. 174).
Referred to Committee on Municipal Affairs, 749.
Reported without amendment, 786.
First reading, 824.
Second reading, 901.
Third reading and final passage, 1007.
Signed by President, 1022-1023.

TAXES on dwellings occupied by tenants who are unable to pay rent, empowering and directing corporate authorities of political subdivisions to exonerate landlords from payment of

House Bill No. 68.
Read in place in House by Mr. Hutton, 119.
Referred to Committee on Municipal Corporations, 119.
Reported without amendment, 406.
First reading, 408.
Second reading, 443.
Third reading and final passage, 513.

In Senate (No. 128).
Referred to Committee on Municipal Affairs, 519.

TAXES ON REAL ESTATE occupied by unemployed or indigent tenants, authorizing political subdivisions to exonerate in whole or in part

House Bill No. 61.
Read in place in House by Mr. Fitzgerald, 119.
Referred to Committee on Municipal Corporations, 119.

TAXES ON REAL PROPERTY for 1932, and years prior thereto in certain cases, abating interest, penalties and costs on

Senate Bill No. 54.
Read in place in Senate by Mr. Coyne, 232.
Referred to Committee on Municipal Affairs, 232.
Reported without amendment, 249.
First reading, 251.
Second reading, 278.
Third reading and postponed, 306.
Dropped from calendar, 916.

TAXES, UNPAID, assessed on seated lands for 1931 and 1932, by further extending period for such returns, amending Act of 1933, to enable tax collectors and receivers of taxes to make return of

House Bill No. 191.
Read in place in House by Mr. O'Neill, 316.
Referred to Committee on Counties, 316.
Reported without amendment, 577.
First reading, 605.
Second reading, 660-661.
Third reading and final passage, 772.
Returned from Senate with amendments in which House conc., 1080.
Signed by Speaker, 1086.

In Senate (No. 178).
Referred to Committee on Municipal Affairs, 749.
Reported without amendment, 786.
First reading, 824.
Second reading, 901.
Third reading and final passage, 1007.
Returned from House with Senate amendments conc. in, 1021.
Signed by President, 1023.

TAX, TAXATION, TAXES AND TAX PENALTIES (see also Cities of First Class, Constitution, Foreign-made Goods, Income Tax, Liquor Control, Occupation Tax, Pensonal Property Tax, School Districts).

TEACHERS' SALARIES (see School Districts).

TERRY, CHARLES L., Representative from Wyoming County.

THIRTY HOUR WEEK (see Employment).

THOMPSON, BENJAMIN H., Senator from Thirty-ninth District (Westmoreland County).

Bills introduced by
No. 38.
Amending Public Service Company Law of 1913, by requiring approval of Commission to proposed changes in rates, 199-200.

No. 58.
Providing for appointment of district auditors by courts of common pleas to serve at primaries and elections in certain election districts, 235.

No. 139.
To make void an election obtained by fraud with the knowledge of the candidates, 539.

TOLL-BRIDGES (see Bridges, Federal Government, Finance and Revenue).

TOTAL DISABILITY (see Workmen's Compensation).

TOWNS (see Municipal Subdivisions).

TOWNSHIPS (see Firemen's Relief, Municipal Subdivisions).

TOWNSHIPS OF FIRST CLASS (see Occupation Tax).

TOWNSHIPS OF SECOND CLASS (see Highways).

TRAINER, JOSEPH C., Senator from First District (Philadelphia County).

Amendments offered by, to
Bill No. 36 (House No. 10), known as Liquor Control Bill, 245.

Bills introduced by
No. 80.
Amending Pennsylvania Liquor Control Act of 1933, by prohibiting signs advertising any liquor or malt liquors outside buildings in which liquors are sold, 312.

No. 90.
Relating to advertising by holders of licenses to sell liquors or malt liquors for consumption on the premises, 356.

Bill reported by
No. 90.
Relating to advertising by holders of licenses to sell liquors or malt liquors for consumption on the premises, 364.

TRAINER, JOSEPH C.—Continued.

Motion by, for
Executive Session to rise, 37.

Motion by, to
Recommit Bill No. 52, amending Milk Dealers' Permit Law, by extending provisions to all milk, and making acceptance of municipal permits optional with the Secretary of Health, 275.

Recommit Bill No. 90, relating to advertising by holders of licenses to sell liquors or malt liquors for consumption on the premises, 471.

Remarks by, on
Bill No. 11 (House No. 9), known as the Liquor Floor Tax Bill, 170-172.

Report of Conf. Com. on Senate Bill No. 35, creating Milk Control Board, 995-998.

TRAIN LIMIT BILL (see Railroads).

TRANSPORTATION (see Liquor Control, Taxation).

TREASURY DEPARTMENT (see Appropriations to certain Administrative Departments).

TROUT, HARRY E., Representative from Lancaster County (Second District). (Elected to fill vacancy caused by death of Hon. Thomas J. Brown).

Election returns, 22.

Members of Standing Committees, 181.

Motion by, to
Adjourn, 79.

Oath of office administered to, 23.

TRUCK DRIVERS (see Liquor Stores).

TRUST COMPANIES (see Banks, Personal Property Tax).

TRUST FUNDS (see Banks, Home Loan Bonds).

TUBERCULOSIS SANATORIUM, STATE, and making appropriation, authorizing erection and construction by Department of Property and Supplies of

House Bill No. 169.
Read in place in House by Mr. Beech, 313.
Referred to Committee on Public Health and Sanitation, 313.
Reported without amendment, 406.
First reading, 407.
Second reading, 441.
Third reading and final passage, 512.
Returned from Senate without amendment, 825.
Signed by Speaker, 855.

Remarks on, by
Sterling, P., 512.
Brown, W. L., 512.
Beech, 512.

In Senate (No. 132).
Referred to Committee on Appropriations, 520.
Reported without amendment, 552.
First reading, 555.
Second reading, 591.
Third reading and final passage, 726.
Signed by President pro tempore, 918.

TUNNEL (see Delaware River).

TURNER, ELLWOOD J., Representative from Delaware County (Second District).

Amendments offered by, to
Bill No. 145, Joint resolution proposing amendment to Constitution, relative to pensions for certain blind persons and assistance to mothers having dependent children and to aged persons, 641.

Bills introduced by
No. 23.
Relating to unemployment insurance, creating unemployment compensation commission in Department of Labor and Industry and making appropriation, 47.

TURNER, ELWOOD J.—Continued.

No. 56.
Amending General Borough Act of 1927, by lengthening time for which assessment bonds for street and sewer improvements may be issued, 118.

No. 57.
Joint resolution creating an Unemployment Insurance Investigation Commission, and making appropriation, 118.

No. 208.
Authorizing political subdivisions to charge and collect annual sewer rentals, 318.

Bills reported by
No. 45.
Making home loan bonds issued by United States Government legal investments for trust funds, 257.

No. 200.
Further amending Workmen's Compensation Law, by requiring every compensation agreement to be executed in triplicate, 486.

No. 262 (Senate No. 125).
Amending Banking Code, by providing for establishment of branch banks, 872.

No. 263 (Senate No. 126).
Amending Department of Banking Code, by further limiting exemption of certain private bankers, 872.

Member of special committee, 26.

Motion by, to
Drop from calendar House Bill No. 34, repealing Act of 1929, authorizing appointment by Governor of industrial police, 694.

Grant request of Governor to address General Assembly at Joint Session, 25.

Point of order raised by, on
Motion for House to sit in Session on Thursday, December 14th, and Friday, December 15th, 599.

Question of information raised by, on
Motion to adjourn, 229.

Question of personal privilege raised by, on
Permission of House that statement by Mr. Wilson relative to Liquor Control Bill be made on behalf of all those who voted on the question, 179.

Questions of parliamentary inquiry raised by, on
Permission to introduce Mrs. Wilson on House Bill No. 145, Joint resolution proposing amendment to Constitution, relative to pensions to certain blind persons and assistance to mothers and aged persons, 641.

Vote on House Bill No. 43, making it unlawful to evict persons from dwellings under certain conditions, 874.

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Remarks by, on
Bill No. 145, Joint resolution proposing amendment to Constitution relative to pensions to certain blind persons, assistance to mothers having dependent children and to aged persons, 642.

Efficient manner in which Speaker Talbot performed his duties, 1070.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 55, making appropriation out of State Stores Fund to State Emergency Relief Board for unemployment relief, 933.

UNEMPLOYMENT CENSUS, conc. res. (House) by P. Sterling, urging co-operation with Federal Civil Works Administration in making, read and adopted, 752; read and referred to Committee on Judiciary General in Senate, 782; reported without amendment, 785; conc. in by Senate, 908; ret. from Senate conc. in, 952.

UNEMPLOYMENT FUND, providing for management thereof and payment therefrom, and making appropriation, establishing an

House Bill No. 47.
Read in place in House by Mr. Hoopes, 93.
Referred to Committee on State Government, 93.

UNEMPLOYMENT INDEMNITY BOARD, amending Administrative Code of 1929, by creating

House Bill No. 46.
Read in place in House by Mr. Hoopes, 93.
Referred to Committee on State Government, 93.

UNEMPLOYMENT INSURANCE COMMISSION, and making appropriation, creating

House Bill No. 63.
Read in place in House by Mr. Sheffer, 119.
Referred to Committee on Labor, 119
Reported without amendment, 488.
First reading, 489.
Second reading, 566-567.
Third reading and final passage, 640-641.

In Senate (No. 149).
Referred to Committee on Appropriations, 708.

UNEMPLOYMENT INSURANCE COMMISSION, and making appropriation, creating an

House Bill No. 69.
Read in place in House by Mr. Rhodes, 119.
Referred to Committee on Labor, 119.

UNEMPLOYMENT INSURANCE, creating an unemployment compensation commission in Department of Labor and Industry, and making an appropriation, relating to

House Bill No. 23.
Read in place in House by Mr. Turner, 47.
Referred to Committee on State Government, 47.

UNEMPLOYMENT INSURANCE INVESTIGATION COMMISSION, and making appropriation, Joint resolution creating an

House Bill No. 57.
Read in place in House by Mr. Turner, 118.
Referred to Committee on Labor, 118.
Reported without amendment, 488.
First reading, 489.
Second reading, 568.
Third reading and final passage, 646.

In Senate (No. 147).
Referred to Committee on Appropriations, 708.

UNEMPLOYMENT RELIEF, and making appropriation to State Emergency Relief Board for direct and work relief, relating to

House Bill No. 24.
Read in place in House by Mr. Hoopes, 47.
Referred to Committee on Appropriations, 47.

UNEMPLOYMENT RELIEF—making appropriations out of State Stores Fund to State Emergency Relief Board for direct relief, work relief and expenses including reimbursement of municipal subdivisions—

House Bill No. 55.
Read in place in House by Mr. Talbot, 118.
Referred to Committee on Appropriations, 118.
Reported without amendment, 228.
First reading, 254.
Second reading, 328.
Vote on second reading reconsidered and bill passed second reading as amended, 332-333.
Third reading and final passage, 394-395.
Returned from Senate without amendment, 517.
Signed by Speaker, 555.
Concurrent resolution recalling bill from Governor, 933.
Resolution returned from Senate conc. in, 941.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 952-953.
Final passage, 1032-1033.
Returned from Senate with House amendments conc. in, 1062.
Signed by Speaker, 1085.

UNEMPLOYMENT RELIEF.—Continued.

In Senate (No. 85).
Referred to Committee on Appropriations, 354.
Reported without amendment, 364.
First reading, 364.
Second reading, 425.
Third reading and final passage, 470.
Signed by President, 551.
Resolution recalling bill from Governor conc. in, 907.
Bill returned from House with amendments in which Senate conc., 1022.
Signed by President, 1022.

Remarks on, by
Buckman, 470.

UNEMPLOYMENT RELIEF (see also Employment, Lotteries).

UNION DUES (see Employers).

UNSEATED LANDS (see Tax Sales).

VALLEY FORGE PARK COMMISSION, members of, nominated and referred to Committee on Executive Nominations, 8-9; member of, nominated and referred, 163; reported and confirmed, 234-235; members of, reported, 536, 537; 592; confirmed, 538; 592.

VETERANS' COMPENSATION, creating a special fund in State Treasury to be known as Veterans' Compensation Fund and making appropriation, authorizing issue and sale of bonds by Commonwealth for payment of

House Bill No. 39.
Read in place in House by Mr. Myers, 93.
Referred to Committee on Military Affairs, 93.
Reported without amendment, 95.
First reading, 121.
Second reading, 176-177.
Third reading and final passage, 221.
Returned from Senate with amendments in which House conc., 436-437.
Signed by Speaker, 449.
Concurrent resolution recalling bill from Governor, 496.
Resolution returned from Senate conc. in, 575-576.
Resolution approved by Governor, and bill laid on table, 650.
Vote on final passage and third reading reconsidered and bill passed third reading as amended, 754.
Final passage, 829-830.
Returned from Senate with House amendments conc. in, 926.
Signed by Speaker, 951.

In Senate (No. 50).
Referred to Committee on Military Affairs, 213.
Reported without amendment, 215.
First reading, 216.
Second reading and recommitted, 232.
Re-reported as amended, 364.
Third reading and final passage, 419-420.
Returned from House with Senate amendments conc. in, 426.
Signed by President, 428.
Resolution recalling bill from Governor conc. in, 520.
Bill returned from House with amendments in which Senate conc., 816-817.
Signed by President, 918.

VETERANS' COMPENSATION, imposing certain duties on Adjutant General, and making appropriation, providing for

(VETERANS' COMPENSATION ACT)

House Bill No. 40.
Read in place in House by Mr. Myers, 93.
Referred to Committee on Military Affairs, 93.
Reported without amendment, 95.
First reading, 121.
Second reading, 177-178.
Third reading and final passage, 221-222.
Returned from Senate with amendments in which House conc., 433.
Signed by Speaker, 449.
Concurrent resolution recalling bill from Governor, 496.
Resolution returned from Senate conc. in, 575.
Resolution approved by Governor, and bill laid on table, 650.

VETERANS' COMPENSATION.—Continued.

Vote on final passage and on third reading reconsidered and bill passed third reading as amended, 754-755.
Final passage, 830-832.
Vote on final passage and on third reading reconsidered and bill passed third reading (as amended by strike-outs), and finally, 849-850.
Returned from Senate with House amendments conc. in, 926.
Signed by Speaker, 951.

In Senate (No. 51).
Referred to Committee on Military Affairs, 213.
Reported without amendment, 215.
First reading, 216.
Second reading and recommitted, 233.
Re-reported as amended, 364.
Third reading and final passage, 420-422.
Returned from House with Senate amendments conc. in, 426-427.
Signed by President, 428-429.
Resolution recalling bill from Governor conc. in, 520.
Bill returned from House with amendments in which Senate conc., 817.
Signed by President, 918.

VETERANS' COMPENSATION, making appropriation from General Fund for payment of preparation and issue and sale of bonds authorized by adoption of Constitutional Amendment No. 4, relative to

House Bill No. 41.
Read in place in House by Mr. Myers, 93.
Referred to Committee on Appropriations, 93.
Reported without amendment, 228.
First reading, 254.
Second reading, 327.
Third reading and final passage, 393.
Returned from Senate without amendment, 576.
Signed by Speaker, 577.
Concurrent resolution recalling bill from Governor, 861.
Resolution returned from Senate conc. in, 926.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 953.
Final passage, 1033.
Returned from Senate with House amendments conc. in, 1062.
Signed by Speaker, 1085.

In Senate (No. 84).
Referred to Committee on Appropriations, 364.
Reported without amendment, 360.
First reading, 364.
Second reading, 425.
Over in its order, 470.
Third reading and final passage, 522.
Signed by President, 551.
Resolution recalling bill from Governor conc. in, 877.
Bill returned from House with amendments in which Senate conc., 998-999.
Signed by President, 1022.

VETERANS' COMPENSATION, making appropriation from General Fund to Department of Military Affairs to cover expenses of Adjutant General for handling payment of adjusted

Senate Bill No. 43.
Read in place in Senate by Mr. Reed, 212.
Referred to Committee on Appropriations, 212.
Reported without amendment, 214.
First reading, 216.
Second reading, 232.
Third reading and final passage, 305.
Returned from House with amendments in which Senate conc., 539.
Signed by President, 581.
Concurrent resolution recalling bill from Governor, 878.
Resolution returned from House conc. in, 907.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 910.
Final passage, 1001-1002.

VETERANS' COMPENSATION.—Continued.

Returned from House with Senate amendments conc. in, 1015-1016.
Signed by President, 1018.

In House (No. 223).
Referred to Committee on Appropriations, 335.
Reported with amendment, 406.
First reading, 438.
Second reading, 507.
Third reading and final passage, 577-578.
Returned from Senate with House amendments conc. in, 596.
Signed by Speaker, 604.
Resolution recalling bill from Governor conc. in, 927.
Bill returned from Senate with amendments in which House conc., 1061.
Signed by Speaker, 1085.

VETERANS effected by curtailment of Federal aid, report of Joint Legislative Committee appointed by House conc. res. of March 13, 1933, to investigate number of disabled or paritally disabled, presented to Senate, 878. (Transcript of Testimony, 879-882).

VETERANS receiving Federal aid, conc. res (Senate) by Staudenmeier, continuing Joint Legislative Committee to investigate conditions concerning, read and adopted, 882; ret. from House conc. in, 910; conc. in by House, 940-941.

VETERINARY MEDICAL EXAMINERS, member of State Board of, nominated and referred to Committee on Executive Nominations, 8; reported, 916; confirmed, 917.

VIEWERS, BOARD OF, in counties of fourth, fifth, sixth, seventh and eighth class, amending General County Laws of 1929, by decreasing and limiting compensation of members of

House Bill No. 85.
Read in place in House by Mr. McCreary, 174.
Referred to Committee on Counties, 174.
Reported without amendment, 366.
First reading, 437.
Second reading and amended, 559-560.
Third reading and final passage, 628.

In Senate (No. 150).
Referred to Committee on New Counties and County Seats, 708.

VOTERS (see Elections).

VOTING MACHINE LAW of 1929, by making provisions for voting machines designed to be made secure by use of two or more seals, changing requirements as to printing of return sheets and statements, etc., amending

Senate Bill No. 82.
Read in place in Senate by Mr. Harris, 353.
Referred to Committee on Elections, 353.

WADE, GEORGE N., Representative from Cumberland County.

Bill introduced by
No. 189.
Amending Act of 1913, requiring employers to make report to Department of Labor and Industry of accidents to employes, by requiring reports of disability caused by occupational diseases, etc., 316.

Motion by, to
Adjourn, 705, 875.

WAGES, MINIMUM, to be paid to laborers and mechanics employed on public works, requiring municipal subdivisions to insert in contracts stipulations with respect to

Senate Bill No. 48.
Read in place in Senate by Mr. Harris, 213.
Referred to Committee on Judiciary General, 213.

WAGES, MINIMUM, which shall be paid to women and minors, excepting in domestic service, farm labor and newspaper boys, for protection of health, safety and welfare of women and minors in any occupation, by regulating, under police power, the

House Bill No. 125.
Read in place in House by Mr. Fitzgerald, 218.
Referred to Committee on Public Health and Sanitation, 218.

WAGES, MINIMUM.—Continued.

Reported without amendment, 257.
First reading, 325-326.
Second reading and amended, 371-375.
Vote on second reading reconsidered and bill passed second reading as amended, 412-415.
Third reading and final passage, 446-449.

Remarks on, by
Fitzgerald, 412, 448-449.
Ederer, 448.
Hoopes, 449.

In Senate (No. 114).
Referred to Committee on Judiciary General, 468.

WAGES of employes of mining and manufacturing companies for amounts due owners of stores, amending Act of 1891, relative to company stores, by prohibiting certain contracts for and deductions from

House Bill No. 122.
Read in place in House by Mr. John E. Brown, 217.
Referred to Committee on Mines and Mining, 217.

WAGES OF MEN, WOMEN AND MINORS, and for determination and establishment of minimum fair wage standards, to provide for investigation and study of

House Bill No. 95.
Read in place in House by Mr. Spann, 180.
Referred to Committee on Judiciary General, 180.
Reported without amendment, 486.
First reading, 557.
Second reading, 617-619.
Third reading and final passage, 683.

In Senate (No. 162).
Referred to Committee on Judiciary General, 709.

WAGES OF WOMEN AND MINORS and for determination and establishment of minimum fair wage standards, to provide for investigation and study of

House Bill No. 93.
Read in place in House by Mr. Hoopes, 175.
Referred to Committee on Labor, 175.

WAGES to be paid in cash, check or other evidence of indebtedness, redeemable in lawful money of the United States, requiring

House Bill No. 121.
Read in place in House by Mr. John E. Brown, 217.
Referred to Committee on Labor, 217.
Reported without amendment, 487.
First reading, 489.
Second reading, 565.
Third reading and defeated on final passage, 639-640.
Motion to reconsider vote on final passage overruled, 690.

WAGES (see also Employers, Employment, Salaries).

WAGNER, CHAS. B., Representative from Washington County (First District).

Bill introduced by
No. 179.
Amending General Election Law of 1893, by changing effect of ballot marking, 314.

Bill reported by
No. 207.
Amending Female Labor Law, by excepting domestic service in private homes, and further regulating hours of labor, 488.

Motion by, to
Reconsider vote on Bill No. 121, requiring wages to be paid in cash, check or other evidence of indebtedness redeemable in lawful money of the United States, 690.

WALKER, GEORGE E., Representative from Sullivan County.

Bill introduced by
No. 79.
Making appropriation to Department of Forests and Waters to improve the course of Lopez Creek in Sullivan County to prevent floods, 120.

WALKER, WILLIAM A., Representative from Allegheny County (Thirteenth District).

Leave of absence granted, 252, 283.

Remarks by, on
Motion to strike out amendment made by L. P. Kane to Bill No. 10, (Liquor Control Bill), 131-132.

WALL, ANDREW J., Representative from Wayne County.

WARREN COUNTY (see Highway).

WASHINGTON CROSSING PARK COMMISSION, members of, nominated and referred to Committee on Executive Nominations, 8; reported, 357, 358; recommitted, 361; re-reported, 480-481; confirmed, 482; reported, 526, 537; confirmed, 538.

WASSERMAN, A. ALFRED, Representative from Philadelphia County (Twenty-third District).

Bills introduced by
No. 220.
Prohibiting evictions from dwelling houses under certain conditions during a certain period of time, 325.

No. 221.
Limiting, for a certain period of time, the right to sell on mortgage foreclosures and to enter judgments on mortgage bonds and warrants and to sell on such judgments, 325.

No. 222.
Prohibiting sales of household goods on executions or distress for rent during certain periods, 325.

Motion by, for
Previous question, 696.

Resolution offered by
Requesting Secretary of Department of Property and Supplies to forward files and supplies to Members, 1073.

WATER AND POWER RESOURCES BOARD, member of, nominated and referred to Committee on Executive Nominations, 8.

WAY, ALBERT P., Representative from Clearfield County (Second District).

Remarks by, on
Bill No. 34, repealing Industrial Police Law of 1929, 694.

Resolution, concurrent, offered by
Recommending to Governor increase in appropriation to and personnel of the Motor Patrol, 753.

WEIDEMANN, THOMAS, Representative from Delaware County (Second District).

Amendments offered by, to
Bill No. 55, making appropriation out of State Stores Fund to State Emergency Relief Board for unemployment relief, 953.

Bill introduced by
No. 212.
Amending Banking Code of 1933, by regulating establishment of branch banks, 318.

Bills reported by
No. 17.
Amending Act creating Pennsylvania Alcohol Permit Board, by making act consistent with repeal of Eighteenth Amendment, 257-258.

No. 66.
Providing for payment in installments of delinquent taxes in certain cases, 579.

No. 234 (Senate No. 89).
Authorizing State Treasurer and Department of Highways to accept funds from Federal Government for construction of public highways and bridges, 654.

Motion by, to
Adjourn, 300.

Reconsider vote on Bill No. 55, making appropriation out of State Stores Fund to State Emergency Relief Board for unemployment relief, 952-953.

WEIGHT (see Coal Motor Vehicles).

WEIL, A. LEO, ESQ., (see Liquor Business).

WELFARE COMMISSION, members of State, nominated and referred to Committee on Executive Nominations, 9; reported, 357, 358; recommitted, 361; re-reported, 480; confirmed, 482; reported, 536, 537; confirmed, 538.

WELFARE DEPARTMENT (see Blind, Old Age Assistance, Poor Houses).

WELFARE, Mrs. Alice F. Liveright nominated as Secretary of, and referred to Committee on Executive Nominations, 9; reported, 536; confirmed, 538.

WELSH, MATTHEW J., Representative from Fayette County (Second District).

Bill introduced by
No. 210.
Amending Rural State Highway Law of 1931, by adding certain State highway in Fayette County, 318.

Remarks by, on
Efficient manner in which Speaker Talbot performed his duties, 1071.

WEST CHESTER STATE TEACHERS COLLEGE, member of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 11.

WESTERN STATE PENITENTIARY, members of Board of Trustees of, nominated and referred to Committee on Executive Nominations, 9.

WESTRICK, DENIS L., Representative from Cambria County (Second District).

Remarks by, on
Error in printing of House Bill No. 73, to regulate sale and delivery of coal, and other solid fuels, 509.

WHEELER, ALEXANDER R., Representative from Forest County.

Leave of absence granted, 42, 95, 219, 320, 486, 751.

WHISKEY (see Liquor Control).

WHITE, EUGENE F., Chief Clerk of House of Representatives, for leave of absence, request of, presented and granted 24; 485.

WHITE, EUGENE F., Chief Clerk of House of Representatives, resolution (House) by Quinn, requesting resignation of, 496-497; referred to Committee on Rules, 656.

WHITE, HAINES D., Representative from Chester County (Second District).

WICKERSHAM, HON. FRANK B., for administering oath of office to Members-elect, resolution (House) by Shreiner, thanking, 24, 65.

WICKERSHAM, HON. FRANK B., to administer oath of office to Member-elect, resolution (House) by Habbyshaw, requesting, 65.

WICKERSHAM, HON. FRANK B., to administer oath of office to Members-elect, resolution (House) by Rice, requesting, 23.

WIKE, JESSE R., Representative from Blair County (Second District).

Amendments offered by, to
Bill No. 249 (Senate No. 73), further amending Workmen's Compensation Law, by extending time for appeals from referee's decision to the board, 947.

Remarks by, on
Amendments to Bill No. 249 (Senate No. 73), further amending Workmen's Compensation Law, by extending time for appeals from referee's decision to the board, 947.

WILLIAMS, GEORGE W., Representative from Tioga County.

Acting Chairman, 140.

Bills reported by
No. 37 (Senate No. 3).
Amending Act of 1933, authorizing construction of toll bridges from funds advanced by Reconstruction Finance Corporation, by authorizing similar arrangements to be made with other agencies of the Federal Government, 120-121.

WILLIAMS, GEORGE W.—Continued.

No. 45.
Making appropriation for repayment of preparation and issue and sale of bonds for veterans' compensation, 228.

No. 56.
Amending General Borough Law, by lengthening time for which assessment bonds for street and sewer improvements may be issued, 228.

No. 102.
Authorizing issue and sale of bonds to defray cost of acquisition of toll bridges, 257.

No. 113 (Senate No. 16).
Supplementing General Appropriation Act of 1933, making appropriation for payment of certain expenses of General Assembly convened in Extraordinary Session, 321.

Member of special committee, 26, 400, 1083.

Motion by, to
Grant privileges of use of Hall of House to Governor and Mrs. Pinchot to hold Christmas Party for members of General Assembly, 485.

Remarks by, on
Adoption of Liquor Control Bill by Committee of the Whole with both the McClure amendments and the Steedle-Sowers amended included therein, 161.

Vote on motion for House to sit in Session on December 14th and 15th, 604.

WILLIAMS, JOHN J., Representative from Lackawanna County (First District).

Motion by, to
Recommit Bill No. 35, providing for, requiring and regulating installation, through budget secretary, of budget and accounting systems for certain political subdivisions, 558.

Recommit Bill No. 170, authorizing municipal subdivisions to purchase, construct, maintain and operate public utilities, 658.

Remarks by, on
Motion to recommit Bill No. 170, authorizing municipal subdivisions to purchase, construct, maintain and operate public utilities, 658.

Resolution offered by
Extending sympathy of House to family of the late Hon. John R. Farr, former member of National House of Representatives from Lackawanna and Speaker of House, 496.

WILLIAMSON, RICHARD W., Senator from Thirtieth District (Blair and Huntingdon Counties).

Bills reported by
No. 30.
Providing for organization of certain quasi-public corporations for construction, maintenance and operation of public work projects, 85.

No. 37.
Further amending Vehicle Code, by limiting size and weight of motor vehicles which may be operated on Sunday and on legal holidays, 428.

No. 51 (House No. 40).
Providing for veterans' compensation, 364.

No. 74.
Amending Workmen's Compensation Law, by extending period within which claims can be made, 552.

Motion by, to
Recommit Bill No. 179 (House No. 212), relative to establishment of branch banks, 902, 906.

Point of order raised by, on
Motion to reconsider vote recommitting Bill No. 179 (House No. 212), relative to establishment of branch banks, 905.

WILLIAMSON, RICHARD W.—Continued.

Remarks by, on
Motion to recommit Bill No. 179 (House No. 212), relative to establishment of branch banks, 902.

Report of Conf. Com. on Senate Bill No. 35, creating Milk Control Board, 995-997.

Request that Bill No. 179 (House No. 212), relative to establishment of branch banks, go over in its order, 902.

WILSON, MRS. LILITH M., Representative from Berks County (First District).

Amendments offered by, to
Bill No. 145, Joint resolution proposing amendments to Constitution, relative to assistance to mothers having dependent children and to aged persons, 578.

Bills introduced by
No. 11.
To provide for, control and regulate, manufacture, sale and traffic in spirituous liquors through a liquor control board and making appropriation, 33.

No. 21.
Relating to labor, and prohibiting employment of persons for more than six hours in any one day, or for more than thirty hours in any one week, 42.

No. 22.
Joint resolution approving proposed amendments to Constitution of United States relative to child labor, 42.

No. 42.
Creating Commission for Relief of Aged Poor, and making appropriation, 93.

No. 144.
Joint resolution proposing amendment to Constitution, authorizing municipalities to appropriate money for assistance to mothers having dependent children and to aged persons, 256.

No. 145.
Joint resolution proposing amendment to Constitution, relative to assistance to mothers having dependent children, and to certain blind and aged persons, 256.

Motion by, to
Reconsider vote on Bill No. 145, Joint resolution proposing amendment to Constitution, relative to mothers' and old age assistance, 578.

Remarks by, on
Bill No. 142, amending Female Labor Law, by prohibiting employment of females in foundries, 643-644.

Bill No. 144, Joint resolution proposing amendment to Constitution, relative to assistance to mothers having dependent children and to aged persons, 630.

Bill No. 145, Joint resolution proposing amendment to Constitution, relative to pensions to certain blind persons, assistance to mothers having dependent children and to aged persons, 642.

WILSON, THOMAS B., Representative from McKean County

Address in commemoration of establishment of Pennsylvania public school system, 319.

Bill introduced by
No. 17.
Amending Act of 1926, creating Pennsylvania Alcohol Permit Board in Department of Welfare, by providing that act shall be administered by Pennsylvania Liquor Control Board, making act consistent with repeal of Eighteenth Amendment, etc., 33.

Bills reported by
No. 10.
To regulate and restrain sale, importation and use of certain alcoholic beverages, 43.

WILSON, THOMAS B.—Continued.

No. 141 (Senate No. 33).
Creating Pennsylvania Liquor Control Board, 230.

No. 245.
Amending Spirituous and Vinous Liquor Tax Law of 1933, enabling Pennsylvania to participate in Federal Government tax, 701.

No. 246.
Amending Spirituous and Vinous Liquor Floor Tax Law of 1933, by providing for an extension of time for payment in certain cases, 701.

Leave of absence granted, 751.

Member of special committee, 121.

Motion by, for
Committee of the Whole to rise, 162.

Motion by, to
Recommit Bill No. 17, amending Alcohol Permit Act of 1926, by making same consistent with repeal of Eighteenth Amendment, 228.

Recommit Bill No. 80, Permanent Registration in Cities of Second Class "A," 497. (Withdrawn).

Recommit Bill No. 80, Permanent Registration Act, Cities of Second Class "A," 556-557.

Recommit Bill No. 118, imposing a graduated income tax for school purposes, 842.

Reconsider vote on Bill No. 87, appropriating moneys in State Stores Fund to Pennsylvania Liquor Control Board for establishing and operating State Stores, 434.

Refer to Committee on Education, House resolution relative to payment of teachers' salaries, 605.

Spread upon Journal minutes of proceedings in Committee of Whole on House Bill No. 10, (Liquor Control Bill), 133.

Strike out amendments offered by Mr. Kane to House Bill No. 10, (Liquor Control Bill), 131.

Suspend Rules 41 and 43 for specific purpose of permitting House Bill No. 141 (Senate No. 33), creating Pennsylvania Liquor Control Board, to be read for first time, 230.

Points of order raised by, on
Discussion of motion for House to sit in Session on December 14th and 15th, 602.

House Bill No. 87, appropriating moneys in State Stores Fund to Pennsylvania Liquor Control Board for establishing and operating State Stores, 434.

Question of personal privilege raised by, on
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Questions of parliamentary inquiry raised by, on
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Remarks by, on
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WINES (see Liquor Control).

WITKIN, MORTON, Representative from Philadelphia County (Eighth District).

Amendments offered by, to
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Bills introduced by
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Imposing State taxes on those manufacturing, selling or using certain spirituous and vinous liquors, 33.

No. 76.
To regulate and restrain the sale, importation and use of certain alcoholic beverages, and creating Pennsylvania Alcoholic Liquor Control Board, 120.

No. 245.
Amending Spirituous and Vinous Liquor Tax Law of 1933, enabling Pennsylvania to participate in Federal Government tax, 697.

No. 246.
Amending Spirituous and Vinous Floor Tax Law of 1933, by providing for an extension of time for payment in certain cases, 697.

Bill reported by
No. 236 (Senate No. 93).
Amending Beverage Tax Law, by regulating refund of taxes paid on malt liquors, 705.

Member of special committee, 121.

Motion by, for
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Motion by, to
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WITKIN, MORTON.—Continued.

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Bill No. 246, amending Spirituous and Vinous Liquor Floor Tax Law, by providing for an extension of time for payment in certain cases, 849.

House conc. res. extending time for sale of liquors on New Year's Day, 598.

Motion to recommit Bill No. 8, known as the Spirituous and Vinous Liquor Tax Bill, 67.

Report of Committee appointed to investigate charges made by A. Leo Weil, Sr., at public hearing before Ways and Means Committee, 935-936.

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Authorizing appointment of committee to investigate charges made by A. Leo Weil, Esq., before Ways and Means Committee relative to bribes in connection with control of liquor, 94-95.

Resolution, concurrent, offered by
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WOOD, NORMAN, Representative from Lancaster County (Second District).

Bills reported by
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WOOD, NORMAN.—Continued.

No. 174.
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No. 224 (Senate No. 44).
Making appropriation to Department of Military Affairs for purchase of supplies, materials and equipment to improve Military Reservation at Indiantown Gap, 407.

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Authorizing opening of election returns of Members of House of Representatives, 22.

WOODSIDE, ROBERT E. JR., Representative from Dauphin County (Second District).

Amendments offered by, to
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Bills introduced by
No. 52.
Amending Act of 1933, authorizing construction of toll bridges from funds advanced by Reconstruction Finance Corporation, authorizing arrangements with other Federal agencies for advancement of moneys, 94.

No. 116.
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No. 174.
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Bills reported by
No. 95.
To provide for investigation and study of wages of men, women and minors, and for determination and establishment of minimum fair wage standards, 486.

No. 251 (Senate No. 75).
Further amending Workmen's Compensation Law, by requiring every compensation agreement to be executed in triplicate, 872.

Member of special committee, 653.

Motion by, to
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Remarks by, on
Amendments to Bill No. 257 (Senate No. 1), authorizing Governor to accept funds from agencies of the Federal Government for construction of public works, 939.

Bill No. 238 (Senate No. 10), for extension of Capitol Park and for acquisition of real estate in connection therewith, 847.

WOODWARD, GEORGE, Senator from Sixth District (Philadelphia County).

Leave of absence granted, 1, 81, 211, 301, 707.

WORKMEN'S COMPENSATION LAW of 1915, by enlarging class of accidents to which said act shall apply, amending

House Bill No. 203.
Read in place in House by Mr. Fitzgerald, 317.
Referred to Committee on Judiciary General, 317.

WORKMEN'S COMPENSATION LAW of 1915, enlarging class of accidents to which act shall apply, amending

Senate Bill No. 70.
Read in place in Senate by Mr. Harris, 311.
Referred to Committee in Judiciary General, 311.

WORKMEN'S COMPENSATION LAW of 1915, by enlarging class of accidents to which act shall apply, increasing powers of Bureau, etc., amending

House Bill No. 194.
Read in place in House by Mr Hefferon, 316.
Referred to Committee on Judiciary General, 316.

WORKMEN'S COMPENSATION LAW of 1915, by enlarging class of accidents to which act shall apply, increasing powers of Bureau, etc., amending

Senate Bill No. 68.
Read in place in Senate by Mr. Harris, 302.
Referred to Committee on Judiciary General, 302.

WORKMEN'S COMPENSATION ACT of 1915, by extending act to occupational diseases contracted in course of employment, amending

House Bill No. 19.
Read in place by Mr. Hoopes, 41.
Referred to Committee on Public Health and Sanitation, 41.
Re-referred to Committee on Insurance, 63.

WORKMEN'S COMPENSATION LAW of 1915, by extending period within which claims can be made, amending

House Bill No. 202.
Read in place in House by Mr. Fitzgerald, 317.
Referred to Committee on Judiciary General, 317.

WORKMEN'S COMPENSATION LAW of 1915, by extending period within which claims can be made, amending

Senate Bill No. 74.
Read in place in Senate by Mr. Harris, 311.
Referred to Committee on Judiciary General, 311.
Reported without amendment, 552.
First reading, 553.
Second reading, 585-586.
Third reading and final passage, 722.

In House (No. 250).
Referred to Committee on Insurance, 854.

WORKMEN'S COMPENSATION LAW of 1915, by extending time for appeals from board to courts of common pleas, and extending time for filing exceptions to actions of the board, further amending

House Bill No. 197.
Read in place in House by Mr. Fitzgerald, 317.
Referred to Committee on Judiciary General, 317.
Reported without amendment, 487.
First reading, 489.
Second reading, 565-566.
Third reading and final passage, 640.
Returned from Senate without amendment, 1082.
Signed by Speaker, 1086.

In Senate (No. 157).
Referred to Committee on Judiciary General, 709.
Reported without amendment, 785.
First reading, 823.
Second reading, 900.
Third reading and final passage, 1005.
Signed by President, 1023.

WORKMEN'S COMPENSATION LAW of 1915, by extending time for appeals from board to courts of common pleas, and extending time for filing exceptions to actions of the board, further amending

Senate Bill No. 77.
Read in place in Senate by Mr. Harris, 312.
Referred to Committee on Judiciary General, 312.
Reported without amendment, 552.
First reading, 553.
Second reading, 586-587.
Third reading and final passage, 723.
Returned from House without amendment, 1013.
Signed by President, 1019.

In House (No. 252).
Referred to Committee on Judiciary General, 855.
Reported without amendment, 872.
First reading, 873.
Second reading, 948.
Third reading and final passage, 1051.
Signed by Speaker, 1085.

WORKMEN'S COMPENSATION LAW of 1915, by extending time for appeals from referee's decision to the board, further amending

House Bill No. 196.
Read in place in House by Mr. Fitzgerald, 317.
Referred to Committee on Judiciary General, 317.

WORKMEN'S COMPENSATION LAW.—Continued.

Reported without amendment, 487.
First reading, 558.
Second reading, 621.
Third reading and final passage, 689.
Returned from Senate with amendments, and Bill, together with amendments, laid on table, 1079-1080.

Remarks on, by
Sowers, 1080.
Fitzgerald, 1080.

In Senate (No. 166).
Referred to Committee on Judiciary General, 709.
Reported without amendment, 784.
First reading, 823.
Second reading, 900.
Vote on second reading reconsidered and bill passed second reading as amended, 904-905.
Third reading and final passage, 1005-1006.

WORKMEN'S COMPENSATION LAW of 1915, by extending time for appeals from referee's decision to the board, further amending

Senate Bill No. 73.
Read in place in Senate by Mr. Harris, 311.
Referred to Committee on Judiciary General, 311.
Reported without amendment, 552.
First reading, 553.
Second reading, 585.
Third reading and final passage, 722.
Returned from House without amendment, 1013.
Signed by President, 1018.

In House (No. 249).
Referred to Committee on Judiciary General, 854.
Reported without amendment, 872.
First reading, 873.
Second reading, 947-948.
Third reading and final passage, 1051.
Signed by Speaker, 1085.

Remarks on, by
Hoopes, 947.
Wike, 947.
Fitzgerald, 947.

WORKMEN'S COMPENSATION LAW of 1915, by further defining terms "injury" and "personal injury," reducing waiting period, providing additional compensation for total disability, etc., amending

House Bill No. 50.
Read in place in House by Mr. Yourishin, 94.
Referred to Committee on Judiciary General, 94.

WORKMEN'S COMPENSATION LAW of 1915, by increasing powers of Bureau to revoke its order granting exemption from insurance requiring each employer to post conspicuously name on his payer of compensation, further amending

House Bill No. 204.
Read in place in House by Mr. Fitzgerald, 317.
Referred to Committee on Judiciary General, 317.

WORKMEN'S COMPENSATION LAW of 1915, by increasing powers of Bureau to revoke its order granting exemption from insurance requiring each employer to post conspicuously name on his payer of compensation, further amending

Senate Bill No. 72.
Read in place in Senate by Mr. Harris, 311.
Referred to Committee on Judiciary General, 311.

WORKMEN'S COMPENSATION LAW of 1915, by making it unlawful for an employer to accept a receipt showing payment of compensation when in fact no such payment has been made, further amending

House Bill No. 199.
Read in place in House by Mr. Fitzgerald, 317.
Referred to Committee on Judiciary General, 317.
Reported without amendment, 487.
First reading, 558.
Second reading, 621.
Third reading and final passage, 689.
Returned from Senate without amendment, 1082.
Signed by Speaker, 1086.

WORKMEN'S COMPENSATION LAW—Continued.

In Senate (No. 167).
Referred to Committee on Judiciary General, 709.
Reported without amendment, 785.
First reading, 824.
Second reading, 900.
Third reading and final passage, 1006.
Signed by President, 1023.

WORKMEN'S COMPENSATION LAW of 1915, by making it unlawful for an employer to accept a receipt showing payment of compensation when in fact no such payment has been made, further amending

Senate Bill No. 71.
Read in place in Senate by Mr. Harris, 311.
Referred to Committee on Judiciary General, 311.
Reported without amendment, 552.
First reading, 553.
Second reading, 585.
Third reading and final passage, 722.

In House (No. 248).
Referred to Committee on Insurance, 854.

WORKMEN'S COMPENSATION LAW of 1915, by permitting extension of time for hospitalization to ninety days at option of employer or insurer, amending

House Bill No. 138.
Read in place in House by Mr. Ruth, 252.
Referred to Committee on Judiciary General, 252.
Reported without amendment, 488.
First reading, 489.
Second reading, 567.
Third reading, vote on third reading reconsidered and bill recommitted, 644-646.
Re-reported as amended, 654.
Third reading and final passage, 778-779.
Returned from Senate without amendment, 1082-1083.
Signed by Speaker, 1086.

Remarks on, by
Hutton, 644.
Ruth, 644-645.
Flynn, J. M., 644-645.
Cohen, 645-646.
Steddle, 645.

In Senate (No. 175).
Referred to Committee on Judiciary General, 749.
Reported without amendment, 784.
First reading, 824.
Second reading, 901.
Third reading and final passage, 1007.
Signed by President, 1023.

WORKMEN'S COMPENSATION LAW of 1915, by providing in certain disputed cases for impartial medical services at the cost of the employer, further amending

House Bill No. 198.
Read in place in House by Mr. Fitzgerald, 317.
Referred to Committee on Judiciary General, 317.

WORKMEN'S COMPENSATION LAW of 1915, by providing in certain disputed cases for impartial medical services at the cost of the employer, further amending

Senate Bill No. 76.
Read in place in Senate by Mr. Harris, 311.
Referred to Committee on Judiciary General, 311.

WORKMEN'S COMPENSATION LAW of 1915, by providing that payment for partial disability shall be in addition to those for total disability, increasing time for which services, medicines and supplies shall be furnished, etc., further amending

House Bill No. 206.
Read in place in House by Mr. Fitzgerald, 317-318.
Referred to Committee on Judiciary General, 318.

WORKMEN'S COMPENSATION LAW of 1915, by providing that payments for partial disabilities shall be in addition to those for total disabilities, increasing time for which surgical, medical and hospital services shall be furnished, etc., further amending

Senate Bill No. 69.
Read in place in Senate by Mr. Harris, 311.
Referred to Committee on Judiciary General, 311.

WORKMEN'S COMPENSATION LAW of 1915, by providing that payments may be awarded to claimants of remuneration for surgical, medical and hospital services, and for enforcement of such payments, amending

House Bill No. 205.
Read in place in House by Mrs. Fitzgerald, 317.
Referred to Committee on Judiciary General, 317.

WORKMEN'S COMPENSATION LAW of 1915, by providing that payments may be awarded to claimants of remuneration for surgical, medical and hospital services, and for enforcement of such payments, amending

Senate Bill No. 78.
Read in place in Senate by Mr. Harris, 312.
Referred to Committee on Judiciary General, 312.

WORKMEN'S COMPENSATION LAW of 1915, by repealing provision limiting time within which agreements or awards may be reviewed, modified or reinstated, etc., further amending

House Bill No. 201.
Read in place in House by Mr. Fitzgerald, 317.
Referred to Committee on Judiciary General, 317.

WORKMEN'S COMPENSATION LAW of 1915, by repealing provision limiting time within which agreements or awards may be reviewed, modified or reinstated, etc., further amending

Senate Bill No. 79.
Read in place in Senate by Mr. Harris, 312.
Referred to Committee on Judiciary General, 312.

WORKMEN'S COMPENSATION LAW of 1915, by requiring every compensating agreement to be executed in triplicate and one copy thereof to be sent by board to employe, further amending

House Bill No. 200.
Read in place in House by Mr. Fitzgerald, 317.
Referred to Committee on Judiciary General, 317.
Reported without amendment, 486.
First reading, 557.
Second reading, 619.
Third reading and final passage, 683.
Returned from Senate without amendment, 1082.
Signed by Speaker, 1086.

In Senate (No. 168).
Referred to Committee on Judiciary General, 709.
Reported without amendment, 785.
First reading, 824.
Second reading, 900-901.
Third reading and final passage, 1006.
Signed by President, 1023.

WORKMEN'S COMPENSATION LAW of 1915, by requiring every compensating agreement to be executed in triplicate and one copy thereof to be sent by board to employe, further amending

Senate Bill No. 75.
Read in place in Senate by Mr. Harris, 311.
Referred to Committee on Judiciary General, 311.
Reported without amendment, 552.
First reading, 553.
Second reading, 586.
Third reading and final passage, 722-723.
Returned from House without amendment, 1013.
Signed by President, 1019.

In House (No. 251).
Referred to Committee on Judiciary General, 854.
Reported without amendment, 872.
First reading, 874.
Second reading, 946-947.
Third reading and final passage, 1050.
Signed by Speaker, 1085.

WORKMEN'S COMPENSATION LAW of 1915, providing for inclusion of occupational diseases within scope thereof, supplementing

House Bill No. 180.
Read in place in House by Mr. Yourishin, 314.
Referred to Committee on Public Health and Sanitation, 314.
Re-referred to Committee on Insurance, 391.

WORKMEN'S COMPENSATION REFEREE nominated and referred to Committee on Executive Nominations, 8; reported, 536; confirmed, 538.

WORKMEN'S COMPENSATION (see also Insurance).

WRIGHT, J. ANSON, Representative from Bedford County.

WRITS for sale of real property for a certain period, staying certain

House Bill No. 116.
Read in place in House by Mr. Woodside, 217.
Referred to Committee on Judiciary General, 217.

WRITS (see also Election).

WRITS OF EVICTION, distress and other writs of possession, invoking police power, and authorizing courts of common pleas to stay

Senate Bill No. 116.
Read in place in Senate by Mr. Reed, 469.
Referred to Committee on Judiciary General, 469.

WRITS OF EXECUTION (see Judgments, Real Property).

YEAKEL, WILSON L., Representative from Bucks County.

Chairman of Committee on Labor, appointment as, 42.

Remarks by, on
House resolution directing chairman of committees having labor and social legislation under consideration to call meetings, 323.

YOURISHIN, JOHN, Representative from Luzerne County (First District).

Bills introduced by
No. 50.
Amending Workmen's Compensation Law of 1915, by further defining terms "injury" and "personal injury," reducing waiting period, providing additionl compensation for total disability, etc., 94.

No. 180.
Supplementing Workmen's Compensation Law of 1915, providing for inclusion of occupational diseases within scope thereof, 314.

Bill reported by
No. 117.
To regulate payment of wages or compensation for labor or service in private employments, 487.

YOURISHIN, JOHN.—Continued.

Motion by, to
Recommit Bill No. 240 (Senate No. 90), relating to advertising by holders of licenses to sell liquors for consumption on the premises, 938.

ZIESENHEIM, JOSEPH R., Senator from Forty-ninth District (Erie County).

Amendments offered by, to
Bill No. 42, Joint resolution creating a Liquor Control Investigation Commission, 305.

Bill introduced by
No. 42.
Joint resolution creating a Liquor Control Investigation Commission, and making appropriation, 212.

Bills reported by
No. 50 (House No. 39).
Authorizing issue and sale of bonds for payment of veterans' compensation, 215.

No. 51 (House No. 40).
Providing for veterans' compensation, imposing certain duties on Adjutant General and making appropriation, 215.

House conc. res. petitioning President to authorize completion of Allegheny River project and building of canal from Franklin to Erie, reported by 418.

ZIMMERMAN, WILLIAM ELLIS, Representative from Montgomery County (Third District).

Bill introduced by
No. 15.
Amending Beverage License Law of 1933, by limiting act to malt liquors as defined therein, 33.

Bill reported by
No. 39.
Authorizing sale of bonds by Commonwealth for payment of soldiers' bonus, 95.

Statement relative to omission of clause in Bill No. 15, amending Beverage License Law, by limiting act to malt liquors as defined therein, 78.

ZONE LIQUOR CONTROL COMMISSIONS (see Liquor Control).

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